

**Sylvania City Council**  
March 18, 2013

**6:30 p.m. Employee & Community Relations Committee**  
Future Editions of Country Journal

**6:45 p.m. Finance Committee**  
2011 Management Letter

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

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Husman.
3. Additions to the agenda.
4. Approval of the minutes of the March 4 meeting.
5. Proposed Resolution 4-2013, commending Southview High School's Cougarettes Dance Team.
6. Notice from the Ohio Division of Liquor Control of a transfer of the D5 liquor license to Pastrokos & Skiadas, LLC, 7625-27 Sylvania Ave., Sylvania, OH 43560 from Skiadas, Inc. & Patio, 1540 W. Sylvania Ave., Toledo, OH 43612.
7. Notice from the Ohio Division of Liquor Control of a transfer of the D5, D6 liquor license to Bennett Enterprises, LLC, 5700 Monroe St, Unit 5702 & Patio, Sylvania, OH 43560 from Bennett Enterprises, Inc. d/b/a/ Ralphies Sports Eatery, 5700 Monroe St, Unit 5702 & Patio, Sylvania, OH 43560.
8. Arbor Way Sanitary Sewer:
  - a. Service Director's report on Arbor Way Sanitary Sewer survey work; and
  - b. proposed Ordinance 29-2013, Accepting the proposal of Lewandowski Engineers to provide survey services relative to the Arbor Way Sanitary Sewer Project; appropriating funds therefore in an amount not to exceed \$4,240.
9. Sprint Cell Tower Lease:
  - a. Service Director's report on Sprint Cell Tower Lease; and
  - b. proposed Ordinance 30-2013, Authorizing first amendment to water tower attachment lease agreement of the water tower within Burnham Park.

10. Safe Routes to School Project:
  - a. Service Director's report on Ordinance No. 21-2013, amount change.
  - b. proposed Ordinance \_\_-2013,
11. Service Director's report on Erie Street Bridge No. 122 Replacement Project; and authorize the clerk to advertise for bids.
12. Service Director's report on Building Rehabilitation Standards.
13. Service Director's report on Maumee River Wastewater Treatment Plant Debt, 2010-2011 Improvements.
14. Plan Commission's recommendation from March 13 meeting:
  - a. Proposed Ordinance No. 24-2013, Amending Section 1117.07 – Accessory Bldgs & Uses of the Planning and Zoning Code. Set the public hearing date and authorize the clerk to advertise for same. (Proposed date & time: May 6<sup>th</sup>, at 6:30p.m.)
  - b. Proposed Ordinance No. 25-2013, Amending Part Eleven of the Planning and Zoning Code to regulate use of Illuminated Tubing. Set the public hearing and authorize the clerk to advertise for same. (Proposed date & time: May 6<sup>th</sup>, at 7:00p.m.)
15. Committee reports.
  - a. Finance Committee Meeting from 6:45 p.m.
  - b. Employee & Community Relations Committee Meeting from 6:30 p.m.
16. Committee referrals.

#### Information

- A. February 2013 Bank Statement.
- B. February Cash Report From the Division of Taxation.
- C. Minutes of the March 13, 2013 Planning Commission meeting.
- D. Minutes of the March 13, 2013 Board of Architectural Review meeting.
- E. Annexation Hearing is scheduled to May 21, 2013 at 1:30 p.m.  
(Official notice from Board of County Commissioners' not yet received.)

Minutes of the Meeting of Council  
March 4, 2013

The Council of the City of Sylvania, Ohio met in regular session on March 4, 2013 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (6); absent: Todd Milner (1).

Roll call: all present.

Mr. Haynam 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. 30-year Tree City Recognition.
- 4b. Report of Public Hearing from 6:30 p.m.
- 5b. Correction of Resolution No. 28-2013 to No. 3-2013.
- 7a. Set Finance Committee Meeting.
- 8. Ordinance No. 28-2013.

Mr. Haynam moved, Mrs. Westphal seconded, to approve the agenda as amended; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented the February 19 minutes. Mrs. Westphal 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 February 19, 2013 be approved; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the February 19 minutes.

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

Mayor Stough stated that the City of Sylvania has been awarded the Tree City designation for the 30<sup>th</sup> year and has received a paper weight from the Arbor Day Foundation. He stated the City will have its annual Arbor Day celebration on Friday, April 26, 2013 at 11:30a.m.

Tree City Designation.

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

Minutes of the Meeting of Council  
March 4, 2013

Mrs. Westphal reported on the 6:30 public hearing regarding the Sign Code amendments. The recommendation was to direct the Law Director to speak with the city's attorney to consider placing language in the code that considers time limits with the exception of political signs.

Report on P.H....  
Sign Code  
Amendments.

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

The Service Director's report on Safe Routes to School Non-Infrastructure Grant was placed on file. Mr. Milner presented and read aloud by title only, proposed Resolution 3-2013, "Authorizing the Mayor and Director of Finance to prepare and submit an application for Safe Routes to School Funds from the State of Ohio Department of Transportation; and declaring an emergency." Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Milner, Westphal, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Resolution No.  
3-2013,  
"Authorizing  
Application for  
Safe Routes to  
School Funds  
from ODOT"

Mr. Milner moved, Mrs. Westphal seconded, that Resolution 3-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal reported on the Committee-of-the-Whole meeting held at 5:30p.m. to review proposed amendments to Community Reinvestment Area No. 3 and No. 8. Mrs. Westphal stated after extensive discussion changes are being considered. Mrs. Westphal moved, Mr. Haynam seconded to refer back to the Administration for further review and development; roll call vote being: Milner, Westphal, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Ordinance No.  
22-2013 and No.  
23-2013 refer to  
Admin...for  
review.

Mr. Haynam reported on the Zoning & Annexation Committee meeting held on February 28. There was review of proposed Ordinance 24-2013, Amendments to the Zoning Code Section 1117.07-Accessory Buildings & Uses. Mr. Haynam moved, Mrs. Westphal seconded to refer this matter to the Planning Commission for review and recommendation; roll call vote being: Westphal, Cappellini, Haynam, Husman, Luetke, Milner, (6) yeas; (0) nays. The motion carried.

Refer Ordinance  
No. 24-2013 to  
Plan  
Commission.

Minutes of the Meeting of Council  
March 4, 2013

Mrs. Haynam reported on the review of proposed Ordinance 25-2013, amendments to the Zoning Code to regulate the use of Illuminated Tubing. Mr. Haynam moved, Mr. Luetke seconded to refer this matter to the Planning Commission for review and recommendation; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (6) yeas; (0) nays. The motion carried.

Refer Ordinance  
No. 25-2013 to  
Plan  
Commission.

The next Sylvania Planning Commission meeting will be held on Wednesday, March 13 at 5:30 p.m.

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

The Finance Committee will meet on March 18 at 6:45p.m. to discuss the Management letter of the 2011 Audit.

Set Finance  
Committee...  
3/18/13, 6:45p.m.

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

Mr. Luetke presented and read aloud by title only, proposed Ordinance 28-2013, "Revision the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Section 139.03(e)(3) to set the salary of the "Commissioner-Taxation" at \$75,000 annually effective March 4, 2013; and declaring an emergency." Mr. Luetke moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Milner, Westphal, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Ordinance 28-  
2013 "Revision  
to salary.....  
Commissioner-  
Taxation"

Mr. Luetke moved, Mr. Milner seconded, that Ordinance 28-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated that all items on the agenda had been considered.

Mr. Haynam moved, Mrs. Westphal seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned 8:11p.m.

Adjournment.

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Clerk of Council

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Mayor

# Resolution

NO. 4 -2013

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SYLVANIA  
COMMENDING SYLVANIA SOUTHVIEW HIGH SCHOOL'S COUGARETTES  
DANCE TEAM ON ITS FIRST PLACE FINISHES IN THE POM AND JAZZ  
DIVISIONS IN THE OHIO ASSOCIATION OF SECONDARY SCHOOL  
ADMINISTRATORS STATE CHEERLEADING AND DANCE TEAM  
CHAMPIONSHIP; AND DECLARING AN EMERGENCY.**

WHEREAS, the 2013 Ohio Association of Secondary School Administrators State Cheerleading and Dance Team Championship was held March 3, 2013 at St. John's Arena on The Ohio State University campus; and,

WHEREAS, Sylvania Southview High School's Cougarettes Dance team finished first in both the Jazz and Pom Divisions for the second year in a row at the State Cheerleading and Dance Team Championship; and,

WHEREAS, congratulations to Taylor Bush, Jessica Clark, Cassie Potter, Emily Micsko, Gabby Ide, Alyssa Brutlag, Stephanie Meyer, Bailey Platz, Aubrie Hattendorf, Paige Galecki, Sally Micsko, Dayna Dionyssion, Elise Conklin and Lauren Gant, the members of the Cougarettes Dance Team, for their outstanding performance at the State Championship; and,

WHEREAS, congratulations also to coach Adrienne Salon whose talent, creativity, enthusiasm and dedication led her team to a State Championships in the Jazz and Pom Divisions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_ members elected thereto concurring:

**SECTION 1.** That this Council recognizes the accomplishments and talents of the Sylvania Southview High School Cougarettes Dance team and its achievement in placing first in the Jazz and Pom Divisions.

**SECTION 2.** That the Clerk of Council is hereby directed to present **THE SYLVANIA SOUTHVIEW HIGH SCHOOL COUGARETTES DANCE TEAM** with a certified copy of this Resolution and to proudly post a copy of this Resolution 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 3.** That this Resolution 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 this Resolution is a necessary step in commending the Sylvania Southview Cougarettes Dance Team for their outstanding performance at the OASSA State Cheerleading and Dance Team Championship and therefore this Resolution should be effective immediately. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, 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, \_\_\_\_\_, 2013, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

OTHER MEMBERS OF COUNCIL:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law

6.

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

6740743		TREX		PASTRIKOS & SKIADAS LLC 7625-27 SYLVANIA AV SYLVANIA OH 43560
06 01 2012				
03 05 2013				
D5				
48	077	A	F09376	

FROM 03/07/2013 SAFEKEEPING

8208726				SKIADAS INC & PATIO 1540 W SYLVANIA AVE TOLEDO OH 43612
06 01 2012				
03 05 2013				
D5				
48	088			



MAILED 03/07/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN.

04/08/2013

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 TREX 6740743

(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 SYLVANIA CITY COUNCIL  
6730 MONROE ST  
SYLVANIA OHIO 43560

<b>FOR OFFICE USE ONLY</b>	
NEW	TRANSFER
PERMIT # <u>6740743</u>	

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL  
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005  
 Telephone: (614) 644-2431 - <http://www.com.ohio.gov/liqr>



**LIMITED LIABILITY COMPANY DISCLOSURE FORM**  
 (This form must accompany all applications of an LLC business entity)

**SECTION A.**

Name of Limited Liability Company <b>Pastrikos &amp; Skiadas, LLC</b>	DBA Name	
Permit Premises Address <b>7625-7627 Sylvania Ave.</b>	City, State <b>Sylvania, Ohio</b>	Zip Code <b>43560</b>
Township, if in Unincorporated Area	Tax Identification No. (TIN) <b>46-2022771</b>	

**Limited Liability Company ("LLC")** - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

**Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.**

**SECTION B.** List the top five (5) officers of the captioned business. **If an office is NOT held, please indicate by writing NONE.**

**EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC419L.**

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO <b>NONE</b>		
2) President <b>NONE</b>		
3) Vice-President <b>NONE</b>		
4) Secretary <b>NONE</b>		
5) Treasurer <b>NONE</b>		

**SECTION C.** List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

**THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC419L.**

1) Name <b>Eleftherios S. Pastrikos</b>	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address <b>4012 Clover Ridge Ct.</b>	Tax Identification No. (if applicable)	
City and State <b>Toledo, Ohio</b>	Zip Code <b>43623</b>	
Telephone No. <b>419-290-4240</b>	Date of Birth <b>07-25-88</b>	
2) Name <b>John . Skiadas</b>	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address <b>1528 W. Sylvania Ave.</b>	Tax Identification No. (if applicable)	
City and State <b>Toledo, Ohio</b>	Zip Code <b>43612</b>	
Telephone No. <b>419-329-1570</b>	Date of Birth <b>01-20-1940</b>	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Lucas COUNTY ss,

I, Eleftherios S. Pastrikos being first duly sworn, according to law, deposes and says that he/she is (Title) managing member of the Pastrikos & Skiadas, LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the forgoing affidavit are true.

(Signature) [Signature] (Print Name and Title) ELEFTHERIOS S PASTRIKOS PRES  
 Subscribed and sworn to in my presence this 21 day of Feb, 2013



BEVERLY A. COTE  
 NOTARY PUBLIC - OHIO  
 MY COMMISSION EXPIRES 01-03-2015

Beverly A Cote (Notary Public) 01-03-2015 (Notary Expiration)



FOR OFFICE USE ONLY
NEW <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">TRANSFER</span>
PERMIT # <u>0620460-0005</u>

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL  
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005  
 Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr



**LIMITED LIABILITY COMPANY DISCLOSURE FORM**

(This form must accompany all applications of an LLC business entity)

**SECTION A.**

Name of Limited Liability Company <b>BENNETT ENTERPRISES LLC</b>	DBA Name	
Permit Premises Address <b>3005 NAVARRE AVENUE</b>	City, State <b>OREGON, OH</b>	Zip Code <b>43616</b>
Township, if in Unincorporated Area	Tax Identification No. (TIN) <b>46-1459860</b>	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

**SECTION B.** List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO <i>None</i>		
2) President <i>None</i>		
3) Vice-President <i>None</i>		
4) Secretary <i>None</i>		
5) Treasurer <i>None</i>		

**SECTION C.** List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name <b>ROBERT ARMSTRONG</b>	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address <b>9866 FORD ROAD</b>	Tax Identification No. (if applicable)	
City and State <b>PERRYSBURG, OH</b>	Zip Code <b>43551</b>	
Telephone No. <b>419-874-1933</b>	Date of Birth <b>07/02/55</b>	
2) Name	Social Security No. (if individual)	<input type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address	Tax Identification No. (if applicable)	
City and State	Zip Code	
Telephone No.	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, WOOD COUNTY ss.

I, ROBERT ARMSTRONG being first duly sworn, according to law, deposes and says that he/she is (Title) MNG MEMBER

of the BENNETT ENTERPRISES LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) *Robert Armstrong* (Print Name and Title) ROBERT ARMSTRONG  
MANAGING MEMBER

Sworn to and subscribed in my presence this 7<sup>th</sup> day of February, 2013

DAVID G WEISENBACHER  
Notary Public, State of Ohio  
My Commission Expires 10-11-2016

*David G. Weisenbacher*  
(Notary Public) 10-11-2016  
(Notary Expiration)

2013 MAR 28 PM 12:42  
 DIVISION OF LIQUOR CONTROL  
 FRONT DESK-2

DLC4032 (LIMITED LIABILITY COMPANY DISCLOSURE FORM)

SECTION C.  
(CONTINUED)

List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

3) Name	MWB TRUST 12107-78	Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address	5800 MONROE ST F	Tax Identification No. (if applicable)	27-7075651	<input checked="" type="checkbox"/> 5% or greater voting interest
City and State	SYLVANIA, OH	Zip Code	43560	<input checked="" type="checkbox"/> 5% or greater membership interest
Telephone No.	419-882-0081	Date of Birth	N/A	
4) Name	S I BENNETT IRR TRU	Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address	5800 MONROE ST F	Tax Identification No. (if applicable)	46-6465529	<input checked="" type="checkbox"/> 5% or greater voting interest
City and State	SYLVANIA, OH	Zip Code		<input checked="" type="checkbox"/> 5% or greater membership interest
Telephone No.	419-882-0081	Date of Birth	N/A	
5) Name		Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> 5% or greater voting interest
City and State		Zip Code		<input type="checkbox"/> 5% or greater membership interest
Telephone No.		Date of Birth		
6) Name		Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> 5% or greater voting interest
City and State		Zip Code		<input type="checkbox"/> 5% or greater membership interest
Telephone No.		Date of Birth		
7) Name		Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> 5% or greater voting interest
City and State		Zip Code		<input type="checkbox"/> 5% or greater membership interest
Telephone No.		Date of Birth		
8) Name		Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> 5% or greater voting interest
City and State		Zip Code		<input type="checkbox"/> 5% or greater membership interest
Telephone No.		Date of Birth		
9) Name		Social Security No. (if individual)		<input type="checkbox"/> Managing Member
Residence Address		Tax Identification No. (if applicable)		<input type="checkbox"/> 5% or greater voting interest
City and State		Zip Code		<input type="checkbox"/> 5% or greater membership interest
Telephone No.		Date of Birth		

2013 MAR -8 PM 12:42  
 DIV LIQUOR CONTROL  
 FRONT DESK-2

8a



DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 11, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Arbor Way Sanitary Sewer**

Dear Mr. Mayor and Council Members:

The residents of Arbor Way, between Silvertown Drive and Whiteford Road, have petitioned to be annexed into the City of Sylvania and that process has begun. They also have requested that sanitary sewers be installed. It is our intent to design the sanitary sewer in-house with City staff.

The project costs will be assessed to the adjoining property owners once construction is complete. A preliminary estimate for the total project is \$222,400. We have received quotes from three local surveying companies and Lewandowski Engineers has submitted a cost of \$4,240.00 to perform the necessary survey work.

We are familiar with their company and recommend entering into an agreement with Lewandowski Engineers in the amount of \$4,240.00 for survey services for the Arbor Way Sanitary Sewer Project.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.  
Director of Public Service  
KGA/dsw

ORDINANCE NO. 29 -2013

**ACCEPTING THE PROPOSAL OF LEWANDOWSKI ENGINEERS TO PROVIDE SURVEY SERVICES RELATIVE TO THE ARBOR WAY SANITARY SEWER PROJECT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$4,240; AND DECLARING AN EMERGENCY.**

WHEREAS, on March 4, 2013, residents of Arbor Way, between Silvertown Drive and Whiteford Road, filed a petition with the Board of Lucas County Commissioners for annexation of their property to the City of Sylvania; and,

WHEREAS, the residents of Arbor Way have requested that sanitary sewers be installed and these costs will be assessed to the property owners upon completion of the project; and,

WHEREAS, the Department of Public Service has received, and by a report dated March 11, 2013, recommends a proposal from Lewandowski Engineers to provide survey services for the Arbor Way Sanitary Sewer Project at a cost not to exceed Four Thousand Two Hundred Forty Dollars (\$4,240).

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 Lewandowski Engineers for an amount not to exceed the total sum of Four Thousand Two Hundred Forty Dollars (\$4,240) for providing survey services relative to the Arbor Way Sanitary Sewer Project, is hereby accepted.

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

SECTION 3. That to provide funds for said surveying services hereby authorized, there is hereby appropriated from the **SEWER FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-53572 – Arbor Way Sanitary Sewer**, the total sum of Four Thousand Two Hundred Forty Dollars (\$4,240).

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 survey work to be completed at the earliest possible time so as not to delay the installation of the Arbor Way Sanitary Sewer. 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, \_\_\_\_\_, 2013, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

9a



DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 12, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Sprint Cell Tower**

Dear Mr. Mayor and Council Members:

A previous agreement was in place with Sprint Spectrum, L.P. (Sprint) approved by Ordinance No. 176-97. This agreement expired December 31, 2012 and we have been negotiating with Sprint for the past few months.

We have consulted with other water tank owners and done much research on similar agreements. We believe we have negotiated a favorable agreement for the City and it's residents.

The monthly rent received in December of 2012 was \$2,997.00. The monthly rent effective January 2013 will be \$3,336.91 which amounts to an annual receipt of \$40,042.92. This amount will increase annually by 3% for ten years and then 5% for five years for the total fifteen year agreement.

We also will receive half the cost of repainting the water tower, up to a maximum of \$41,091.00, as part of the agreement.

We believe the agreement with Sprint Spectrum Realty Company L.P. is a fair and equitable one and recommend it's approval.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.  
Director of Public Service  
KGA/dsw

9b.

**ORDINANCE NO. 30 -2013**

**AUTHORIZING A FIRST AMENDMENT TO WATER TOWER ATTACHMENT LEASE AGREEMENT BETWEEN THE CITY OF SYLVANIA, AS LESSOR, AND SPRINT SPECTRUM REALTY COMPANY, L.P., A DELAWARE CORPORATION, AS LESSEE, OF THE WATER TOWER WITHIN BURNHAM PARK AND ADDITIONAL LAND IN BURNHAM PARK, FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, OPERATING, ALTERING, INSPECTING AND REMOVING EQUIPMENT; DETERMINING SAID CITY OWNED PROPERTY NOT TO BE NEEDED FOR MUNICIPAL PURPOSES DURING THE TIME OF THE PROPOSED LEASE; AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO SIGN SUCH A LEASE ON BEHALF OF THE CITY OF SYLVANIA, OHIO; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Sylvania is the owner of the real estate at Burnham Park, located in the City of Sylvania, Ohio; and,

WHEREAS, Ordinance No. 176-97, passed December 15, 1997, authorized a lease between Sprint Spectrum, L.P. for space on the water tower in Burnham Park and an additional 400 square feet of land; and,

WHEREAS, Sprint Realty Company, L.P., successor in interest to Sprint Spectrum L.P. has proposed to continue to lease space on the water tower and additional land of approximately 400 square feet at Burnham Park, located in the City of Sylvania, Ohio, for the initial term of sixty (60) months with two additional sixty (60) month lease terms under financial terms set forth in said lease, with rental for the initial term to be at Two Hundred Twelve Thousand Five Hundred Ninety-Three and 32/100 Dollars (\$212,593.32); and,

WHEREAS, the City of Sylvania will receive as additional compensation one-half of the cost to repaint the water tower at Burnham Park not to exceed Forty-One Thousand Ninety-One Dollars (\$41,091.00); and,

WHEREAS, a copy of said lease is attached hereto as "Exhibit A" and made a part

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

SECTION 1. That the City of Sylvania owns the water tower at Burnham Park and attached additional land located in the City of Sylvania, Ohio which is hereby determined not to be needed for municipal purposes.

SECTION 2. That the municipal property described in Section 1 hereof is hereby authorized to be leased by the City of Sylvania as Lessor, to Sprint Realty Company, L.P., a Delaware Corporation, successor in interest to Sprint Spectrum, L.P., a Delaware Corporation, as Lessee, for the initial term of sixty (60) months with two additional sixty (60) month lease terms under financial terms set forth in said lease, with rental for the initial term to be at Two Hundred Twelve Thousand Five Hundred Ninety-Three and 32/100 Dollars (\$212,593.32), with the rent payable on the first day of each month in advance and with the lease containing other customary provisions for such a lease as are approved by the Director of Law. A copy of said lease is attached hereto as "Exhibit A", and made a part hereof.

SECTION 3. That the Mayor and Director of Finance be, and they hereby are, authorized to enter into a lease on behalf of the City of Sylvania, Ohio, as Lessor, as authorized in Section 2 hereof for the property described in Section 1 hereof.

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 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, Sections 11 and 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 continuing to provide communications technology to our citizens enhances the development and growth of the City of Sylvania. 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, \_\_\_\_\_, 2013, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**FIRST AMENDMENT TO  
WATER TOWER ATTACHMENT LEASE AGREEMENT**

THIS FIRST AMENDMENT TO WATER TOWER ATTACHMENT LEASE AGREEMENT ("Amendment") is made effective as of \_\_\_\_\_, 201\_\_ ("Effective Date"), by and between the City of Sylvania, Ohio, an Ohio municipal corporation ("Landlord") and Sprint Spectrum Realty Company, L.P., a Delaware limited partnership, successor in interest to Sprint Spectrum L.P., a Delaware limited partnership ("Tenant").

**BACKGROUND**

Pursuant to a Water Tower Attachment Lease Agreement dated December 15, 1997 ("Lease"), Landlord leased to Tenant a certain portion of real property located at 6829 Erie Street, City of Sylvania, County of Lucas, State of Ohio, as more particularly described in the revised Exhibit B attached hereto ("Premises").

Landlord and Tenant desire to amend the Lease as set forth herein. Words and phrases having a defined meaning in the Lease have the same respective meanings when used herein unless otherwise expressly stated.

**AGREEMENT**

The parties agree as follows:

- 1. **TERM.** Section 3 of the Lease is amended by adding the following:

Notwithstanding anything set forth in 3 to the contrary, the current term of the Lease will expire on December 31, 2012. Commencing on January 1, 2013, the term of the Lease ("New Initial Term") is sixty (60) months. The Lease will be automatically renewed for up to two (2) additional terms (each a "Renewal Term") of sixty (60) months each. Each Renewal Term will be deemed automatically exercised without any action by either party unless Tenant gives written notice of its decision not to exercise any option(s) to Landlord before expiration of the then current term.

- 2. **RENT.** Section 4 of the Lease is amended by adding the following:

Notwithstanding anything set forth in Section 4 to the contrary, effective January 1, 2013, the rent shall be paid in equal monthly installments of Three Thousand Three Hundred Thirty-Six and 91/100 Dollars (\$3,336.91), and shall continue during the term (until increased as set forth herein), partial months to be prorated, in advance ("Rent"). Commencing on January 1, 2014, the Rent will be increased annually by three percent (3%) of the then current Rent. Thereafter, commencing on January 1, 2023, the Rent will be increased annually by five percent (5%) of the then current Rent.

January 1, 2013	\$3,336.91
January 1, 2014	\$3,437.02
January 1, 2015	\$3,540.13

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_

January 1, 2016	\$3,646.33
January 1, 2017	\$3,755.72
January 1, 2018	\$3,868.39
January 1, 2019	\$3,984.44
January 1, 2020	\$4,103.97
January 1, 2021	\$4,227.09
January 1, 2022	\$4,353.90
January 1, 2023	\$4,571.60
January 1, 2024	\$4,800.17
January 1, 2025	\$5,040.18
January 1, 2026	\$5,292.19
January 1, 2027	\$5,556.80

3. **MAINTENANCE.** Section 7.1 of the Lease is deleted in its entirety and replaced with the following:

"7.1 Landlord will maintain the Tower in a proper operating and safe condition. All costs associated with the maintenance and repair of the Tower, will be paid by Landlord, unless the damage to the tower is caused by Tenant, in which case Tenant shall repair such damage or, at Tenant's option, reimburse Landlord for the costs and expenses incurred by Landlord to repair damage. The above notwithstanding, based on previous disclosures made by and discussions with Landlord, Tenant agrees that at anyone time during Term hereof, that should Landlord desire to paint the Tower, Tenant shall pay one half of such costs, not to exceed Forty-One Thousand Ninety-One and 00/100 Dollars (\$41,091.00). Tenant shall pay Tenant's share with thirty days after written documentation has been given Tenant, supporting, to Tenant's reasonable satisfaction that such work has been done on the Tower and that such costs relate solely to the Tower."

4. **HOLDING OVER.** The last sentence of Section 8 of the Lease deleted in its entirety.

5. **NOTICES.** Section 9 of the Lease is deleted in its entirety and replaced with the following:

"All notices, requests, demands or other communications with respect to the Lease, whether or not herein expressly provided for, must be in writing and will be deemed to have been delivered upon receipt or refusal to accept delivery after being either mailed by United States first-class certified or registered mail, postage prepaid, return receipt requested or deposited with an overnight courier service for next-day delivery to the parties at the following addresses (the addresses may be changed by either party by giving written notice).

Landlord: City of Sylvania, Ohio  
Attn: Service Director  
6730 Monroe Street  
Sylvania, OH 43560

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_

Tenant: Sprint Spectrum Realty Company, L.P.  
Sprint/Nextel Property Services  
Site ID: DE14XC004-A  
Mailstop KSOPHT0101-Z2650  
6391 Sprint Parkway  
Overland Park, KS 66251-2650

with a copy to: Sprint/Nextel Law Department  
Attn: Real Estate Attorney  
Site ID: DE14XC004-A  
Mailstop KSOPHT0101-Z2020  
6391 Sprint Parkway  
Overland Park, KS 66251-2020"

6. **EXHIBIT B.** The attached Exhibit B shall be incorporated into and made a part of the Lease and shall supersede and replace the existing Exhibit B to the Lease, respectively. Upon full execution of this Amendment, Tenant is permitted to do any work necessary to install, modify, or otherwise relocate the Communications Facility on the Premises, as more fully described in attached Exhibit B.

7. **ADDITIONAL TERMS AND CONDITIONS TO THIS AMENDMENT.** Landlord agrees to promptly execute and deliver to Tenant a recordable Memorandum of Amendment in the form of Attachment 1, attached.

8. **REAFFIRMATION; INTENTION TO BE BOUND.** Except as provided in this Amendment, each and every term, condition and agreement contained in the Lease will remain in full force and effect. The parties reaffirm that the representations and warranties made by each of the parties in the Lease are true and accurate as of the Effective Date. The parties executing this Amendment, on behalf of themselves, their assigns and successors, acknowledge and reaffirm their intention to be bound by the terms and conditions of the Lease.

**SIGNATURES APPEAR ON THE FOLLOWING PAGE**

Landlord initials: \_\_\_\_\_

MD7

Tenant initials: \_\_\_\_\_

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed as of the Effective Date.

**Landlord:**

**Tenant:**

**City of Sylvania, Ohio,  
an Ohio municipal corporation**

**Sprint Spectrum Realty Company, L.P.,  
a Delaware limited partnership**

By: \_\_\_\_\_  
(please use blue ink)

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Name: Nathan Olson

Title: \_\_\_\_\_

Title: Authorized Representative

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
(please use blue ink)

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_

**EXHIBIT B**

(See attached.)

Landlord initials: \_\_\_\_\_

MD7

Tenant initials: \_\_\_\_\_

**ATTACHMENT 1**

**RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:**

Sprint/Nextel Property Services  
Mailstop KSOPHT0101-Z2650  
6391 Sprint Parkway  
Overland Park, Kansas 66251-2650

[space above this line for Recorder's use]

**MEMORANDUM OF FIRST AMENDMENT TO  
WATER TOWER ATTACHMENT LEASE AGREEMENT**

The MEMORANDUM OF FIRST AMENDMENT TO WATER TOWER ATTACHMENT LEASE AGREEMENT ("Memorandum"), evidences that an amendment ("Amendment") was made to Water Tower Attachment Lease Agreement dated December 15, 1997 ("Lease"), by and between the City of Sylvania, Ohio, an Ohio municipal corporation ("Landlord") and Sprint Spectrum Realty Company, L.P., a Delaware limited partnership, successor in interest to Sprint Spectrum L.P., a Delaware limited partnership ("Tenant").

The terms and conditions of the Lease and Amendment are incorporated herein by reference.

The Lease as amended provides in part that Landlord leased to Tenant a certain site located at 6829 Erie Street, City of Sylvania, County of Lucas, State of Ohio, which is more particularly described on **Exhibit A** attached and incorporated herein by reference. The Amendment grants Tenant the option to extend the Lease for two (2) additional sixty (60) month terms after the expiration of the new initial sixty (60) month term which commenced on January 1, 2013.

All notices to Tenant must be sent via U.S. Postal Service certified mail, return receipt requested with all postage prepaid to:

Sprint Spectrum Realty Company, L.P.  
Sprint/Nextel Property Services  
Site ID: DE14XC004-A  
Mailstop KSOPHT0101-Z2650  
6391 Sprint Parkway  
Overland Park, KS 66251-2650

with a mandatory copy to:  
Sprint/Nextel Law Department  
Attn: Real Estate Attorney  
Site ID: DE14XC004-A  
Mailstop KSOPHT0101-Z2020  
6391 Sprint Parkway  
Overland Park, KS 66251-2020

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_



**EXHIBIT A  
TO MEMORANDUM OF FIRST AMENDMENT TO  
WATER TOWER ATTACHMENT LEASE AGREEMENT**

**Description of Property**

A portion of certain real property located at 6829 Erie Street, City of Sylvania, County of Lucas, State of Ohio, described as follows:

**Part of Lot 23 of "Burnham's Addition" part of Section 9, T.9 S., R.6 E., City of Sylvania, Lucas County, State of Ohio (Volume 19, Page 2 Lucas County Records), commencing at the Northeast corner of Lot 22; thence along the North lot line West, 10.32 feet; thence S 03°52'36" W, 31.95 feet; thence S 57°28'06" W, 45.00 feet; thence S 89°16'11" W, 38.62 feet; thence S 88°47'23" E, 8.00 feet to the Point of Beginning; Thence S 03°12'37" W, 20.00 feet; thence N 88°47'23" W, 20.00 feet; thence N 03°12'37" E, 20.00 feet; thence S 88°47'23" E, 20.00 feet to the Point of Beginning, containing 400.0 square feet or 0.009 acres and subject to easements and restrictions of record.**

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_

**RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:**

Sprint/Nextel Property Services  
Mailstop KSOPHT0101-Z2650  
6391 Sprint Parkway  
Overland Park, Kansas 66251-2650

[space above this line for Recorder's use]

**MEMORANDUM OF FIRST AMENDMENT TO  
WATER TOWER ATTACHMENT LEASE AGREEMENT**

The MEMORANDUM OF FIRST AMENDMENT TO WATER TOWER ATTACHMENT LEASE AGREEMENT ("Memorandum"), evidences that an amendment ("Amendment") was made to Water Tower Attachment Lease Agreement dated December 15, 1997 ("Lease"), by and between the City of Sylvania, Ohio, an Ohio municipal corporation ("Landlord") and Sprint Spectrum Realty Company, L.P., a Delaware limited partnership, successor in interest to Sprint Spectrum L.P., a Delaware limited partnership ("Tenant").

The terms and conditions of the Lease and Amendment are incorporated herein by reference.

The Lease as amended provides in part that Landlord leased to Tenant a certain site located at 6829 Erie Street, City of Sylvania, County of Lucas, State of Ohio, which is more particularly described on **Exhibit A** attached and incorporated herein by reference. The Amendment grants Tenant the option to extend the Lease for two (2) additional sixty (60) month terms after the expiration of the new initial sixty (60) month term which commenced on January 1, 2013.

All notices to Tenant must be sent via U.S. Postal Service certified mail, return receipt requested with all postage prepaid to:

Sprint Spectrum Realty Company, L.P.  
Sprint/Nextel Property Services  
Site ID: DE14XC004-A  
Mailstop KSOPHT0101-Z2650  
6391 Sprint Parkway  
Overland Park, KS 66251-2650

with a mandatory copy to:  
Sprint/Nextel Law Department  
Attn: Real Estate Attorney  
Site ID: DE14XC004-A  
Mailstop KSOPHT0101-Z2020  
6391 Sprint Parkway  
Overland Park, KS 66251-2020

**SIGNATURES APPEAR ON THE FOLLOWING PAGE**

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_

IN WITNESS WHEREOF, the parties have executed this Amended Memorandum as of the day and year indicated below.

**Landlord:**  
**City of Sylvania, Ohio,**  
**an Ohio municipal corporation**

**Tenant:**  
**Sprint Spectrum Realty Company, L.P.,**  
**a Delaware limited partnership**

By: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: \_\_\_\_\_  
Printed Name: Nathan Olson  
Title: Authorized Representative

STATE OF \_\_\_\_\_ )  
 )ss.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was (choose one)  attested or  acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of the **City of Sylvania, Ohio, an Ohio municipal corporation**, on behalf of the corporation.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF KANSAS )  
 ) ss.  
COUNTY OF JOHNSON )

Acknowledgment by Corporation  
Pursuant to Uniform Acknowledgment Act

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by \_\_\_\_\_ on behalf of Sprint Spectrum Realty Company, L.P., a Delaware limited partnership.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_

**EXHIBIT A  
TO MEMORANDUM OF FIRST AMENDMENT TO  
WATER TOWER ATTACHMENT LEASE AGREEMENT**

**Description of Property**

A portion of certain real property located at 6829 Erie Street, City of Sylvania, County of Lucas, State of Ohio, described as follows:

Part of Lot 23 of "Burnham's Addition" part of Section 9, T.9 S., R.6 E., City of Sylvania, Lucas County, State of Ohio (Volume 19, Page 2 Lucas County Records), commencing at the Northeast corner of Lot 22; thence along the North lot line West, 10.32 feet; thence S 03°52'36" W, 31.85 feet; thence S 57°28'06" W, 45.00 feet; thence S 89°16'11" W, 38.62 feet; thence S 88°47'23" E, 8.00 feet to the Point of Beginning; Thence S 03°12'37" W, 20.00 feet; thence N 88°47'23" W, 20.00 feet; thence N 03°12'37" E, 20.00 feet; thence S 88°47'23" E, 20.00 feet to the Point of Beginning, containing 400.0 square feet or 0.009 acres and subject to easements and restrictions of record.

Landlord initials: \_\_\_\_\_

Tenant initials: \_\_\_\_\_

10a



DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 14, 2013

To: The Mayor and Members of City Council

Re: **SRTS Project, PID 90975**

Dear Mayor and Members of Council:

Council approved Change Order No. 1 for this project at its February 19, 2013 meeting, Ordinance 21-2013. The amount of the change order was \$35,683.50.

When the Change Order was sent to ODOT for approval, a request was made that they consider providing additional funds as the additional costs were due to changes in their approved material list (see attached letter). ODOT has agreed to provide an additional \$18,000 toward the project.

ODOT has provided Amendment 1 to our existing LPA agreement. We recommend its approval.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.  
Director of Public Service  
KGA/dsw

Encl.



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

February 20, 2013

Mr. Imad Bdeiri  
Ohio Department of Transportation  
317 East Poe Road  
Bowling Green, OH 43402

Re: **Safe Routes to Schools**  
**PID 90975**

Dear Mr. Bdeiri:

We have enclosed a copy of Change Order No. 1 for this project.

We are also asking for consideration on ODOT's behalf to share in the cost of this change order. We are requesting a proportionate share based on the original agreement.

We realize this is not normally done. However, between the time of preliminary design and construction ODOT's material requirements changes were the direct cause of this change order. The project was designed with the use of brick pavers which were an approved material at the time of design. As we were heading to construction, it was brought to our attention that the paver's were no longer approved and that truncated domes would be required. This change required additional removal and replacement of concrete as well as additional restoration. The whole of the enclosed change order is a direct result of this one change in ODOT approved materials, not any change in project scope.

We respectfully request your consideration. Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.  
Director of Public Service  
KGA/dsw

Encl.

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ORDINANCE NO. 31-2013

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE OF THE CITY OF SYLVANIA, OHIO, TO APPROVE AMENDMENT NO. 1 TO THIS CITY'S AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION RELATIVE TO THE SAFE ROUTES TO SCHOOL PROJECT; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 40-2011, passed May 16, 2011, accepted the proposal of DGL Consulting Engineers, LLC to prepare construction documents and signal warrants for the Safe Routes to School Project and appropriated \$24,915 for said documents; and,

WHEREAS, Ordinance No. 47-2012, passed August 20, 2012, accepted the bid of Midwest Contracting, Inc. for the Safe Routes to Schools Project, which bid was in the amount of Two Hundred Twelve Thousand Six Hundred Twenty-Two and 20/100 Dollars (\$212,622.20); and,

WHEREAS, Ordinance No. 21-2013, passed February 19, 2013, authorized the Mayor and Director of Finance to approve Change Order No. 1 to this City's Agreement with Midwest Contracting, Inc. for the Safe Routes to Schools Project which reflects additional materials used and additional work performed on this project and increased the contract amount by \$35,683.50; and,

WHEREAS, the Director of Public Service, by report dated March 14, 2013, has indicated that at the time the Change Order was sent to the Ohio Department of Transportation for approval, a request was made that they consider providing additional funds as the additional costs were due to changes in their approved material list; and,

WHEREAS, ODOT has agreed to provide an additional \$18,000 towards the project as reflected in the attached Agreement.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to enter into, on behalf of this City, an Agreement between the State of Ohio, Department of Transportation and the City of Sylvania in the form and substance of said Exhibit A."

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 City should authorize the Agreement to provide for an additional contribution from ODOT for the project. 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, \_\_\_\_\_, 2013 as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

### AMENDMENT NO. 1

Agreement No. 24623 is hereby revised to provide additional funding (**\$18,000**) for the project. This amendment provides updated funding information in Section 3.

#### 3. FUNDING

3.1 The total cost for the PROJECT is estimated to be **\$242,465**. ODOT shall provide to the LPA 100 percent of the eligible costs, up to a maximum of **\$220,465** in Federal funds. This maximum amount reflects the funding limit for the PROJECT set by the applicable Program Manager. Unless otherwise provided, funds through ODOT shall be applied only to the eligible costs associated with the actual construction of the transportation project improvements and construction engineering/inspection activities.

**WITNESS WHEREOF**, the parties hereto have caused this Amendment to be duly executed as of the day and year last written below.

LPA: City of Sylvania

STATE OF OHIO  
OHIO DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: Mayor

Jerry Wray, Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Toby Schroyer, Director of Finance

Date: \_\_\_\_\_



DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE, DIRECTOR

March 18, 2013

To: The Mayor and Members of Sylvania City Council

Re: Erie Street Bridge No. 122 Replacement

Dear Mr. Mayor and Council Members:

Construction drawings for the above-mentioned project have been reviewed and are now complete and ready to be bid. This project will replace the deteriorated twin culverts for Erie Street over Schreiber Ditch with a new three-sided box culvert. Other improvements include new asphalt pavement, bike lanes, sidewalks and a waterline relocation required for the placement of the structure foundation.

The estimated cost for this project is \$551,155 with \$264,554 of funding provided by OPWC and \$40,200 of funding provided by the Lucas County Engineer.

We would request that the Clerk of Council be authorized to advertise for bids.

Sincerely,

Kevin G. Aller  
Director of Public Service



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 15, 2013

To: The Mayor and Members of City Council

**Re: Building Rehabilitation Standards**

Dear Mayor and Members of Council:

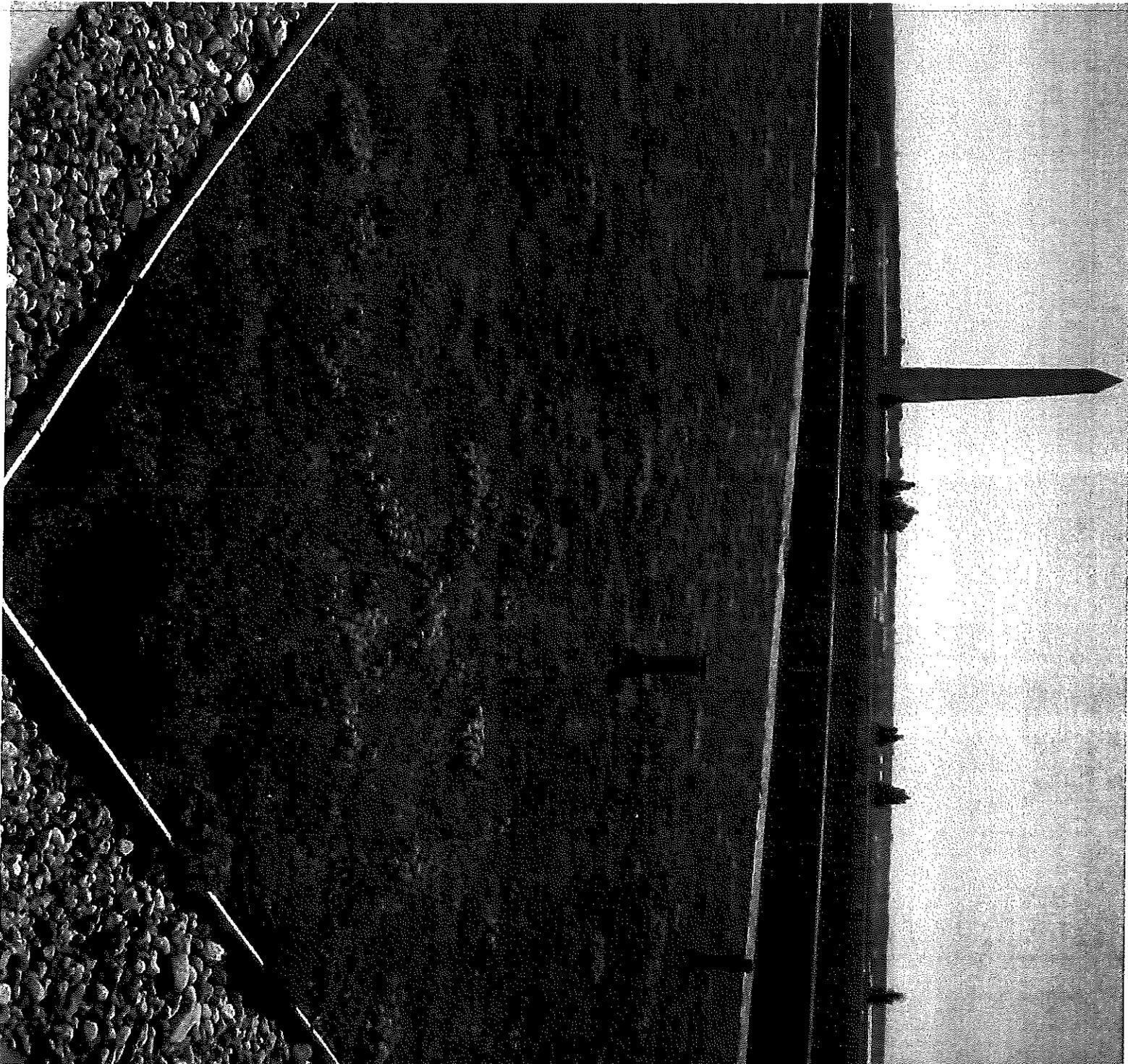
We continue to move forward and collect information on the requirements for possible Downtown Revitalization Grants.

One such requirement is that the entity requesting funds must include the Secretary of the Interior's Standards for Rehabilitation included as part of their design guidelines for downtown structures. A copy of the document has been provided. We are therefore requesting Council and Planning Commission review and, if deemed appropriate, subsequent inclusion of the standards in our Downtown Design Guidelines.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.  
Director of Public Service  
KGA/dsw



**THE SECRETARY  
OF THE INTERIOR'S  
STANDARDS FOR  
REHABILITATION &  
SUSTAINABILITY**

**ILLUSTRATED  
GUIDELINES ON  
SUSTAINABILITY  
FOR  
REHABILITATING  
HISTORIC  
BUILDINGS**



U.S. Department of the Interior  
National Park Service  
Technical Preservation Services

# THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION &

# ILLUSTRATED GUIDELINES ON SUSTAINABILITY FOR REHABILITATING HISTORIC BUILDINGS

Anne E. Grimmer with Jo Ellen Hensley | Liz Petrella | Audrey T. Tepper

U.S. Department of the Interior  
National Park Service  
Technical Preservation Services  
Washington, D.C.

2011

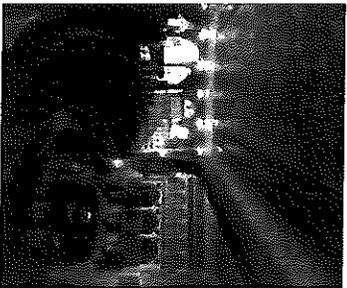
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## Acknowledgements

*The Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines for Rehabilitating Historic Buildings* was produced by Anne E. Gimmer and Kay D. Weeks, first published in 1992 and reprinted in 1997. The *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings*, which are presented in the same format, replace the chapter on "Energy Conservation" in the 1992 publication. They have been developed with the guidance and support of numerous public agencies, professional organizations and individuals.

All photographs and drawings included here not individually credited have been selected from National Park Service files.



## Foreword

The *Illustrated Guidelines on Sustainability for Rehabilitating Historic Buildings* replaces the chapter on “Energy Conservation” in the *Illustrated Guidelines for Rehabilitating Historic Buildings* published in 1992. (This same guidance is presented in the chapter entitled “Energy Retrofitting” in the unillustrated *Guidelines for Rehabilitating Historic Buildings*.) The illustrated version of the *Guidelines for Rehabilitating Historic Buildings* was designed to further enhance overall understanding and interpretation of basic preservation principles. *The Illustrated Guidelines on Sustainability* begin with an overview focusing on the fact that historic buildings are themselves often inherently sustainable and that this should be used to advantage in any proposal to upgrade them. These guidelines offer specific guidance on how to make historic buildings more sustainable in a manner that will preserve their historic character and that will meet *The Secretary of the Interior’s Standards for Rehabilitation*. The written guidance is illustrated with examples of appropriate or “recommended” treatments and some that are “not recommended” or could negatively impact the building’s historic character. The National Park Service Branch of Technical Preservation Services has developed these illustrated guidelines in accordance with its directive to provide information concerning professional methods and techniques to ensure the preservation and rehabilitation of the historic properties that are an important part of the nation’s heritage.

# THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

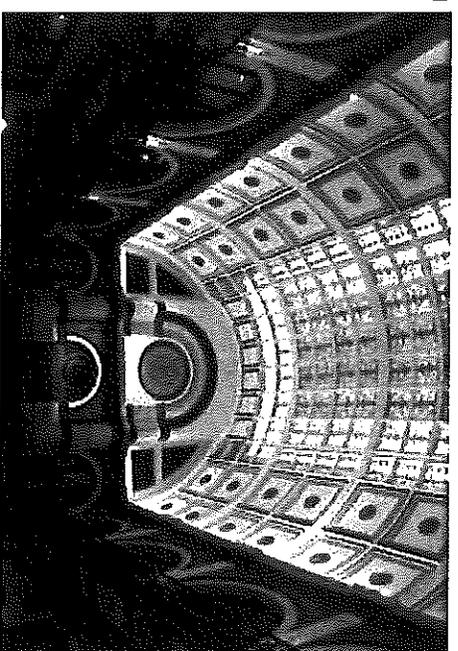
## Introduction to the Standards

The Secretary of the Interior is responsible for establishing standards for all programs under Departmental authority and for advising federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places. In partial fulfillment of this responsibility *The Secretary of the Interior's Standards for the Treatment of Historic Properties* have been developed to guide work undertaken on historic properties; there are separate standards for preservation, rehabilitation, restoration and reconstruction. *The Standards for Rehabilitation* (codified in 36 CFR 67) comprise that section of the overall treatment standards and address the most prevalent treatment. "Rehabilitation" is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values."

Initially developed by the Secretary of the Interior to determine the appropriateness of proposed project work on registered properties supported by the Historic Preservation Fund grant-in-aid program, the Standards have been widely used

over the years—particularly to determine if a rehabilitation project qualifies as a Certified Rehabilitation for Federal Historic Preservation Tax Incentives. In addition, the Standards have guided federal agencies in carrying out their responsibilities for properties in federal ownership or control; and state and local officials in reviewing both federal and non-federal rehabilitation proposals. They have also been adopted by historic district and planning commissions across the country.

The intent of the Standards is to assist in the long-term preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes and occupancy and include the exterior and the interior of the buildings. They also encompass the building's site and environment, including landscape features, as well as attached, adjacent or related new construction. To be certified for federal tax purposes, a rehabilitation project must be determined by the Secretary of the Interior to be consistent with the historic character of the structure(s) and, where applicable, the district in which it is located.



[1] Stained glass skylight provides natural light in a historic train station.

2



[2-3] Clerestory windows provide natural light in a historic industrial building: Before and after rehabilitation.

3



4



[4] Covered walkways and horizontal sun screens are distinctive and sustainable features in some mid-century modern office buildings.

As stated in the definition, the treatment “rehabilitation” assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; however, these repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building’s historic character. For example, certain treatments—if improperly applied—may cause or accelerate physical deterioration of the historic building. This can include using improper repointing or exterior masonry cleaning techniques, or introducing insulation that may damage historic fabric. Any of these treatments will likely result in a project that does not meet the Standards. Similarly, exterior additions that duplicate the form, material and detailing of the historic structure to the extent that they compromise its historic character also will fail to meet the Standards.

## The Secretary of the Interior's Standards for Rehabilitation

The Standards (Department of the Interior regulations 36 CFR 67) pertain to all historic properties listed in or eligible for listing in the National Register of Historic Places.

- 1) A property shall be used for its intended historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

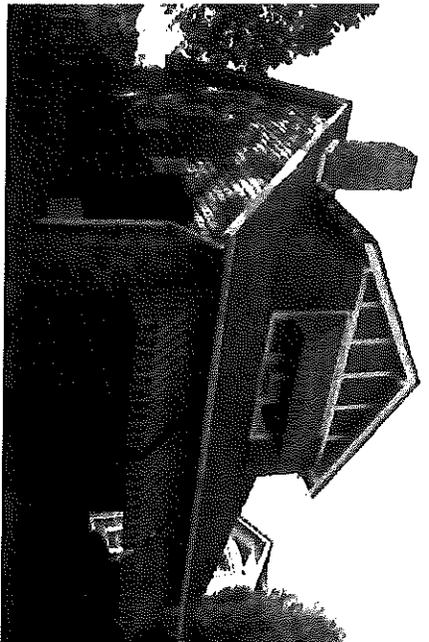


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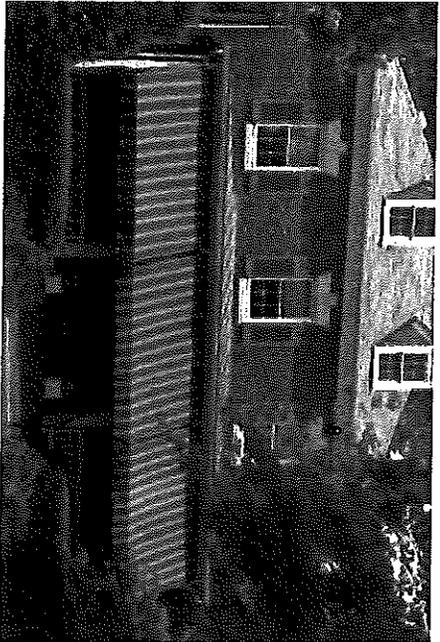
6

[5-6] Large windows and a roof monitor provide natural illumination in a historic industrial building.



7-9] Porches and canvas awnings provide shade and keep interiors cool in historic residential and commercial buildings.

7



9



8

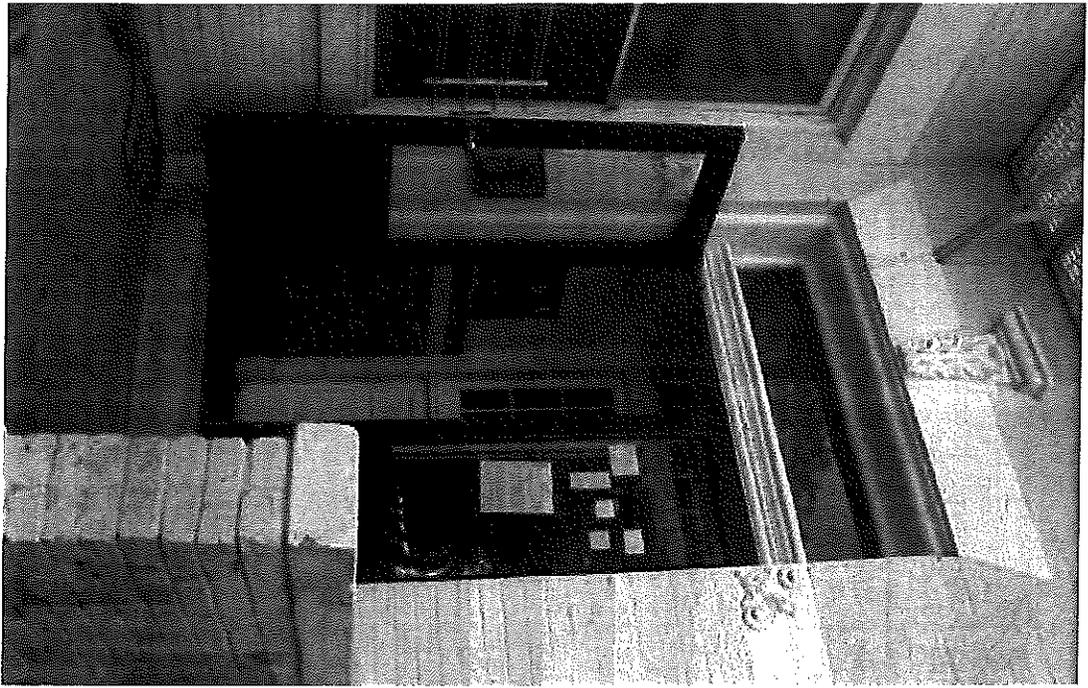
- 7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

- 9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



10

[10] Wood shutters provide natural light when open and keep interiors cool when closed in historic residential buildings.



11

[11] A vestibule helps retain interior conditioned air in the living space in this historic row house.

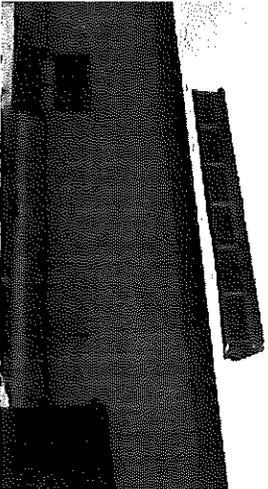


12

[12-14] Roof monitors provide natural light in historic industrial buildings



13



14

# GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS

## Introduction to the Guidelines

The *Guidelines for Rehabilitating Historic Buildings* were initially developed in 1977 to help property owners, developers and federal managers apply *The Secretary of the Interior's Standards for Rehabilitation* during the project planning stage by providing general design and technical recommendations. Unlike the Standards, the Guidelines are not codified as program requirements.

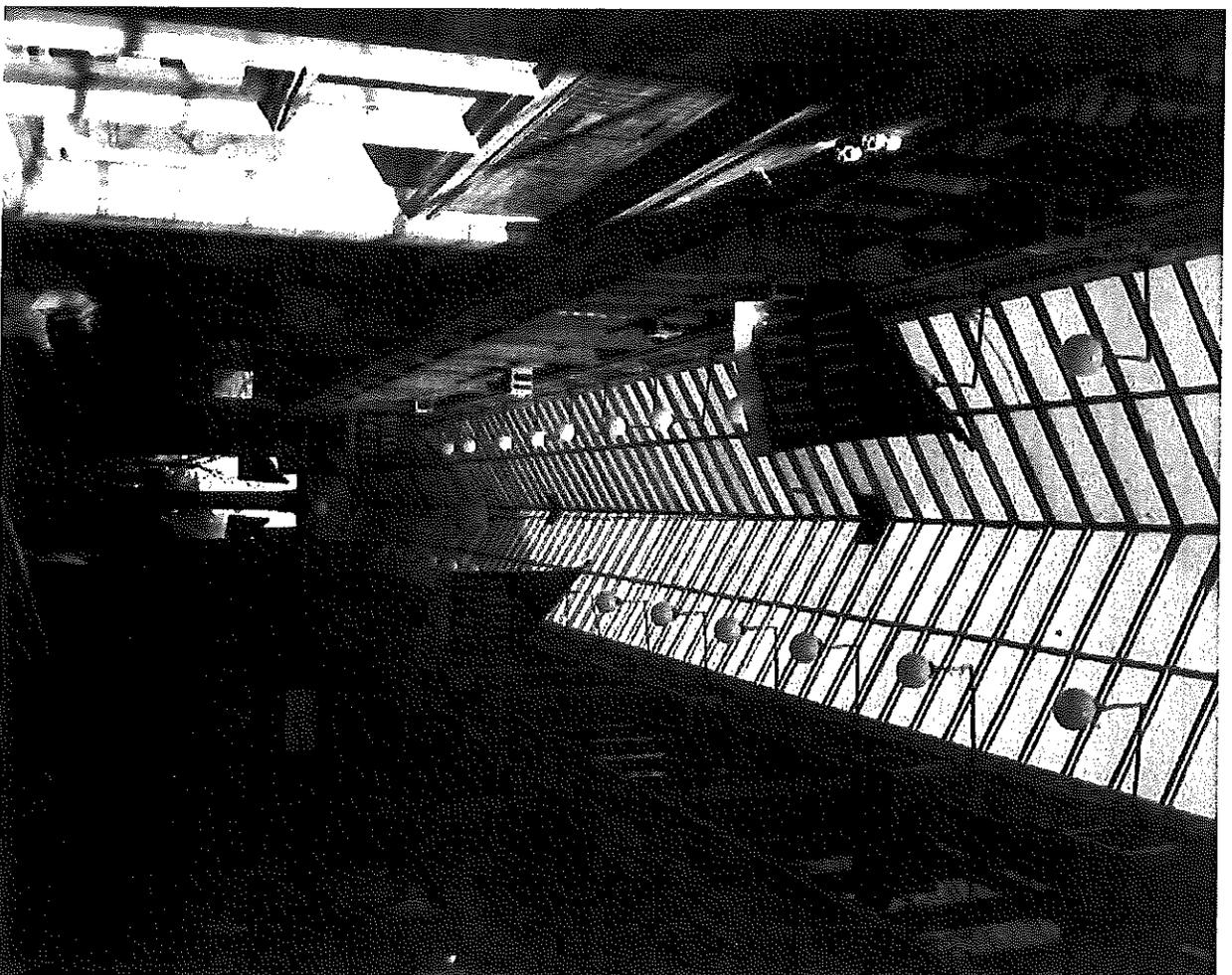
The Guidelines are general and intended to provide guidance to help in interpreting and applying the Standards to all rehabilitation projects. They are not meant to give case-specific advice. For instance, they cannot tell owners or developers which features in a historic building are important in defining the historic character and must be retained. This case-by-case determination is best accomplished by seeking assistance from qualified historic preservation professionals in the very early stages of project planning.

Like the Standards, the Guidelines pertain to historic buildings of all materials, construction types, sizes and occupancy; and apply to exterior and interior work, as well as new addi-

tions and the building's site and environment. The Guidelines are presented in a "Recommended" vs. "Not Recommended" format. Those approaches, treatments and techniques that are consistent with *The Secretary of the Interior's Standards for Rehabilitation* are listed in the "Recommended" column on the left; those approaches, treatments and techniques which could adversely affect a building's historic character are listed in the "Not Recommended" column on the right. To provide clear and consistent guidance for property owners, developers and federal agency managers, the "Recommended" courses of action are listed in order of historic preservation concerns so that a rehabilitation project may be successfully planned and completed—one that, first, assures the preservation of a building's important or "character-defining" architectural materials, features and spaces and, second, makes possible an efficient contemporary use. The guidance that follows begins with the most basic and least invasive approaches that will help the project achieve the desired goal, before considering work that may involve more change and potentially greater impact on the historic character of the building.

## Sustainability

Before implementing any energy conservation measures to enhance the sustainability of a historic building, the existing energy-efficient characteristics of the building should be assessed. Buildings are more than their individual components. The design, materials, type of construction, size, shape, site orientation, surrounding landscape and climate all play a role in how buildings perform. Historic building construction methods and materials often maximized natural sources of heating, lighting and ventilation to respond to local climatic conditions. The key to a successful rehabilitation project is to identify and understand any lost original and existing energy-efficient aspects of the historic building, as well as to identify and understand its character-defining features to ensure they are preserved. The most sustainable building may be one that already exists. Thus, good preservation practice is often synonymous with sustainability. There are numerous treatments--traditional as well as new technological innovations--that may be used to upgrade a historic building to help it operate even more efficiently. Increasingly stricter energy standards and code requirements may dictate that at least some of these treatments be implemented as part of a rehabilitation project of any size or type of building. Whether a historic building is rehabilitated for a new or a continuing use, it is important to utilize the building's inherently-sustainable qualities as they were intended. It is equally important that they function effectively together with any new measures undertaken to further improve energy efficiency.



[15] Glass skylight illuminates historic shopping arcade.



16

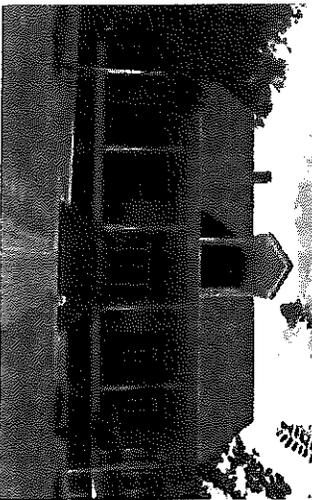
**PLANNING**

**RECOMMENDED**

**NOT RECOMMENDED**

Forming an integrated sustainability team when working on a large project that includes a preservation professional to ensure that the character and integrity of the historic building is maintained during any upgrades.

Omitting preservation expertise from a sustainability project team.

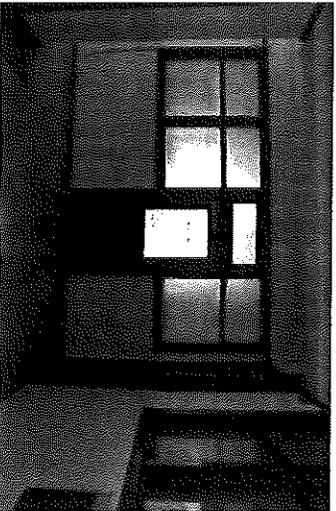


17

[16-18] Inherently sustainable features of historic buildings: Shutters and a deep porch keep the interior cool in a historic house in a warm climate (top); a skylight provides natural light to the interior of this mid-20th century house (center); partially glazed partitions and doors allow natural light into the corridor of a historic office building (bottom).



18



Analyzing the condition of inherently-sustainable features of the historic building, such as shutters, storm windows, awnings, porches, vents, roof monitors, skylights, light wells, transoms and naturally-lit corridors, and including them in energy audits and energy modeling, before planning upgrades.

Ignoring inherently-sustainable features of the existing historic building when creating energy models and planning upgrades.

Identifying ways to reduce energy use, such as installing fixtures and appliances that conserve resources, including energy-efficient lighting or energy-efficient lamps in existing light fixtures, low-flow plumbing fixtures, sensors and timers that control water flow, lighting and temperature, before undertaking more invasive treatments that may negatively impact the historic building.

Beginning work with substantive or irreversible treatments without first considering and implementing less invasive measures.

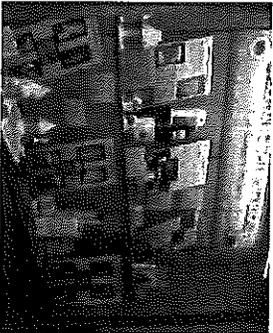
Prioritizing sustainable improvements, beginning with minimally invasive treatments that are least likely to damage historic building material.

## MAINTENANCE

RECOMMENDED	NOT RECOMMENDED
Maintaining historic buildings regularly to preserve historic fabric and maximize operational efficiency.	Delaying maintenance treatments which may result in the loss of historic building fabric or decrease the performance of existing systems or features.
Retaining and repairing durable historic building materials	Removing durable historic building materials and replacing them with materials perceived as more sustainable, for instance, removing historic heart pine flooring and replacing it with new bamboo flooring.
Using environmentally-friendly cleaning products that are compatible with historic finishes.	Using cleaning products potentially harmful to both historic finishes and the environment.
Using sustainable products and treatments, such as low VOC paints and adhesives and lead-safe paint removal methods, as much as possible, when rehabilitating a historic building.	



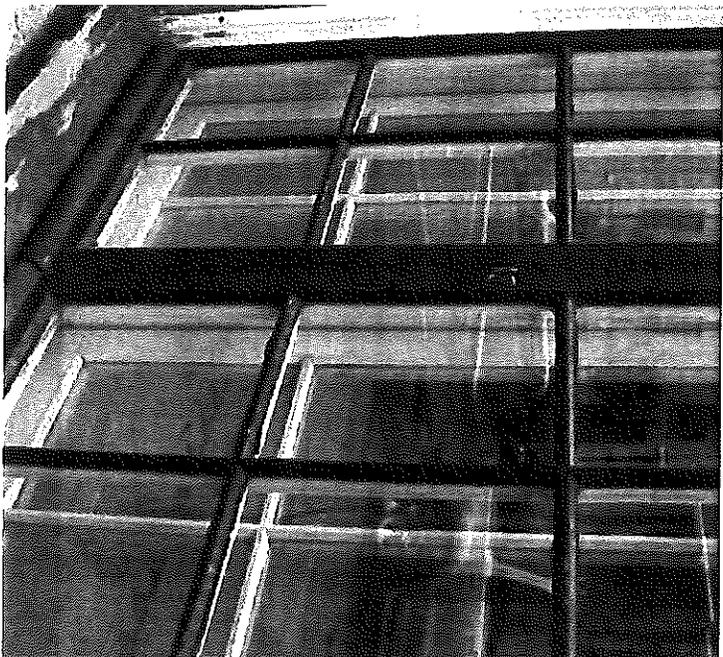
19



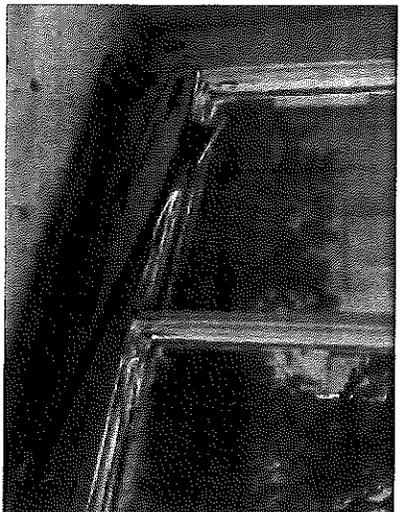
20

**Recommended:** [19] Caulking the gap between the aluminum storm window and wood window frame helps maximize thermal efficiency in this historic residence.

[20] Using sustainable cleaning products preserves both the environment and the historic building.



21



22

**Not Recommended:** [21-22] The peeling paint on an exterior window sill and on the interior of a window indicates that these features have not received regular maintenance. The broken casement window hardware also needs to be repaired to make the window operable.

23



## WINDOWS

### RECOMMENDED

### NOT RECOMMENDED

Maintaining windows on a regular basis to ensure that they function properly and are completely operable.	Neglecting to maintain historic windows and allowing them to deteriorate beyond repair with the result that they must be replaced.
Retaining and repairing historic windows when deteriorated.	Removing repairable historic windows and replacing them with new windows for perceived improvement in energy performance.
Weather stripping and caulking historic windows, when appropriate, to make them weather tight.	
Installing interior or exterior storm windows or panels that are compatible with existing historic windows.	Replacing repairable historic windows with new insulated windows.

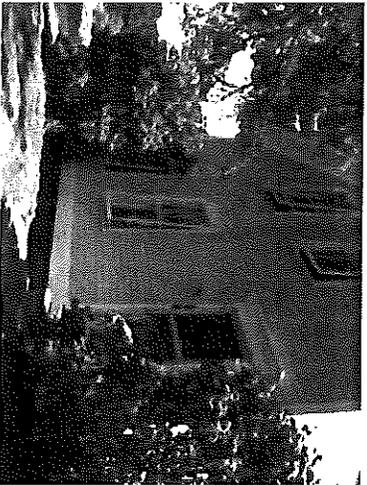
24



**Recommended:** [23-25] Historic exterior storm windows have been well maintained and continue to perform as intended.

**Recommended:** [26] The new metal interior storm window was carefully matched to the exterior window as part of the rehabilitation of this historic armory building.

25

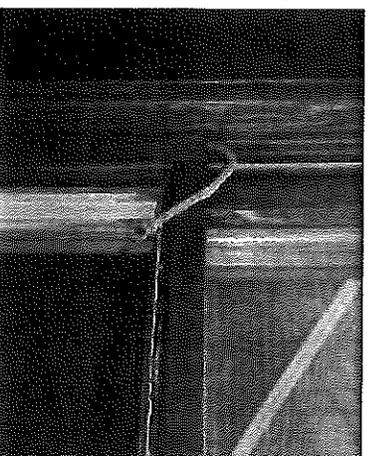


**Not Recommended:** [27] A broken sash cord can be repaired easily and does not justify replacement of the window.

26



27



## WINDOWS

### RECOMMENDED

Installing compatible and energy-efficient replacement windows that match the appearance, size, design, proportion and profile of the existing historic windows and that are also durable, repairable and recyclable, when existing windows are too deteriorated to repair.

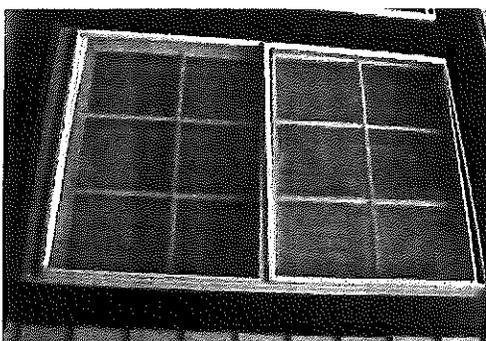
### NOT RECOMMENDED

Installing incompatible or inefficient replacement window units that are not durable, recyclable or repairable when existing windows are deteriorated beyond repair or missing.

Replacing missing windows with new, energy-efficient windows that are appropriate to the style of historic building and that are also durable, repairable and recyclable.

Retrofitting historic windows with high-performance glazing or clear film, when possible, and only if the historic character can be maintained.

31



32



**Not Recommended: [31-32]**  
Ill-fitting exterior aluminum storm windows viewed from both inside and outside are clearly not energy efficient.

**Not Recommended: [30]** Not only have incompatible windows that do not fit the size and shape of the historic window openings been installed, but the original openings have also been shortened to install through-the-wall HVAC units.

28

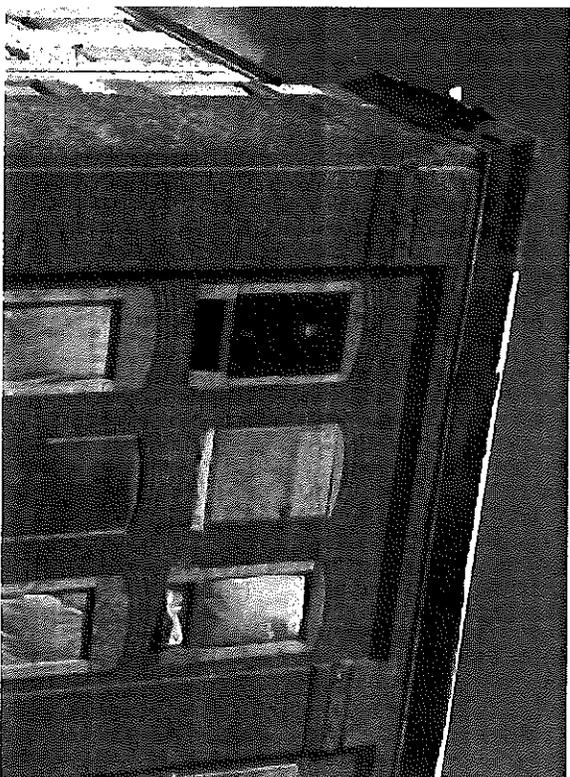


29



**Recommended: [28-29]**  
These exterior storm windows match the pane configuration of the historic interior windows in a residence and in a multi-story hotel building.

30

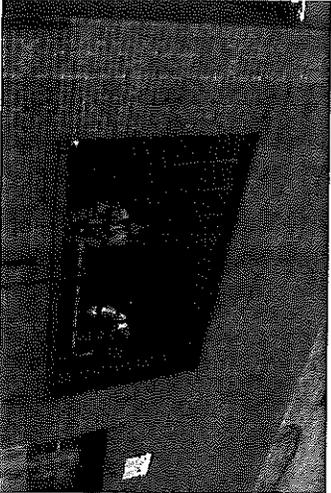




34



35



**Recommended:** [33-35] Original metal windows were appropriately repaired as part of the rehabilitation of this historic industrial building.

**WINDOWS**

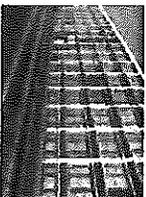
**RECOMMENDED**

**NOT RECOMMENDED**

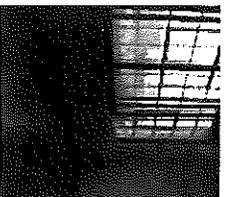
<p>Retrofitting historic steel windows and curtain-wall systems to improve thermal performance without compromising their character.</p>	
<p>Installing clear, low-emissivity (low-e) glass or film without noticeable color in historically-clear windows to reduce solar heat gain.</p>	<p>Retrofitting historically-clear windows with tinted glass or reflective coatings that will negatively impact the historic character of the building.</p>
<p>Installing film in a slightly lighter shade of the same color tint when replacing glazing panels on historically-dark-tinted windows to improve daylighting.</p>	<p>Introducing clear glazing or a significantly lighter colored film or tint than the original to improve daylighting when replacing historically dark-tinted windows.</p>



36



37

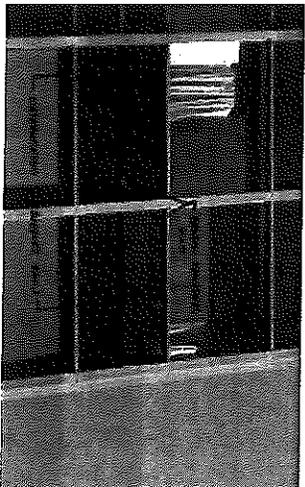


38

**Recommended:** [36-38] Original metal windows were retained and made operable during the rehabilitation of this historic mill complex. Installing patio slider doors as interior storm windows was a creative and successful solution to improve the energy efficiency of the existing windows.

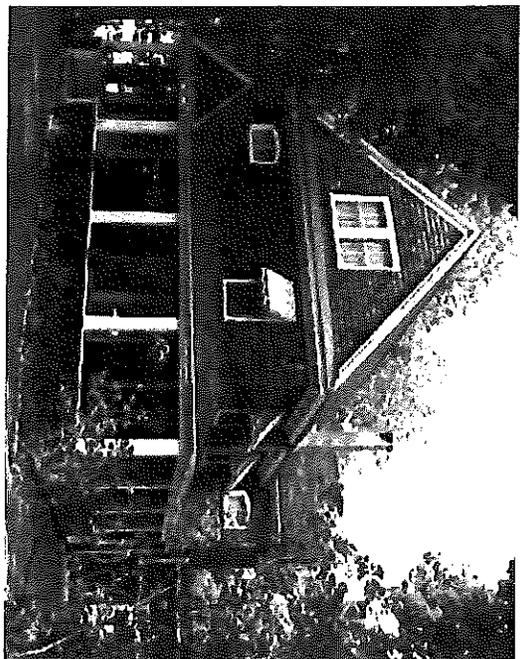
# WINDOWS

RECOMMENDED	NOT RECOMMENDED
Maintaining existing, reinstalling or installing new, historically-appropriate shutters and awnings.	Removing historic shutters and awnings or installing inappropriate ones.
Repairing or reopening historically-operable interior transoms, when possible, to improve air flow and cross ventilation.	Covering or removing existing transoms.



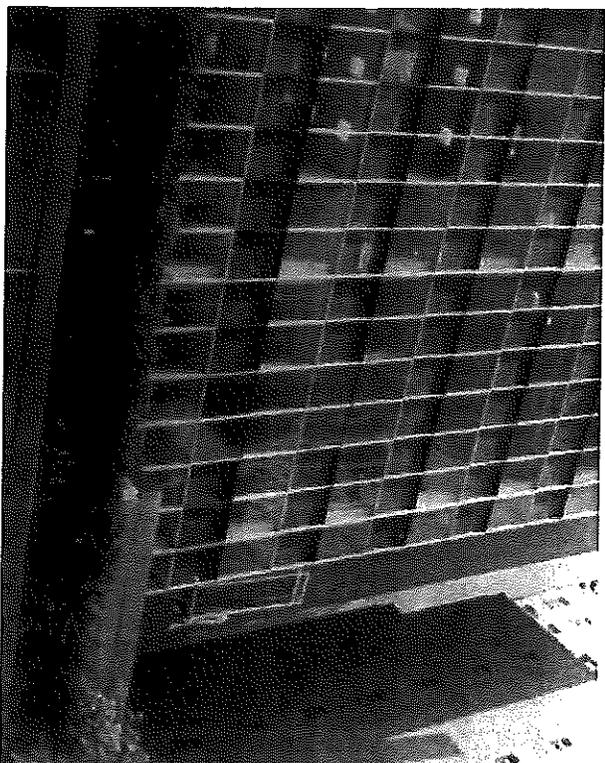
39

**Recommended:** [39-40] The original windows, which were deteriorated beyond repair, featured a dark tint. They were replaced with a slightly lighter-tinted glazing to improve daylighting in this mid-century modern office building.

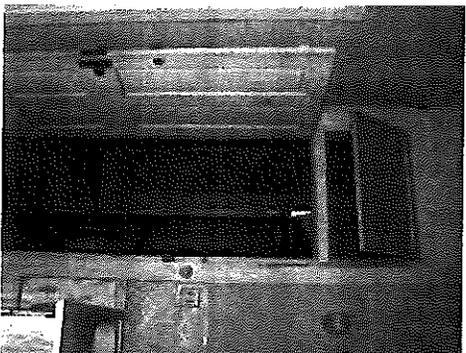


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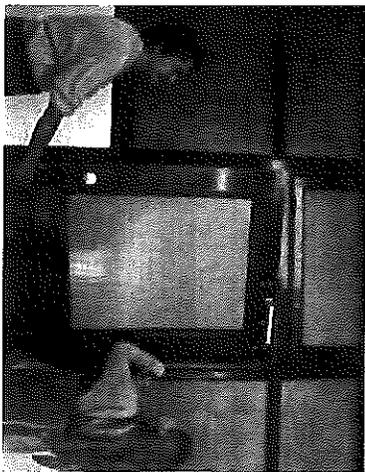
**Recommended:** [41] Traditional canvas awnings should be retained when they exist on historic buildings.



40



**Recommended:** [42] Transoms and screen doors are distinctive and practical features that provided cross ventilation in this historic hotel.



42

**Recommended:** [43] The wall and door glazing ensures that the corridor receives natural daylight and the operable transom helps air to circulate in this historic office building.

43

## WEATHERIZATION AND INSULATION

### RECOMMENDED

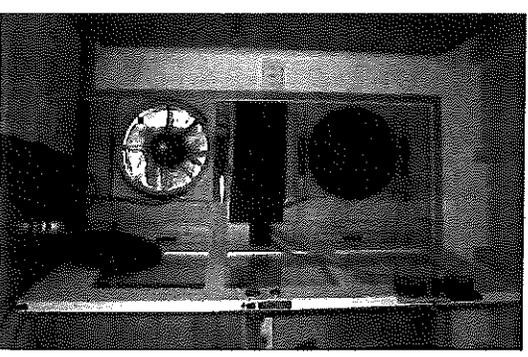
### NOT RECOMMENDED

<p>Using a variety of analytical tools, such as a comprehensive energy audit, blower door tests, infrared thermography, energy modeling or daylight modeling, to gain an understanding of the building's performance and potential before implementing any weatherization or retrofit treatments.</p>	<p>Implementing energy-retrofit measures without first diagnosing the building's performance and energy needs.</p>
<p>Developing a weatherization plan based on the results of the energy analysis of the building's performance and potential.</p>	
<p>Eliminating infiltration first, beginning with the least invasive and most cost-effective weatherization measures, such as caulking and weather stripping, before undertaking more invasive weatherization measures.</p>	<p>Undertaking treatments that result in loss of historic fabric, for example, installing wall insulation that requires removing plaster, before carrying out simple and less damaging weatherization measures.</p>
<p>Understanding the inherent thermal properties of the historic building materials and the actual insulating needs for the specific climate and building type before adding or changing insulation.</p>	<p>Insulating a finished space, which requires removing historic plaster and trim, before insulating unfinished spaces.</p>
<p>Insulating unfinished spaces, such as attics, basements and crawl spaces, first.</p>	<p>Insulating a finished space, which requires removing historic plaster and trim, before insulating unfinished spaces.</p>



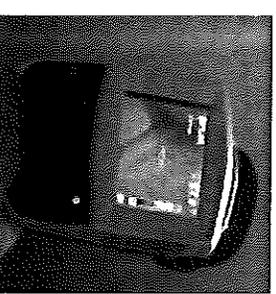
**Recommended:**  
[44-45] A blower door test is a useful tool to help identify air infiltration in a historic building before undertaking weatherization or retrofit treatments.  
Top Photo: Robert J. Cagnetta, Heritage Restoration, Inc.

44



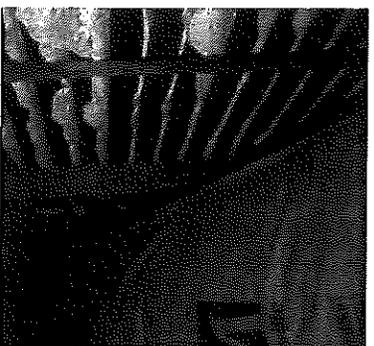
**Recommended:** [46] A hand-held infrared scanner reveals areas that are not well insulated and that allow heat transfer through the walls of a building.

45



46

**Recommended:** [47-48] Insulation should be installed first in unfinished areas such as attics, crawl spaces and basements of residential buildings.



47



48

# WEATHERIZATION AND INSULATION

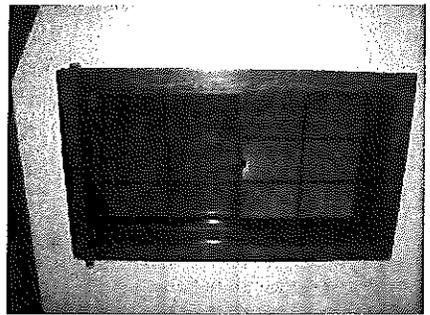
## RECOMMENDED

## NOT RECOMMENDED

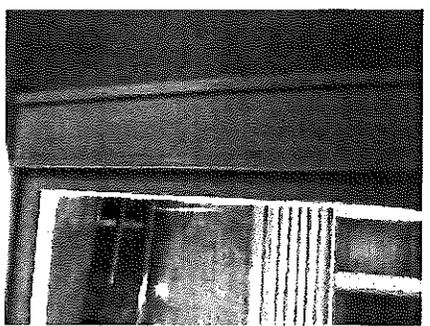
Using the appropriate type of insulation in unfinished spaces and ensuring the space is adequately ventilated.	Using wet-spray or other spray-in insulation that is not reversible or may damage historic materials.
Ensuring that air infiltration is reduced before adding wall insulation.	Adding insulation in cavities that are susceptible to water infiltration.
Installing appropriate wall insulation, only if necessary, after lower impact treatments have been carried out.	Insulating walls without first reducing air infiltration.
Removing interior plaster only in limited quantities and when absolutely necessary to install appropriate insulation.	Installing wall insulation that is not reversible and that may cause damage to historic building materials.
Replacing interior plaster—removed to install insulation—with plaster or gypsum board to retain the historic character of the interior, and in a manner that retains the historic proportion and relationship of the wall to the historic windows and trim.	Installing insulation on the exterior of a historic building, which results in the loss of historic materials and may alter the proportion and relationship of the wall to the historic windows and trim.
Reinstalling historic trim that was removed to install insulation.	Removing all interior plaster to install appropriate insulation.
Replacing interior plaster—removed to install insulation—with plaster or gypsum board to retain the historic character of the interior, and in a manner that retains the historic proportion and relationship of the wall to the historic windows and trim.	Replacing interior plaster—removed to install insulation—with gypsum board that is too thick and that alters the historic proportion and relationship of the wall to the historic windows and trim.
Reinstalling historic trim that was removed to install insulation.	Replicating trim rather than retaining and reinstalling historic trim that is repairable.

**Not Recommended:** [49] The original proportion and relationship of the wall to the door trim has been all but lost because the gypsum board installed was too thick.

[50-51] When wall insulation was installed here the walls were furred out, which created deep, historically inappropriate window recesses. The repairable historic trim was also not reinstalled.

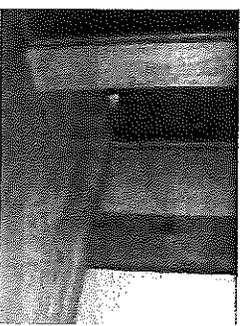


52



53

**Recommended:** [52-53] The original proportion and relationship of the wall to the windows and trim, which is important in defining the character of these historic interior spaces, has been retained here.

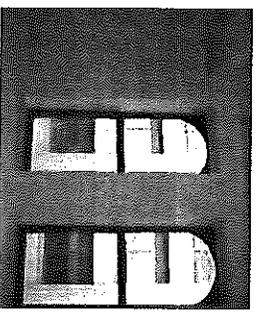


54

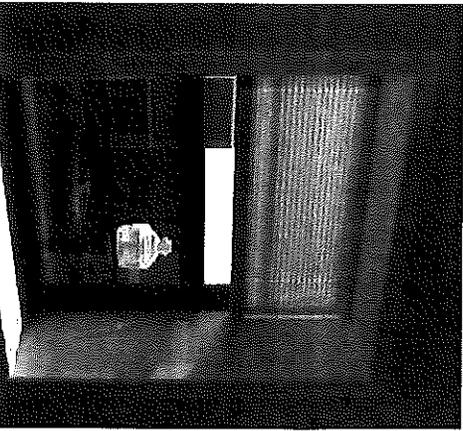
**Recommended:** [54] This rigid insulation has been correctly installed in the wall cavity so that when the gypsum board is hung the original proportion and relationship of the wall to the trim will be retained. Photo: Robert J. Cagnetta, Heritage Restoration, Inc.



49



50



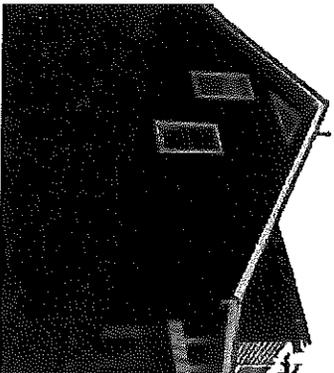
51

**HEATING, VENTILATING AND AIR  
CONDITIONING (HVAC) AND AIR CIRCULATION**

**RECOMMENDED**

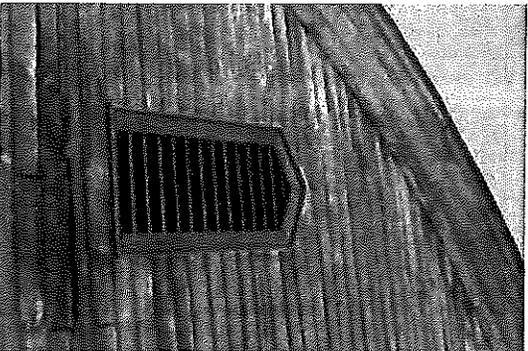
**NOT RECOMMENDED**

Retaining and maintaining functional and efficient HVAC systems.	Replacing existing HVAC systems without testing their efficiency first.
Upgrading existing HVAC systems to increase efficiency and performance within normal replacement cycles.	Replacing HVAC systems prematurely when existing systems are operating efficiently.
Installing an energy-efficient system that takes into account whole building performance and retains the historic character of the building and site when a new HVAC system is necessary.	Installing an inefficient HVAC system or installing a new system based on pre-retrofit building performance when a smaller system may be more appropriate.

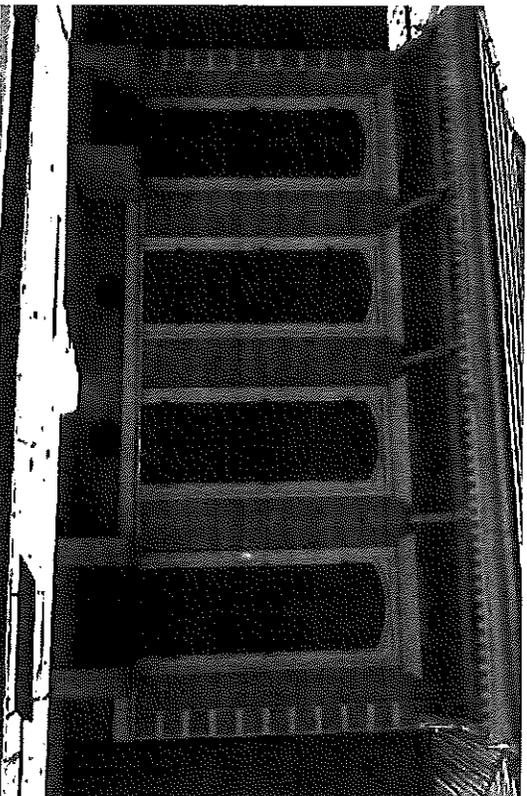


55

**Recommended: [55-57]**  
Wood vents in the gable ends of a historic house and a barn and cast-iron oval vents in a masonry foundation traditionally helped air circulate.



56



57

## HEATING, VENTILATING AND AIR CONDITIONING (HVAC) AND AIR CIRCULATION

### RECOMMENDED

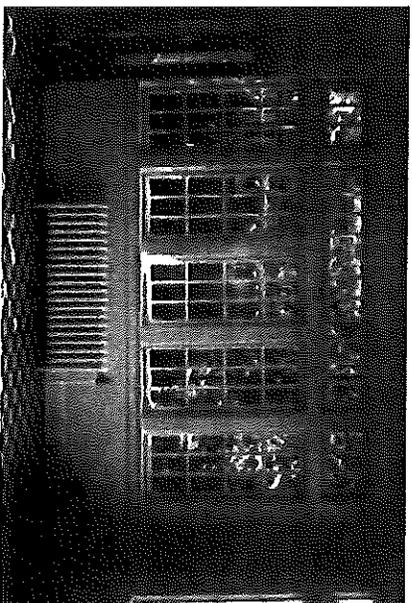
Supplementing the efficiency of HVAC systems with less energy-intensive measures, such as programmable thermostats, attic and ceiling fans, louvers and vents, where appropriate.

### NOT RECOMMENDED

Installing through-the-wall air conditioners, which damages historic material and negatively impacts the building's historic character.

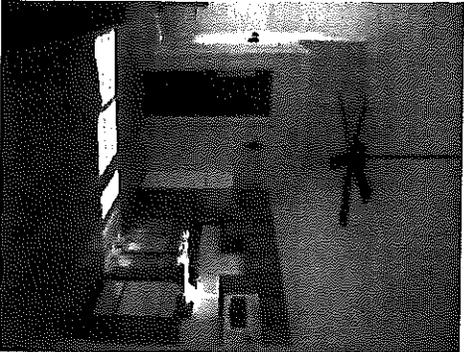
Retaining or installing high efficiency, ductless air conditioners when appropriate, which may be a more sensitive approach than installing a new, ducted, central air-conditioning system that may damage historic building material.

Installing a central HVAC system in a manner that damages historic building material.



60

**Recommended:** [60] Original radiators that are still functional and efficient were retained in the rehabilitation of this historic house.



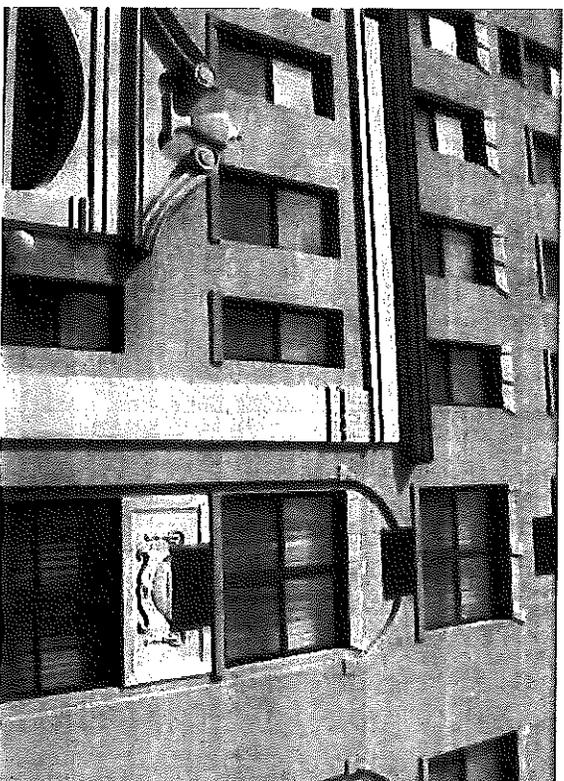
58

**Recommended:** [58] Ceiling fans enhance the efficiency of HVAC systems in historic buildings.



59

**Recommended:** [59] Installing a programmable thermostat can help existing systems to operate more efficiently.



61

**Not Recommended:** [61] The cuts made in the brick and the decorative stone trim to install through-the-wall air conditioners have not only destroyed building material, but have also negatively impacted the character of this historic apartment building.

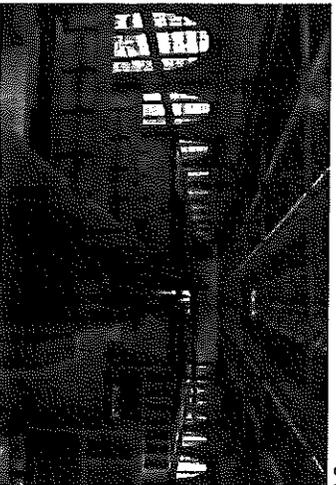
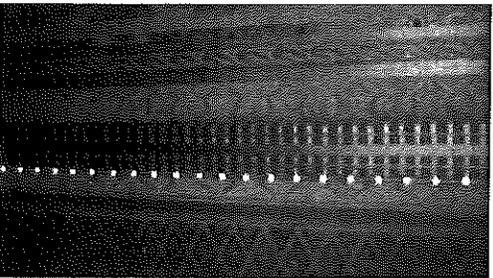


**HEATING, VENTILATING AND AIR  
CONDITIONING (HVAC) AND AIR CIRCULATION**

**RECOMMENDED**

**NOT RECOMMENDED**

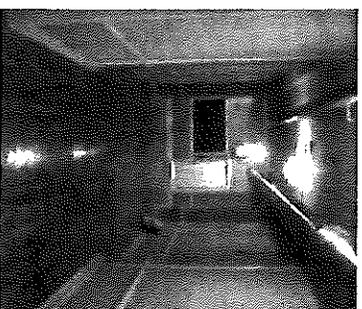
<p>Installing new mechanical ductwork sensitively or using a mini-duct system, so that ducts are not visible from the exterior and do not adversely impact the historic character of the interior space.</p>	<p>Installing new mechanical ductwork that is visible from the exterior or adversely impacts the historic character of the interior space.</p>
<p>Leaving interior ductwork exposed where appropriate, such as in industrial spaces, or when concealing the ductwork would destroy historic fabric.</p>	<p>Leaving interior ductwork exposed in highly-finished spaces where it would negatively impact the historic character of the space.</p>
<p>Leaving interior ductwork exposed and painting it, when concealing it would negatively impact historic fabric, such as a historic pressed metal ceiling.</p>	<p>Leaving exposed ductwork unpainted in finished interior spaces, such as those with a pressed metal ceiling.</p>
<p>Placing HVAC equipment where it will operate effectively and efficiently and be minimally visible and will not negatively impact the historic character of the building or its site.</p>	<p>Placing HVAC equipment in highly-visible locations on the roof or on the site where it will negatively impact the historic character of the building or its site.</p>



64



65



66

**Recommended:** [62-63] Carefully installed new mechanical ductwork is barely visible in the elaborately decorated ceiling of this historic theater.

[64] The ductwork has been left unpainted which is compatible with this historic industrial interior.

[65] To avoid damaging the metal ceiling, the ductwork was left exposed and it was painted to minimize its impact, thus preserving the historic character of this former bank.

**Not Recommended:** [66] Interior ductwork has been inappropriately left exposed and unpainted here in this traditionally-finished school entrance hall.

## HEATING, VENTILATING AND AIR CONDITIONING (HVAC) AND AIR CIRCULATION

### RECOMMENDED

Commissioning or examining the performance of the HVAC system and continuing to examine it regularly to ensure that it is operating efficiently.

Investigating whether a geothermal heat pump will enhance the heating and cooling efficiency of the building before installing one.

### NOT RECOMMENDED

Installing a new HVAC system without commissioning or testing its efficiency after installation.

Installing a geothermal heat pump without evidence that it will improve the heating and cooling efficiency of the building.

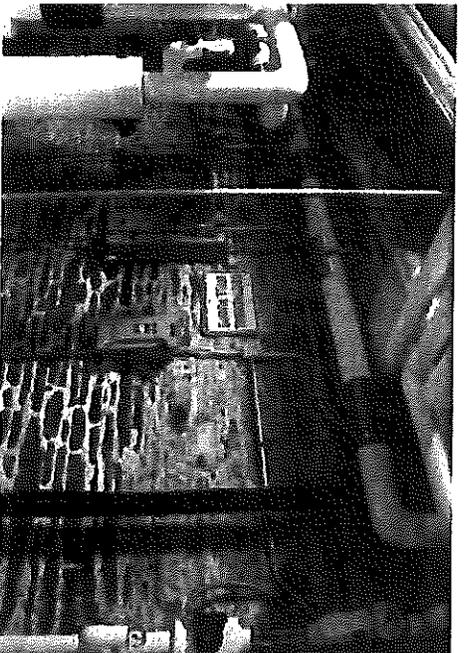
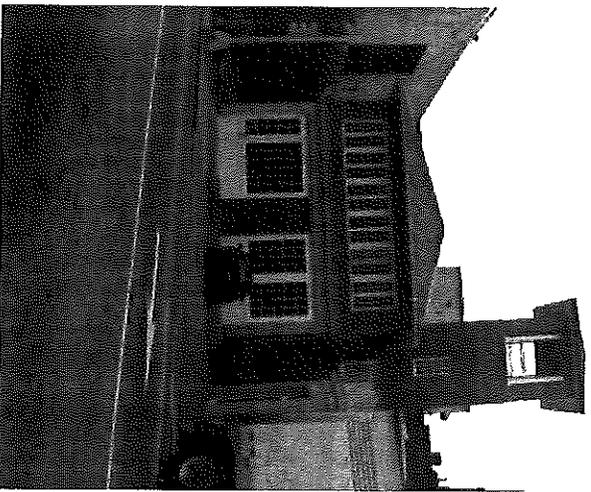
Installing a geothermal system where there is a significant landscape or where there are archaeological resources that could be damaged.



67

**Recommended:**[67] A professional energy auditor analyzes the performance of an existing furnace to ensure it is operating efficiently.

[68-69] A geothermal system, evidenced by a panel in the sidewalk, was installed on the site of this historic firehouse during rehabilitation.



70

**Recommended:** [70-71]

A geothermal system was installed on the property of this historic mansion, but only after an archaeological investigation was conducted of the grounds.



71



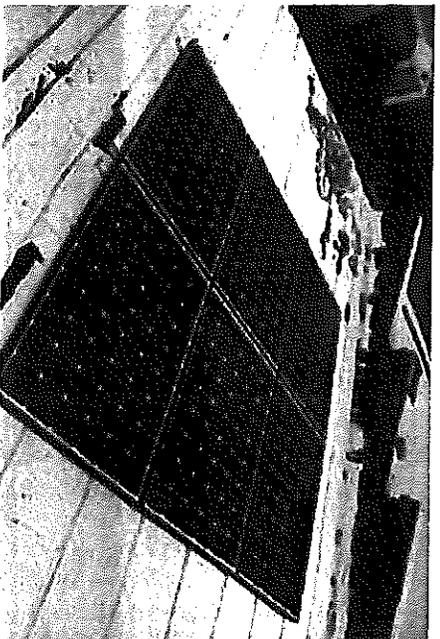
69

## SOLAR TECHNOLOGY

### RECOMMENDED

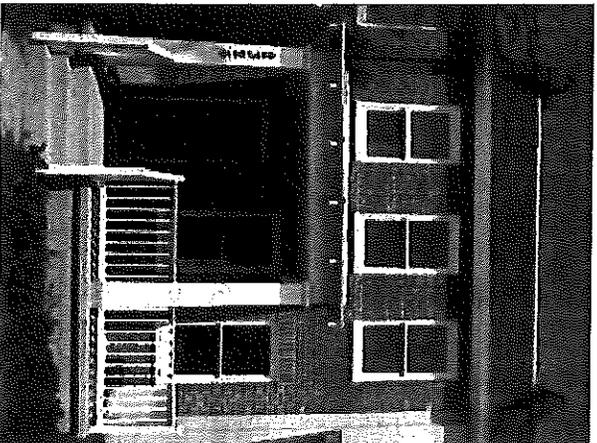
### NOT RECOMMENDED

RECOMMENDED	NOT RECOMMENDED
<p>Considering on-site, solar technology only after implementing all appropriate treatments to improve energy efficiency of the building, which often have greater life-cycle cost benefit than on-site renewable energy.</p>	<p>Installing on-site, solar technology without first implementing all appropriate treatments to the building to improve its energy efficiency.</p>
<p>Analyzing whether solar technology can be used successfully and will benefit a historic building without compromising its character or the character of the site or the surrounding historic district.</p>	<p>Installing a solar device without first analyzing its potential benefit or whether it will negatively impact the character of the historic building or site or the surrounding historic district.</p>
<p>Installing a solar device in a compatible location on the site or on a non-historic building or addition where it will have minimal impact on the historic building and its site.</p>	<p>Placing a solar device in a highly-visible location where it will negatively impact the historic building and its site.</p>
<p>Installing a solar device on the historic building only after other locations have been investigated and determined infeasible.</p>	<p>Installing a solar device on the historic building without first considering other locations.</p>

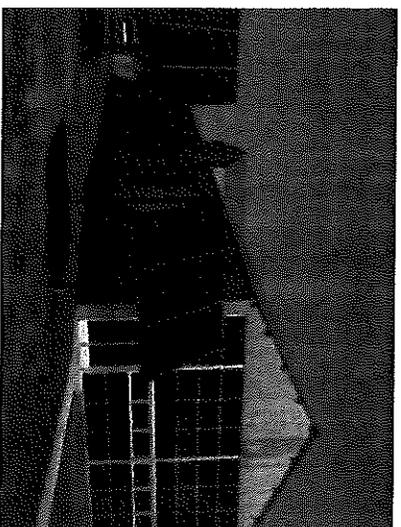


72

73

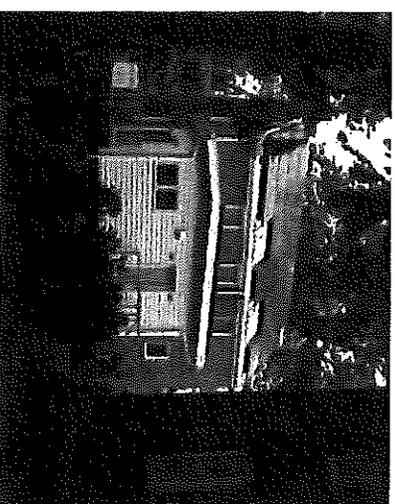


**Recommended:** [72-73] Solar panels were installed appropriately on the rear portion of the roof on this historic row house that are not visible from the primary elevation.



74

**Recommended:** [74] Free-standing solar panels have been installed here that are visible but appropriately located at the rear of the property and compatible with the character of this industrial site.



75

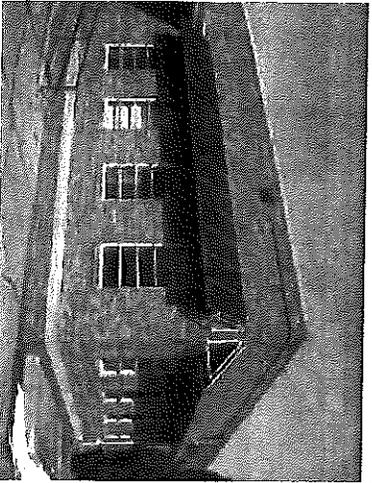
**Not Recommended:** [75] Solar roof panels have been installed at the rear, but because the house is situated on a corner, they are highly visible and negatively impact the character of the historic property.

## SOLAR TECHNOLOGY

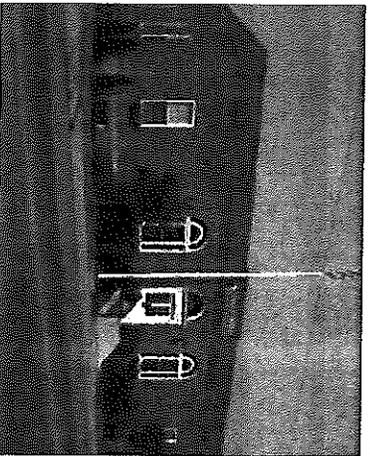
### RECOMMENDED

### NOT RECOMMENDED

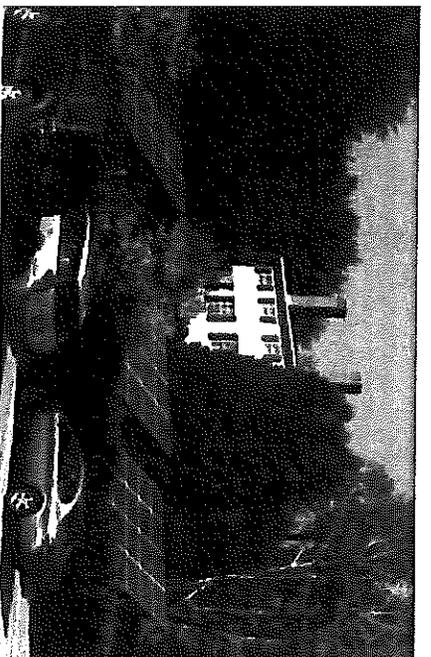
<p>Installing a low-profile solar device on the historic building so that it is not visible or only minimally visible from the public right of way: for example, on a flat roof and set back to take advantage of a parapet or other roof feature to screen solar panels from view; or on a secondary slope of a roof, out of view from the public right of way.</p>	<p>Installing a solar device in a prominent location on the building where it will negatively impact its historic character.</p>
<p>Installing a solar device on the historic building in a manner that does not damage historic roofing material or negatively impact the building's historic character and is reversible.</p>	<p>Installing a solar device on the historic building in a manner that damages historic roofing material or replaces it with an incompatible material and is not reversible.</p>
	<p>Removing historic roof features to install solar panels.</p>
	<p>Altering a historic, character-defining roof slope to install solar panels.</p>
	<p>Installing solar devices that are not reversible.</p>
<p>Installing solar roof panels horizontally – flat or parallel to the roof—to reduce visibility.</p>	<p>Placing solar roof panels vertically where they are highly visible and will negatively impact the historic character of the building.</p>



76



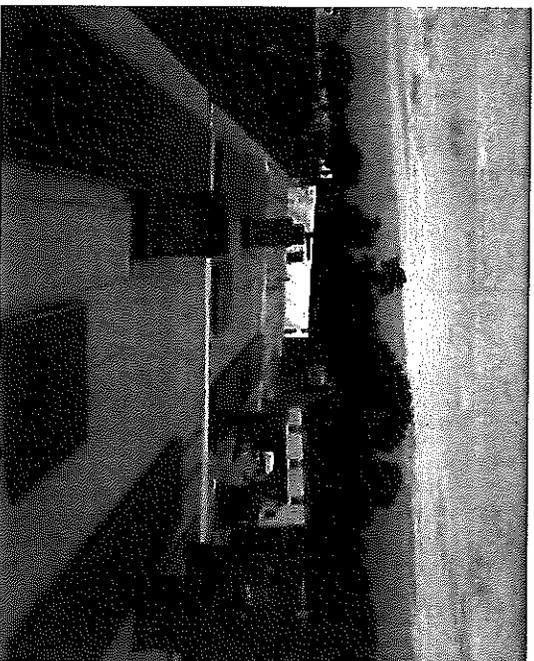
77



79

**Not Recommended:** [79] Although installing solar panels behind a rear parking lot might be a suitable location in many cases, here the panels negatively impact the historic property on which they are located.

**Recommended:** [76-77] Solar panels, which also serve as awnings, were installed in secondary locations on the side and rear of this historic post office and cannot be seen from the front of the building. [78] Solar panels placed horizontally on the roof of this historic building are not visible from below.



78

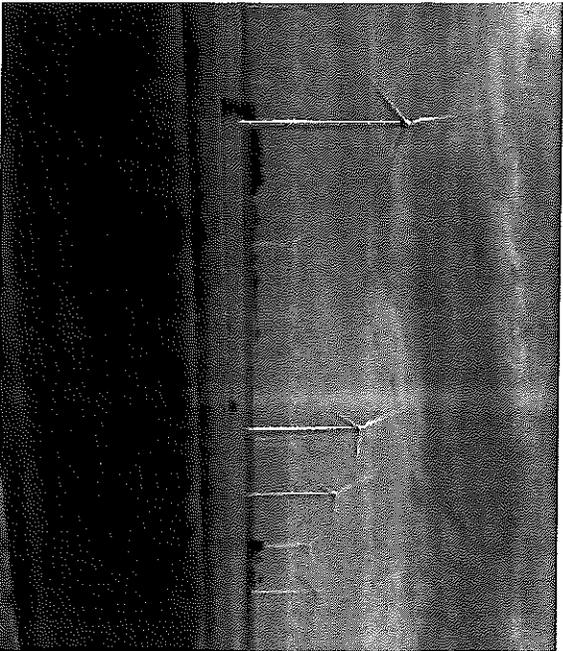
## WIND POWER—WIND TURBINES AND WINDMILLS

### RECOMMENDED

### NOT RECOMMENDED

<p>Considering on-site, wind-power technology only after implementing all appropriate treatments to the building to improve energy efficiency, which often have greater life-cycle cost benefit than on-site renewable energy.</p>	<p>Installing on-site, wind-power technology, without first implementing all appropriate treatments to the building to improve energy efficiency.</p>
<p>Analyzing whether wind-power technology can be used successfully and will benefit a historic building without compromising its character or the character of the site or the surrounding historic district.</p>	<p>Installing wind-powered equipment without first analyzing its potential benefit or whether it will negatively impact the character of the historic building or the site or the surrounding historic district.</p>
<p>Installing wind-powered equipment in an appropriate location on the site or on a non-historic building or addition where it will not negatively impact the historic character of the building, the site or the surrounding historic district.</p>	<p>Placing wind-powered equipment on the site where it is highly visible when it is not compatible with the historic character of the site.</p>

80

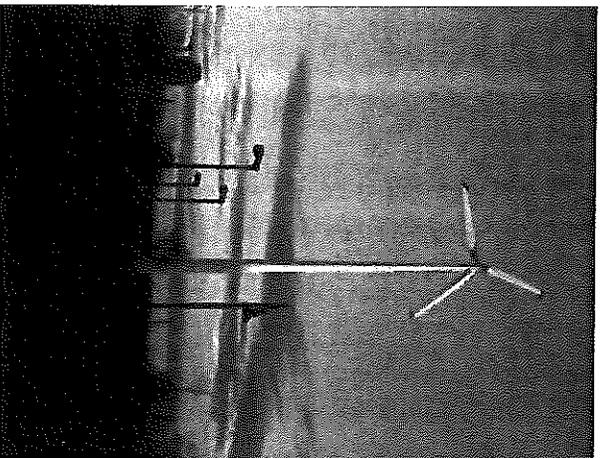


**Recommended:** [80] It is often best to install wind-powered equipment in off-site, rural locations to avoid negatively impacting a historic building and its site.

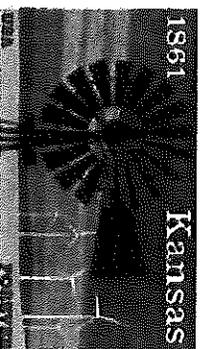
[81] This wind turbine is located in a large parking lot next to a historic manufacturing complex and it is compatible with the character of the industrial site.

[82] This 2011 Kansas postage stamp features a traditional windmill and modern wind turbines to illustrate the importance of wind power in the growth of the state.

81



82



## WIND POWER—WIND TURBINES AND WINDMILLS

### RECOMMENDED

Installing wind-powered equipment on the historic building without damaging the roof or walls or otherwise negatively impacting the building's historic character.

### NOT RECOMMENDED

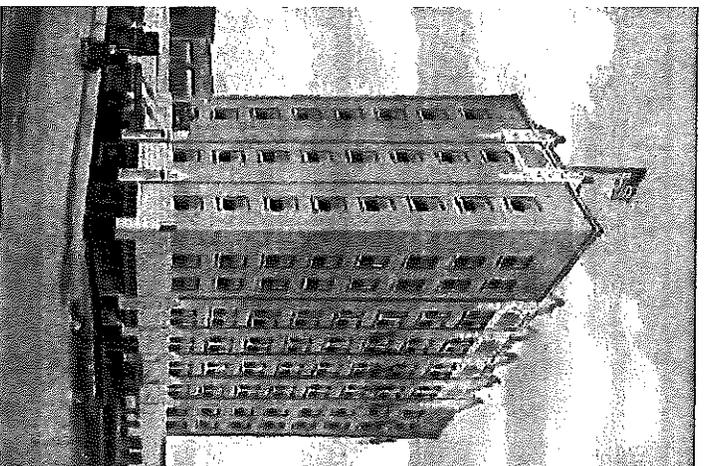
Installing wind-powered equipment on the historic building in a manner that damages the roof, compromises its structure or negatively impacts the building's historic character.

Removing historic roof features to install wind-powered equipment, such as wind turbines.

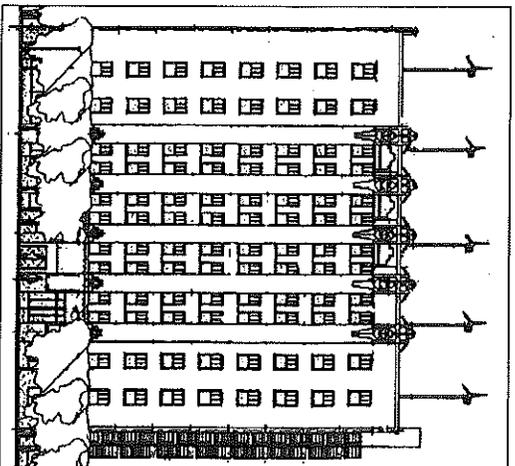
Installing wind-powered equipment on the historic building that is not reversible.

Installing wind-powered equipment on the primary façade of a historic building or where it is highly visible.

Investigating off-site, renewable energy options when installing on-site wind-power equipment would negatively impact the historic character of the building or site.



84



83

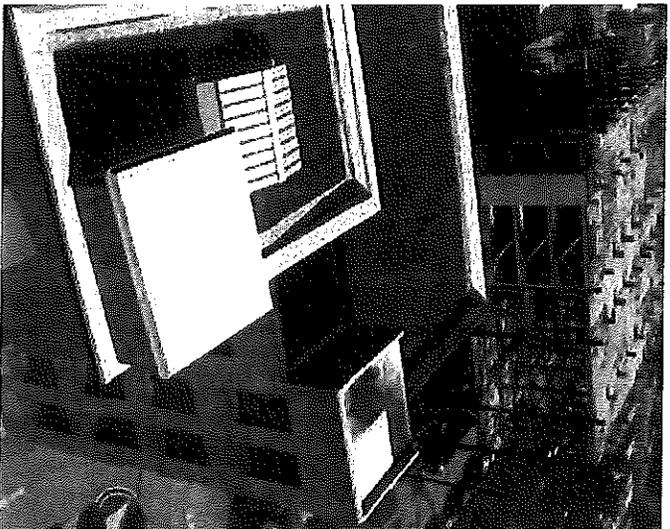
**Not Recommended:**  
[83-84] This historic hotel is a prominent and highly visible local landmark, and the wind turbines proposed to be added on the roof would negatively impact its historic character.

## ROOFS—COOL ROOFS AND GREEN ROOFS

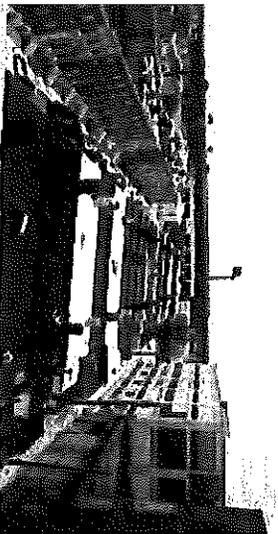
### RECOMMENDED

### NOT RECOMMENDED

<p>Retaining and repairing durable, character-defining historic roofing materials in good condition.</p>	<p>Replacing durable, character-defining historic roofing materials in good condition with a roofing material perceived as more sustainable.</p>
<p>Analyzing whether a cool roof or a green roof is appropriate for the historic building.</p>	
<p>Installing a cool roof or a green roof on a flat-roofed historic building where it will not be visible from the public right of way and will not negatively impact the building's historic character.</p>	<p>Installing a cool roof or a green roof without considering whether it will be highly visible from the public right of way and will negatively impact the building's historic character.</p>
<p>Selecting appropriate roofing materials and colors when putting a new cool roof on the historic building.</p>	<p>Installing a cool roof that is incompatible in material or color with the historic building.</p>
<p>Ensuring that the historic building can structurally accommodate the added weight of a green roof and sensitively improving the structural capacity, if necessary.</p>	<p>Adding a green roof that would be too heavy and would damage the historic building or supplementing the structural capacity of the historic building in an insensitive manner.</p>

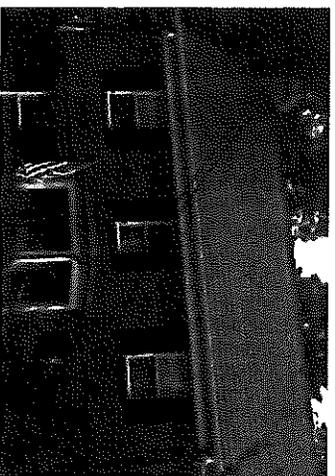


85



86

**Recommended:** [85-86] A cool or green roof is best installed on a flat roof where it cannot be seen from the public right of way and will not negatively impact the character of the historic building.



87

**Not Recommended:** [87] Historic roofing materials in good condition should be retained rather than replaced with another material perceived as more sustainable, such as, in this case, solar roofing shingles.



88

**Not Recommended:** [88] This new, cool white metal roof is not an appropriate material or color for this historic mid-20th century house.

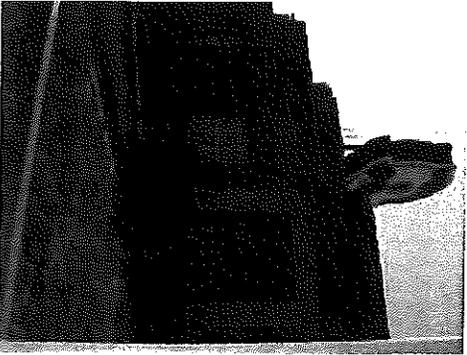
## ROOFS—COOL ROOFS AND GREEN ROOFS

### RECOMMENDED

<p>Ensuring that the roof is water tight and that roof drains, gutters and downspouts function properly before installing a green roof.</p>	<p>Installing a green roof without ensuring that the roof covering is water tight and that drainage systems function properly.</p>
<p>Including a moisture-monitoring system when installing a green roof to protect the historic building from added moisture and accidental leakage.</p>	
<p>Selecting sustainable native plants that are drought resistant and will not require excessive watering of a green roof.</p>	
<p>Selecting appropriately-scaled vegetation for a green roof that will not grow so tall that it will be visible and detract from the building's historic character.</p>	<p>Selecting vegetation for a green roof that will be visible above the roof or parapet.</p>

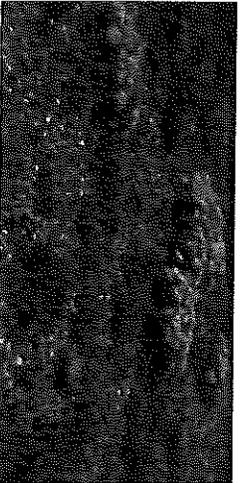
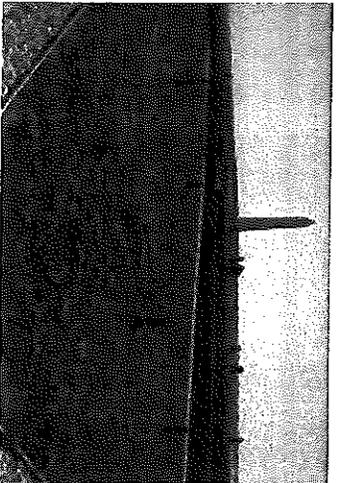
### NOT RECOMMENDED

89



**Recommended:** [89-92] Low-scale and sustainable native plants are appropriate for these roof gardens on historic buildings.

90-91



**Not Recommended:** [93] The vegetation on these green roofs has grown too tall and negatively impacts the character of these historic commercial buildings.

92



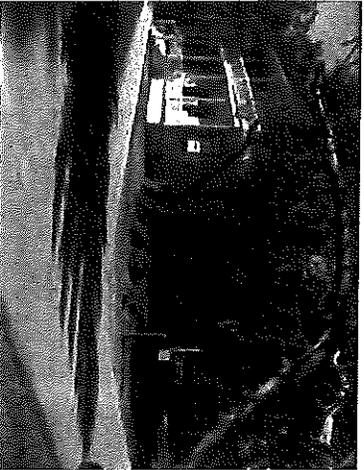


**SITE FEATURES AND WATER EFFICIENCY**

**RECOMMENDED**

**NOT RECOMMENDED**

<p>Respecting an important cultural landscape and significant character-defining site features when considering adding new sustainable features to the site.</p>	<p>Installing new sustainable site features without considering their potentially negative impact on an important cultural landscape and character-defining site features.</p>
<p>Using to advantage existing storm-water-management features, such as gutters, downspouts and cisterns, as well as site topography and vegetation that contribute to the sustainability of the historic property.</p>	<p>Ignoring existing features that contribute to the sustainability of the historic property.</p>
<p>Adding natural, sustainable features to the site, such as shade trees, if appropriate, to reduce cooling loads for the historic building.</p>	<p>Removing existing natural features, such as shade trees, that contribute to the building's sustainability.</p>
<p>Using permeable paving where appropriate on a historic building site to manage storm water.</p>	<p>Planting trees where they may grow to encroach upon or damage the historic building.</p>



**Recommended:** [94-95] Permeable pavers were used at this historic residential property for a driveway and parking (above) and a hard-packed, construction aggregate provides environmentally-friendly paths for visitors at this historic site (below).



**[96]** Mature trees and a water feature contribute to the sustainability of this mid-twentieth century property.



**Not Recommended:** [97] This tree, which was planted too close to the building, has caused the masonry wall to retain moisture that damaged the mortar and required that the brick be repointed in this area.

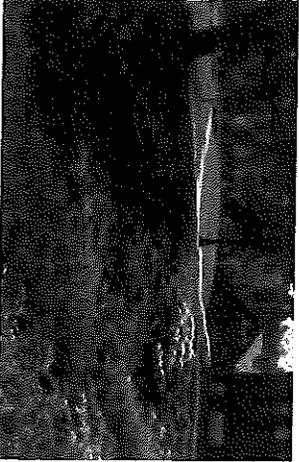
## SITE FEATURES AND WATER EFFICIENCY

RECOMMENDED	NOT RECOMMENDED
Avoiding paving up to the building foundation to reduce heat island effect, building temperature, damage to the foundation and storm-water runoff.	Paving up to the building foundation with impermeable materials.
Landscaping with native plants, if appropriate, to enhance the sustainability of the historic site.	Introducing non-native plant species to the historic site that are not sustainable.
Adding features, such as bioswales, rain gardens, rain barrels, large collection tanks and cisterns, if compatible, to the historic building site to enhance storm-water management and on-site water reuse.	



98

**Recommended:** [98-100] Rain gardens and rain-water collection tanks are features that may be added to a historic property to improve storm-water management and increase on-site water use.



99



100



101

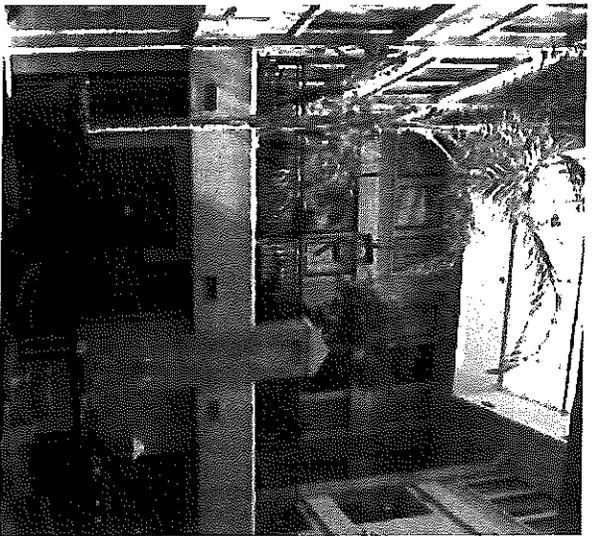
**Not Recommended:** [101] Splash back from the impermeable concrete paving next to the foundation is damaging these stones.

## DAYLIGHTING

### RECOMMENDED

### NOT RECOMMENDED

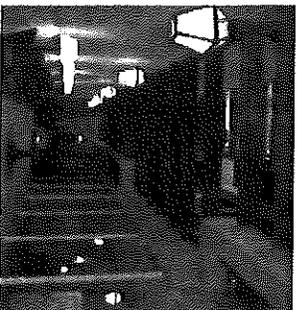
RECOMMENDED	NOT RECOMMENDED
Retaining features that provide natural light to corridors, such as partial glass partitions, glazed doors and transoms, commonly found in historic office buildings.	Removing or covering features that provide natural light to corridors, such as partial glass partitions, glazed doors and transoms, commonly found in historic office buildings.
Reopening historic windows that have been blocked in to add natural light and ventilation.	Blocking in historic window openings to accommodate new building uses.
Adding skylights or dormers on secondary roof elevations where they are not visible or are only minimally visible so that they do not negatively impact the building's historic character.	Adding skylights or dormers on primary or highly-visible roof elevations where they will negatively impact the building's historic character.
Adding a small light well or light tubes, where necessary and appropriate, to allow more daylight into the historic building.	
Inserting a small atrium, only when necessary, to allow more daylight into the building in a manner that is compatible with the historic character of the building.	Cutting a very large atrium into the historic building that is not compatible with the building's historic character.
	Creating an open, uncovered atrium or courtyard in the historic building that appears to be an outdoor space, rather than an interior space.



102

**Recommended:** [102-103]

Small, covered atriums that are compatible with the character of these historic warehouses have been inserted to light the interior.

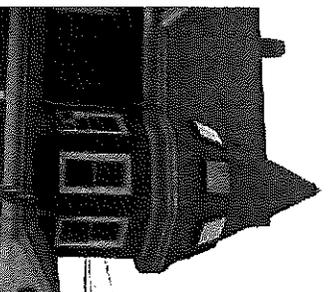


103

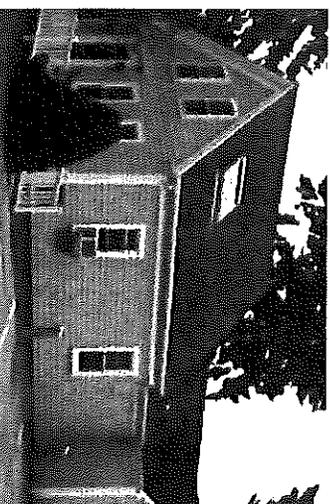
**Not Recommended:** [104-106]  
Skylights added on a primary roof elevation negatively impact the character of these historic houses.



104



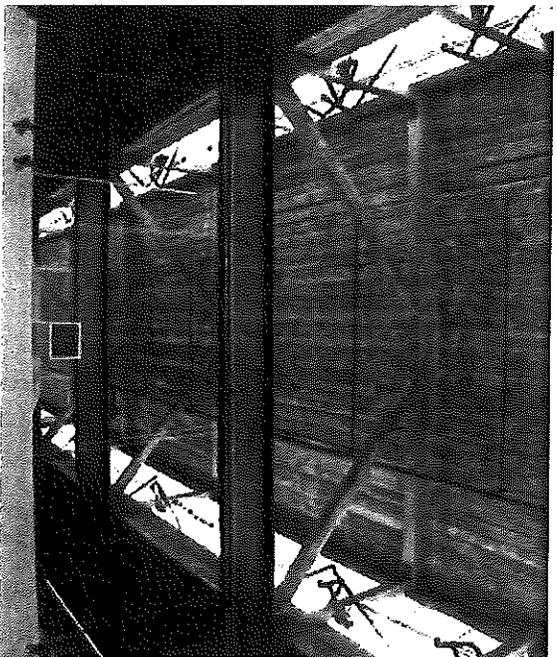
105



106

## DAYLIGHTING

RECOMMENDED	NOT RECOMMENDED
<p>Installing light-control devices on the historic building where appropriate to the building type, such as light shelves in industrial or mid-century modern buildings, awnings on some commercial and residential buildings and shutters on residential buildings that had them historically.</p>	<p>Installing light-control devices that are incompatible with the type or style of the historic building.</p>
<p>Installing automated daylighting controls on interior lighting systems that ensure adequate indoor lighting and allow for energy-saving use of daylighting.</p>	
<p>Adding new window openings on secondary and less visible facades, where appropriate, to allow more natural light into the historic building.</p>	<p>Adding new window openings on primary elevations that will negatively impact the character of the historic building.</p>

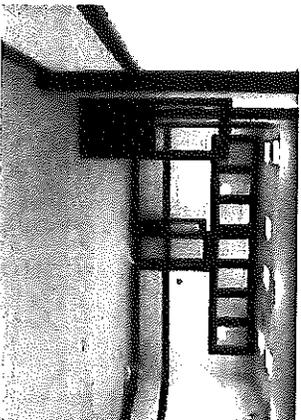


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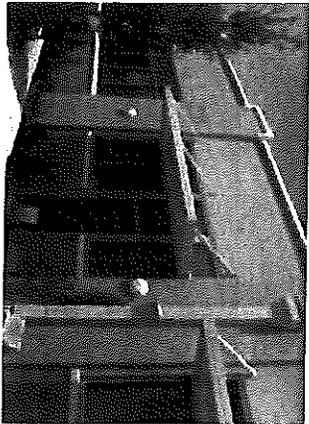
**Recommended:** [T10] A clerestory window lights the interior

corridor of this historic mill building.

[T11] A limited number of new window openings may be added to non-character-defining, secondary facades to allow natural light into formerly windowless spaces.

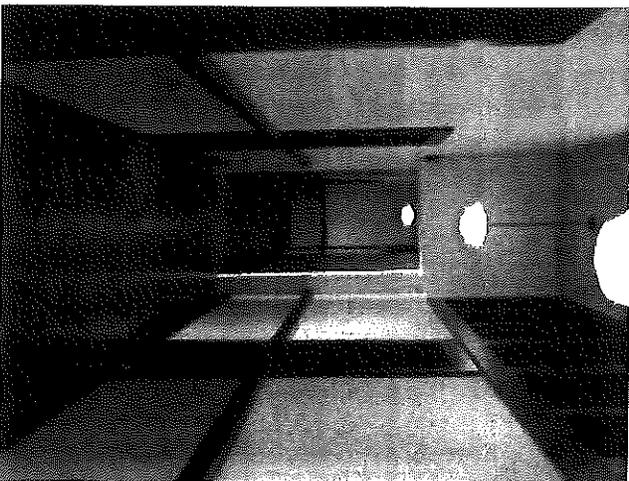


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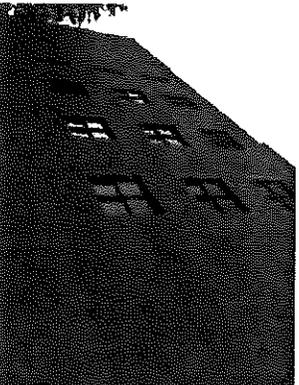


**Recommended:** [T07] Traditional canopies compatible with the industrial character of this former factory building were installed when it was converted for residential use.

107



108



109

[T08-T09] The original, partially-glazed doors and office partitions, as well as skylights, that let natural light into the corridors were retained as part of the rehabilitation of this early-20th century building.



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 15, 2013

To: The Mayor and Members of City Council

**Re: Maumee River Wastewater Treatment Plant Debt  
2010-2011 Improvements**

Dear Mayor and Members of Council:

During the two years noted above, there were several smaller projects completed at the County's wastewater treatment plant. The total cost of these projects was \$5,363,871. The County had secured \$2,965,960 in Ohio Public Works Commission and American Resource Recovery Act grants and loans. This leaves a balance of \$2,397,912 to finance. The City is responsible for approximately \$463,600 of this amount (varies as split is percentage based).

I am proposing that we utilize our reserve funds of approximately \$1.1 million for this obligation rather than financing it at 4% interest. Interest would cost the City approximately \$220,000 over the next 20 years or \$11,000 per year.

Therefore, we are requesting an additional appropriation in the amount of \$463,600 from the sanitary sewer fund.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller", is written over a horizontal line.

Kevin G. Aller, P.E.  
Director of Public Service  
KGA/dsw

14a



# City Of Sylvania

MUNICIPAL PLANNING COMMISSION

March 15, 2013

To: Mayor and Members of City Council

Re: **Proposed Ordinance No. 24-2013, for review and recommendation, amending Part Eleven of the Planning and Zoning Code, by amending Section 1117.07 – Accessory Buildings and Uses.**

Dear Mayor and Members:

Following is an excerpt from the minutes of the March 13, 2013, meeting of the Sylvania Municipal Planning Commission, regarding a request for review and recommendation for Proposed Ordinance No. 24-2013, for review and recommendation, amending Part Eleven of the Planning and Zoning Code, by amending Section 1117.07 – Accessory Buildings and Uses:

..." After comments and discussions were made by the members, Mayor Stough moved, Dr. Backus seconded to recommend approval of Proposed Ordinance No. 24-2013 with the recommendation that further consideration be given to the following:

- 1) To not allow boat or rv storage on either street frontage of corner lots.
- 2) That permanent storage of unmaintained or unusable boat's or rv's not be allowed.

Vote being: Stough, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote" ...

Sincerely,

Debra Webb, Secretary  
Municipal Planning Commission

14b.



# City Of Sylvania

MUNICIPAL PLANNING COMMISSION

March 15, 2013

To: Mayor and Members of City Council

**Re: Council Referral – Proposed Ordinance No. 25-2013, for review and recommendation, amending Part Eleven of the Planning and Zoning Code to regulate the use of Illuminated Tubing.**

Dear Mayor and Members:

Following is an excerpt from the minutes of the March 13, 2013, meeting of the Sylvania Municipal Planning Commission, regarding a request for review and recommendation of Proposed Ordinance No. 25-2013, amending Part Eleven of the Planning and Zoning Code to regulate the use of Illuminated Tubing:

... " After discussions and comments were made amongst the members, Dr. Backus moved, Mayor Stough seconded to recommend approval of Proposed Ordinance No. 25-2013. Vote being: Backus, Stough, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote."...

Sincerely,

Debra Webb, Secretary  
Municipal Planning Commission

**City of Sylvania**  
Bank Reconciliation  
February 2013

**A.**

CHECKBOOK BALANCE

Ending balance for Jan 2013      \$ 22,707,177.80

Add: Monthly Receipts                      1,775,271.99

Subtotal                                      \$ 24,482,449.79

Less: Monthly Disbursements              2,017,739.37

Ending balance for Feb 2013              \$ 22,464,710.42

Less:

Certificates of Deposit                      \$ (1,000,000.00)

Star Ohio                                      (76,929.52)

Petty Cash (1)                                      (2,050.00)

Cemetery Savings                              (1,062.86)

Toledo Community Fund                      (27,743.82)

PNC MoneyMarket                              (1,026,630.38)

Key Bank Securities                              (1,006,914.17)

5/3rd Securities                              (12,079,276.36)

SJS Account                                      (5,209,043.79)

Sylvania Township Bonds                      (680,000.00)

    \$ 1,355,059.52

Less:

(1)

Division of Public Service                      \$            150.00

Department of Finance                              100.00

Division of Water                                      600.00

Division of Police                                      200.00

Municipal Court                                      700.00

Division of Taxation                                      150.00

Division of Forestry                                      150.00

Petty Cash Balance      \$            2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance                      \$ 1,913,439.62

Deposit in Transit                                      1,707.66

Subtotal    \$ 1,915,147.28

Less: Outstanding Checks (2)                      560,087.76

Adjusted Bank Balance                              \$ 1,355,059.52

(2)

Jan Outstanding Checks                              \$ 283,405.87

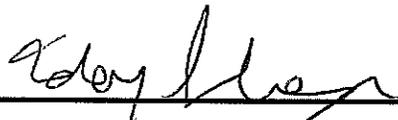
Checks written this month                              1,113,603.51

Voided Ck # 62096                                      (150.00)

Subtotal    \$ 1,396,859.38

Checks Cleared    (836,771.62)

Feb Outstanding Checks                              \$ 560,087.76



Toby Schroyer  
Director of Finance, City of Sylvania

B.



**City of Sylvania**  
DIVISION OF TAXATION  
, COMMISSIONER

March 1, 2013

Mayor Craig A. Stough and Members of Council  
City of Sylvania  
Sylvania, Ohio

Dear Mayor Stough and Council Members:

The monthly cash report from the Division of Taxation is as follows:

	Deposits	Refunds	Balance
February 28, 2013	\$687,344.35	\$21,397.38	\$665,946.97
February 29, 2012	\$735,127.49	\$0.00	\$735,127.49
Monthly Difference	----- -\$47,783.14	----- \$21,397.38	----- -\$69,180.52
Year to Date 2013	\$1,528,513.41	\$30,477.98	\$1,498,035.43
Year to Date 2012	\$1,530,193.12	\$5,691.68	\$1,524,501.44
Yearly Difference	----- -\$1,679.71	----- \$24,786.30	----- -\$26,466.01

Respectfully submitted,

Sylvania Income Tax Department

c: Mr. Toby Schroyer, Finance Director

C.

Sylvania Municipal Planning Commission

Minutes of the regular meeting of March 13, 2013. Mr. Marciniak called the meeting to order.

Members present: Read Backus, Ken Marciniak, Mayor Craig Stough (3) present. Thomas Lindsley was excused. Mr. Kevin Aller present.

Mayor Stough moved, Dr. Backus seconded to approve the Minutes of the February 13, 2013 meeting as submitted. Vote being: (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 – Council Referral – Proposed Ordinance No. 24-2013, for review and recommendation, amending Part Eleven of the Planning and Zoning Code, by amending Section 1117.07 – Accessory Buildings and Uses. Ms. Carol Lindhuber of 5300 Brandy Lane and Mr. Todd Kauffman of 5824 Summer Place were present and made comments. After comments and discussions were made by the members, Mayor Stough moved, Dr. Backus seconded to recommend approval of Proposed Ordinance No. 24-2013 with the recommendation that further consideration be given to the following:

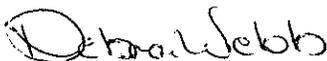
- 1) To not allow boat or rv storage on either street frontage of corner lots.
- 2) That permanent storage of unmaintained or unusable boat's or rv's not be allowed.

Vote being: Stough, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote

Item 4 – Council Referral – Proposed Ordinance No. 25-2013, for review and recommendation, amending Part Eleven of the Planning and Zoning Code to regulate the use of Illuminated Tubing. After discussions and comments were made amongst the members, Dr. Backus moved, Mayor Stough seconded to recommend approval of Proposed Ordinance No. 25-2013. Vote being: Backus, Stough, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission

Board of Architectural Review

Minutes of the regular meeting of March 13, 2013. Mr. Marciniak called the meeting to order.

Members present: Read Backus, Ken Marciniak, Mayor Craig Stough (3) present. Thomas Lindsley was excused. Mr. Kevin Aller present.

Dr. Backus moved, Mayor Stough seconded to approve the Minutes of the February 13, 2013 meeting as submitted. Vote being: (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

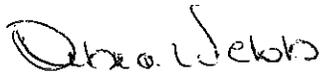
Item 3 – Regulated Sign – app. no. 07-2013 requested by Rob Shaw Outdoor Lighting for Seann’s Anime & Comics, 5805 Monroe Street, Sylvania, Ohio 43560. Application is for a 3’ x 6’ wall sign. Mayor Stough moved, Dr. Backus seconded to grant a Certificate of Appropriateness for the sign as shown in the drawing submitted with the application. Vote being: Stough, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote

Item 4 – Regulated Sign – app. no. 08-2013 requested by Dan Rossenberg for JDRM, 5604 Main Street, Suite 200, Sylvania, Ohio 43560. Mr. Dan Rossenberg present. Mr. Rossenberg provided details of the decal sign that will be installed on glass of the Main Street door to direct customers to enter via the Summit Street entrance. Mayor Stough moved, Dr. Backus seconded to grant a Certificate of Appropriateness for the sign as shown in the drawing submitted with the application. Vote being: Stough, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote

Item 5 – Regulated Sign – app no. 09-2013 requested by Toledo Sign for Photography by K, 5693 Main Street, Suite 1, Sylvania, Ohio 43560. Myra Gueli present. Ms. Gueli presented an updated illustration of the 12.5” x 18” vinyl decal to be installed on the door at 5693 Main Street and the 3’ x 3’ banner sign to be installed with the existing hardware on the corner of the building at a height of approximately 13’. Dr. Backus moved, Mayor Stough seconded to grant a Certificate of Appropriateness for the sign as shown in the illustration. Vote being: Backus, Stough, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote

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

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission