

**Sylvania City Council
Tuesday January 18, 2011**

7:25 p.m. Continuation of Public Hearing - Crescent Learning Center, 5227 Main
Note: the applicant has verbally requested the petition be withdrawn

**7:30 p.m. Council Meeting
Agenda**

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Westphal.
3. Additions to the agenda.
4. Approval of the January 3 meeting minutes.
5. Discussion on the appointment of City of Sylvania Fire Chief.
6. Update on TMACOG Transportation Enhancement \$200,000 grant.
7. Committee reports.
8. Committee referrals.

Information

- A. December bank reconciliation.
- B. Notice of committee meetings.
- C. Minutes of the January 12 Planning Commission meeting.
- D. Minutes of the January 12 Board of Architectural Review meeting.
- E. Notice of demolition of garage at 5922 Garden Park Drive.
- F. 4th Quarter Management reports.

Minutes of the Meeting of Council
January 3, 2011

- The Council of the City of Sylvania, Ohio met in regular session on Monday, January 3, 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.
- Mr. Milner 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.
- 4a. Status report on the CDBG grant.
 - 4b. Report on the 7:00 public hearing.
 - 9a. Report on the Employee & Community Relations Committee and proposed Resolutions 2-2011, 3-2011, and 4-2011.
 - 9b. Schedule a Utilities & Environment Committee meeting.
 - 9c. Schedule a Finance Committee meeting.
 - 11. Proposed Ordinance 2-2011.
 - A. Information - December cash report from the Division of Taxation.
- Mr. Luetke 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 December 20 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 December 20, 2010 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 December 20 minutes.
- Economic Development/Administrative Services Coordinator Bill Sanford gave a brief update on the public meeting held for the CDBG planning grant noting that the application was submitted December 30. Danielle from Poggemeyer was present and thanked the City for its cooperation in the process. An informational meeting is scheduled for January 25 at 6:30 p.m. CDBG grant update.

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Mr. Milner reported that the continuance of the public hearing for zoning ordinance amendment petition no. SUP-2-2010 was held at 7:00 p.m. He said that Council waited ten minutes for the applicant. Since no one appeared, the public hearing was continued to Tuesday, January 18 at 7:25 p.m. If no one is present at that time and date, the petition will be denied. Council is agreeable to granting an extension before any action is taken if contacted by the petitioner.

SUP-2-2010
public hearing
report.

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

Mr. Milner presented and read aloud by title only, proposed Resolution No. 1-2011, a written copy of same having been previously furnished to each member of Council, "Requesting the County Auditor to make advances to the Treasurer of the City of Sylvania, Ohio; and declaring an emergency." Mr. Milner moved, Mr. Haynam 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 1-
2011, "...advances
to Treasurer..."

Mr. Milner moved, Mr. Luetke seconded, that Resolution No. 1-2011 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 presented and read aloud by title only, proposed Ordinance No. 1-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the payment of Transportation Planning Assessments for 2011 in the amount of \$2,169.00 to Toledo Metropolitan Area Council of Governments; 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 1-
2011, "...Trans-
portation
Planning Assess...
TMACOG..."

Mr. Milner moved, Mr. Brown seconded, that Ordinance No. 1-2011 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.

Mayor Stough presented the Service Director's report on the waterline project which will feed the proposed new elevated water tank. Mr. Brown moved, Mr. Haynam seconded, to authorize the clerk to advertise for the Centennial/Little Waterline

Clerk to advertise
for waterline bids.

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Improvements; 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 8.

Mr. Milner moved, Mrs. Westphal seconded, to refer the proposed ordinance regarding an agreement for Public Defender Services to the Finance Committee for review and recommendation; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. Public Defender ordinance to Finance Comm.

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

Mr. Luetke reported that the Employee & Community Relations Committee met at ... 6:30 to consider four Council appointments. Mr. Luetke presented and read aloud by title only, proposed Resolution No. 2-2011, a written copy of same having been previously furnished to each member of Council, "Re-appointing Katie Cappellini to the Board of Trustees of Sylvania Area Joint Recreation District (SAJRD), she being a member of the Council of this appointing political subdivision, for the full calendar year of 2011; and declaring an emergency." Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Resolution 2-2011, "Re-appointing Katie Cappellini... SAJRD..."

Mr. Luetke moved, Mrs. Husman seconded, that Resolution No. 2-2011 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.

Mr. Luetke presented and read aloud by title only, proposed Resolution No. 3-2011, a written copy of same having been previously furnished to each member of Council, "Re-appointing George France to the Board of Trustees of Sylvania Area Joint ... Recreation District (SAJRD) for a three year term to expire on December 13, 2013; 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: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried. Resolution 3-2011, "Re-appointing George France... SAJRD..."

Mr. Luetke moved, Mr. Haynam seconded, that Resolution No. 3-2011 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.

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Mr. Luetke presented and read aloud by title only, proposed Resolution No. 4-2011, a written copy of same having been previously furnished to each member of Council, "Re-appointing Norman R. Ladd to the Zoning Board of Appeals; and declaring an emergency." Mr. Luetke moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Resolution 4-2011, "Re-appointing Norman Ladd to the Zoning Bd. of Appeals.

Mr. Luetke moved, Mr. Haynam seconded, that Resolution No. 4-2011 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.

Mr. Luetke said the committee also considered a SAJRD appointment for an expected resignation of a City representative. The Law Director will prepare legislation when the resignation is received by either the City or SAJRD.

The Utilities & Environment Committee will meet on January 28 at 8:15 a.m. to discuss the proposed Riga Township wind farm project, and regulations for illicit discharge and illegal controls.

Utilities Comm.,
Jan. 28, 8:15 a.m.

The Finance Committee will meet on January 28 at 9:15 a.m. to review the Public Defender contract and the 2011 budget.

Finance Comm.,
Jan. 28, 9:15 a.m.

There were no items for 10 and Mayor Stough stated that Council will now consider agenda item 11.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 2-2011, a written copy of same having been previously furnished to each member of Council, "Amending Section 127.08 - Section of Utility Office Service; amending Section 129.03 - Division of Taxation and amending Section 139.02 - Content and Coverage of the Compensation Plan of the Codified Ordinances of Sylvania, 1979, as amended; and declaring an emergency." Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Ordinance 2-2011, "Amending Section 127.08 - ...Utility Office Service...Section 129.03 - ...Taxation..."

Mr. Luetke moved, Mr. Milner seconded, that Ordinance No. 2-2011 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

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Mayor Stough stated that all items on the agenda had been considered. Mr. Luetke moved, Mrs. Westphal seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:15 p.m. Adjournment.

Clerk of Council

Mayor

B



City Of Sylvania

SYLVANIA CITY COUNCIL
MARGARET LINTNER, MMC, CLERK

Committee Meetings Notice Sylvania City Council

Zoning & Annexation Committee **January 17, 2011 4:30 p.m.**

The Zoning & Annexation Committee will meet on Monday, January 17, 2011 at 4:30 p.m. in Council Chambers, located in the Sylvania Municipal Building, 6635 Maplewood Avenue, Sylvania, Ohio 43560 to further review the changes to the zoning code, and any other business the committee members vote to discuss.

Utilities & Environment Committee **January 28, 2011 8:15 a.m.**

The Utilities & Environment Committee will meet on Friday, January 28, 2011 at 8:15 a.m. in Council Chambers to discuss the proposed Riga Township wind farm project, regulations for illicit discharge and illegal controls, and any other business the committee members vote to consider.

Finance Committee **January 28, 2011 9:15 a.m.**

The Finance Committee will meet on Friday, January 28, 2011 at 9:15 a.m. in Council Chambers to review the Public Defender contract, the 2011 budget, and any other business the committee members vote to discuss.

C

Sylvania Municipal Planning Commission

Minutes of the regular meeting of January 12, 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.

Item 2 - Organizational Meeting

Mr. Lindsley called for nominations for the Chair and Vice-Chair for the Sylvania Municipal Planning Commission and the Board of Architectural Review.

Mayor Stough moved, Dr. Backus seconded to elect Mr. Lindsley as Chair. Vote being: Backus, Stough, Lindsley, Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mayor Stough moved, Mr. Marciniak seconded to elect Dr. Backus as Vice-Chair. Vote being: Stough, Lindsley, Marciniak, Backus (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission



Board of Architectural Review

Minutes of the regular meeting of January 12, 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.

Mr. Marciniak moved, Dr. Backus seconded to approve the Minutes of the December 15, 2010, meeting as submitted. Vote being: Lindsley, Marciniak, Backus, Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 - Regulated Sign - app. no. 1-2011 requested by Graphic Signs for Nutrition Resolutions, 6383 Monroe Street, Sylvania. Mr. Gary Harrell present. Mayor Stough stated that this is the center at Monroe Street and River Crossings. There are a lot of colors in this shopping center. This sign is not loud but it is colorful. Mr. Harrell mentioned that this will be an internally illuminated cabinet sign mounted on the fascia where a previous sign was located. Nutrition Resolution plans to open very soon, the cabinet is a stock size and he will need to get the panel painted and maybe have it installed by Monday. Mayor Stough mentioned that there is a ribbon cutting on Tuesday, January 18, for this store. Mr. Marciniak moved, Dr. Backus seconded to give a Certificate of Appropriateness for the new cabinet sign for Nutrition Resolutions, 6383 Monroe Street as presented in app. no. 1-2011. Vote being: Marciniak, Backus, Stough, Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4a - Regulated Sign - app. no. 2-2011 requested by Harmon Sign for Ciao Restaurant, 6064 Monroe Street, Sylvania. Mr. Scott Brady present. Mike Gibbons, Bill Sanford, Mr. Oberly, and he met at the site to discuss location of the sign. This will help the restaurant and be part of the Gateway Project. They got the sign up so it will be visible from Monroe Street. They had a message board on the pole sign that was damaged, and the message board could not be replaced under the new sign code. This area will have a test flower planting area for the Gateway Project, and the city has received permission from the State of Ohio for the plantings. This is an attractive sign and they need the message center capability. Mr. Brady stated that the stone base will match the stone in the patio fireplace. Ciao's is conscious of their image and they take care of their property so this sign will be maintained. Mr. Oberly mentioned that the pole needs to be painted when the weather warms up. Mr. Marciniak moved, Mr. Lindsley seconded to grant a Certificate of Appropriateness for the new monument sign for app. no. 2-2011 for Ciao Restaurant, 6064 Monroe Street as submitted with the location of the sign to be at the discretion of the administration. Vote being: Backus, Lindsley, Marciniak, Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4b - Regulated Sign - app. no. 3-2011 requested by Harmon Sign for Beautiful Blooms, 5646 Summit Street, Sylvania. Mr. Scott Brady present. Beautiful Blooms has amended their request, they added their web address, telephone number, and changed their logo. It was mentioned that the sign is harder to read and it they may be trying to get too much on the sign. Mr. Brady said they could move the address to the end cap. Members asked if this is a second location since they have Toledo and not Sylvania in their web address. Mr. Oberly explained that this is a spin off from Bumble, they will be handling the wedding portion and the flower part of the business. This site is

Item 4b - Continued:

north of Rite Aid. Because Rite Aid sits on the property line this sign will not be as visible from Monroe Street if it is ten feet behind the property line, and placing the sign ten feet from the south property line would put the sign in the driveway. Mr. Marciniak mentioned that this sign is larger than Ciao's sign, and it is on a much smaller property. They may be putting too much information on the sign. Members noted that they prefer the original layout and the logo with the circle. Mr. Lindsley moved, Mr. Marciniak seconded to give a Certificate of Appropriateness for app. no. 3-2011, a new monument sign for Beautiful Blooms, 5646 Summit Street, as shown on the drawing submitted at the meeting provided the address is put on the end cap and height of the sign is decreased as a provision of the sign being placed closer than ten feet to the property lines, the placement of the sign as safety permits to be determined by Mr. Oberly. Vote being: Stough, Backus, Lindsley, Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4c - Regulated District - app. no. 4-2011 requested by Wettle Corp. for Beautiful Blooms, 5646 Summit Street, Sylvania. The three awnings are to be recovered with black fabric with the logo on the awnings. They will use the same frames as the existing awnings. It was suggested that the missing shutter on the south side of the building should be replaced. Mr. Marciniak moved, Mr. Lindsley seconded to give a Certificate of Appropriateness for the new black fabric awning covers with the logo on each awning as described in app. no. 4-2011 for Beautiful Blooms, 5646 Summit Street. Vote being: Lindsley, Backus, Stough, Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission



E

City Of Sylvania

DIVISION OF ZONING
ROBERT H. OBERLY, ZONING ADMINISTRATOR

January 3, 2011

Sylvania Area Historical Society
Heritage Museum
5717 N. Main St.
Sylvania, OH 43560

Re: **Demolition Permit Application**
5922 Garden Park Drive - Garage

Dear President:

This is to inform you that Charles and Margaret Ferry have applied for a permit to demolish a detached garage at 5922 Garden Park Drive. The application was made on January 3, 2011, the permit may be issued thirty (30) days after the application is made or thirty days after the structure is posted for demolition.

During the 30-day period the owner of the property shall permit the Sylvania Historical Society, or a similar historic preservation organization, access to the structure to map, photograph, measure or otherwise preserve the history of said structure.

You may wish to contact Mr. or Mrs. Ferry if the historical society wants to document the structure that is to be torn down. If you have any questions or need any additional information, please contact the zoning office at 419-885-8946.

Very truly yours,

Barbara Taylor
Administrative Secretary

cc: Mayor Craig A. Stough
James E. Moan
Joyce Armstrong
Margaret Lintner, Clerk of Council
Rick Barricklow
Applicant

CITY OF SYLVANIA
DEMOLITION PERMIT

Date 1-3-2011

Permit No. _____

No zoning certificate for demolition of any structure in Sylvania constructed more than fifty years prior to the request for zoning Certificate for demolition shall be issued without the owner first posting on the exterior of the structure a sign, the size and specifications of which shall be designated by the Zoning Administrator, stating the intent to demolish the premises thirty days prior to the commencement of demolition. The 30-day period shall commence as of the later of the time of posting or thirty days from the date of application. During the 30-day period, the owner shall permit the Sylvania Historical Society, or a similar historic preservation organization, access to the structure to map, photograph, measure or otherwise preserve the history of said structure.

This section shall not apply if immediate demolition is required for the preservation of public health, safety and welfare or if the Mayor should determine that the property is of no historical significance.

WE, the undersigned, owners or their representatives, of the following described property, do hereby apply to you for a Certificate of Zoning and for such use, based on the information hereinafter set out.

Street Address 5922 GARDEN PARK DRIVE

Legal Description SYLVANIA PARKSIDE ADD R418

Property Zoned RESIDENTIAL R-1

Demolition of Existing: DETACHED GARAGE

Other Conditions or Comments: All utilities MUST be disconnected before the structure is torn down. The Contractor must notify all other utilities and OUPS (Ohio Utility Protection Services) prior to disconnection of services. The Contractor is responsible to have a City Inspector present when the water and sewer are disconnected. A contractor must be licensed by the City of Sylvania to work on any sewer connected with the public sewers in the City.

Owner's Name - CHARLES AND MARGARET FERRY

Submitted by - CHARLES FERRY
(individual or company)

Address - 5922 GARDEN PARK DRIVE
(street, city, state, zip code)

Telephone Number - 517-447-3334

Applicant's Signature Charles & Margaret Ferry

Issued by: Robert Oberly, Zoning Inspector

Date issued

Any certificate issued upon a false statement of any fact which is material to the issuances hereof shall be void.

9/2009

Permit Fee \$ 1.00