

Sylvania City Council

June 3, 2013

6:30 p.m. Committee-of-the-Whole

Amending Section 1117.07, Accessory Building & Uses

7:30 p.m. Council Meeting

Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Cappellini.
3. Additions to the agenda.
4. Approval of the minutes of the May 20 meeting.
5. Sister City Mayor Pat Sobeski, City of Woodstock
 - a. Presentation of short video promoting Woodstock.
 - b. Discussion on Sister City Relationship.
6. Proposed Ordinance 45-2013, approving the recommendation of the Municipal Planning Commission relative to the Planned Development Application No. 2-2012, Pine Tree Village.
7. Erie Street Bridge No. 22 Replacement Project:
 - a. Service Director's report on Construction Engineering Services; and
 - b. proposed Ordinance 47-2013, accepting the proposal of DGL Consulting Engineers, LLC for services in an amount not to exceed \$3,800.00.
8. Community Reinvestment Areas:
 - a. proposed Ordinance 22-2013, Amending CRA No. 3.
 - b. proposed Ordinance 23-2013, Amending CRA No. 8.
 - c. proposed Ordinance 46-2013, Amending CRA No. 6.(Note: New maps and legal descriptions will be provided at meeting.)
9. Notice of transfer of the D1, beer on premises consumption until 1:-00a.m., D2, wine and certain prepackages mixed drinks until 1:00a.m., D3, spirituous liquor until 1:00a.m., D6, sales of liquor on Sundays until midnight, permit from Jenna, LLC, d/b/a Jennas Restaurant, 5629 Main St, 1st floor & basement, Sylvania, OH 43560 to AYA Downtown, LLC d/b/a Paddy Jacks, 5629 Main St., 1st floor & basement, Sylvania, OH 43560.

10. Committee reports.
 - a. Report of Committee-of-the-Whole from 6:30p.m.
11. Committee referrals.

Information

- A. 1st Quarter 2013 Management report – Department of Utilities.

Minutes of the Meeting of Council
May 20, 2013

- The Council of the City of Sylvania, Ohio met in regular session on May 20, 2013 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Mike Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0). Roll call:
All present.
- Mr. Brown 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.
- 5a. Sylvania Community Arts Commission Report.
 - 5b. Downtown Market on Main Report.
 - 8a. Public Hearing – PD-2-2012 Pine Tree Village Report.
 - 8b. Public Hearing – Building Rehabilitation Standards Report.
 9. Employee & Community Relations Committee meeting schedule.
 10. Sylvania Community Action Team Report.
- Mr. Haynam moved, Mrs. Cappellini seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.
- Mayor Stough stated that Council will now consider agenda item 4.
- Mrs. Westphal presented the May 6 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 May 20, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Approval of the May 6 minutes.
- Mayor Stough stated that Council will now consider agenda item 5.
- Mayor Stough made a presentation of proclamation declaring Poppy Day May 24. Miss Poppy was introduced and distributed poppies.

Minutes of the Meeting of Council
May 20, 2013

Jennifer Archer, Executive Director of the Sylvania Community Arts Commission presented an overview of this year's Maple & Main Arts Festival. This event will be held on June 1st & 2nd featuring sixty-five artists, fourteen bands with many other activities.

Maple & Main
Arts Festival
6/1 & 6/2/13

Jackie Olender, Secretary of the Downtown Sylvania Association presented an overview of this year's Market on Main to be held each Tuesday for eighteen weeks starting June 4th through October 1st featuring fifteen quality vendors.

Market On Main
6/1-10/1/13

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance 43-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into agreements with a head teacher, teachers, and aides for the Sylvania Safety City Program being conducted by the Sylvania Division of Police; providing funds therefore; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance
43-2013,
"...agreements...
Safety City
Program...."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance 43-2013 be enacted as an emergency measure as declared therein; roll call vote being; Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

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

Mrs. Husman presented and read aloud by title only, proposed Ordinance 44-2013, a written copy of same having been previously furnished to each member of Council, "Amending the Codified Ordinances of Sylvania, 1979, as amended, by amending Chapter 961 – Cemetery Interments; and declaring an emergency." Mrs. Husman moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance
44-2013,
"Amending....
Chapter 961
Cemetery-
Interments...."

Mrs. Husman moved, Mr. Luetke seconded, that Ordinance 44-2013 be enacted as an emergency measure as declared therein; roll call vote being; Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

Minutes of the Meeting of Council
May 20, 2013

Mrs. Westphal reported on the 6:30 public hearing for zoning ordinance petition no. PD-2-2012, a planned development for Pine Tree Village on property at 5930 Heidaway Lane, Sylvania, Ohio. Mrs. Westphal moved, Mr. Brown seconded to recommend approval of this application and legislation be presented at the next meeting after Service Director Aller's final review of the drainage; roll call vote being; Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried.

Report on P.H.
PD-2-2012
Pine Tree
Village.

Mrs. Westphal reported on the 7:00 public hearing, regarding the Building Rehabilitation Standards. Mr. Luetke moved, Mr. Haynam seconded to refer the Building Rehabilitation Standards to Administration for further review and recommendation; roll call vote being; Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

Report on public
Hearing Re:
Bldg. Rehab
Standards.

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

Mr. Luetke stated the Employee and Community Relations Committee will meet on May 24 at 8:00 a.m. to discuss potential revisions to the City's website.

Emp & Com
Relations
meeting, 5/24 at
8:00a.m.

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

Mrs. Husman reported on the activities of the Sylvania Community Action Team. She stated SCAT participated in the Mock Accident for high school students, the drug drop-off with the Police Department, and the 24-hr. challenge. A drug drop-off container will be available at all times at the Police Department.

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

Mrs. Westphal moved, Mr. Haynam seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned 8:21 p.m.

Adjournment.

Clerk of Council

Mayor

ORDINANCE NO. 45 -2013

APPROVING THE RECOMMENDATION OF THE MUNICIPAL PLANNING COMMISSION RELATIVE TO PLANNED DEVELOPMENT APPLICATION NO. PD-2-2012 OF PORT LAWRENCE TITLE AND TRUST COMPANY; AND DECLARING AN EMERGENCY.

WHEREAS, on August 15, 2012, an application (petition) to reconfigure the planned development located at 5930 Heidaway Lane, Sylvania, Ohio was filed by Port Lawrence Title and Trust Company under application (petition) number PD-2-2012, and said application was duly referred to the Municipal Planning Commission, on September 4, 2012, by this Council, for consideration, recommendation and report; and,

WHEREAS, the Municipal Planning Commission considered said Application on September 12, 2012, October 10, 2012 and April 10, 2013, and by report dated April 12, 2013, recommended the approval of such request, which recommendations was as follows:

“Mr. Marciniak motioned and Dr. Backus seconded to accept the plan and approve the Pine Tree Village Planned Development under the condition that the revisions recommended by the Department of Public Service and by the Fire Department are made. Vote being: Lindsley, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.”

WHEREAS, the application (petition) PD-2-2012, requested a planned development to reconfigure the existing planned development that was approved by Sylvania City Council on April 19, 2006 by Ordinance No. 33-2006; and,

WHEREAS, a preliminary drawing of said site plan was attached to said application PD-2-2012, however, an amended drawing was presented at the April 10, 2013 meeting of the Sylvania Municipal Planning Commission; and,

WHEREAS, this Council held a public hearing on said application (petition) on May 20, 2013, after thirty (30) days prior publication of notice of such public hearing, and after twenty

or more days of prior written notice of the hearing to all owners of the property within, to, and directly across the street from the subject property, was duly made; and,

WHEREAS, after the public hearing on May 20, 2013, the recommendation of the Municipal Planning Commission was considered by Council at its regular meeting on said date and thereafter this Council authorized the Director of Law to prepare the appropriate legislation approving the recommendation of the Municipal Planning Commission, as hereinabove and hereinafter set forth and granting said Planned Development; and,

WHEREAS, all things required to be done under the Codified Ordinances of the City of Sylvania and the Charter of the City before Council may take final action on this application (petition) have been done.

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

SECTION 1. That the recommendation of the Municipal Planning Commission to approve Application No. PD-2-2012, of Port Lawrence Title and Trust Company of 5930 Heidaway Lane, Sylvania, Ohio 43560, dated August 15, 2012, now on file with the Clerk of this Council, to amend the existing planned development to reconfigure the previously approved planned development.

SECTION 2. That the Secretary of the Municipal Planning Commission is hereby directed to change the Current Official Zoning Maps adopted and maintained pursuant to Chapter 1113 of the Codified Ordinances of Sylvania, to conform to the within Ordinance.

SECTION 3. That the granting of this amendment to the existing planned development shall not dispense with, or be in lieu of, a building permit.

SECTION 4. That the Clerk of Council is hereby authorized and directed to provide Applicant with a certified copy of this Ordinance.

SECTION 5. 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 6. 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 7. 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 planned development reconfiguration should be approved immediately. 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 this 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

7a.



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 29, 2013

To: The Mayor and Members of Sylvania City Council

Re: **CONSTRUCTION ENGINEERING SERVICES
ERIE STREET BRIDGE NO. 122 REPLACEMENT PROJECT**

Dear Mr. Mayor and Council Members:

We have received a proposal from DGL Consulting Engineers, LLC to perform construction engineering services for the above referenced project. Site visits, structural shop drawing review and responding to questions from the contractor are included in their scope of services with this proposal.

DGL has provided construction engineering services on previous projects for the City and is the design engineer for this project.

We would recommend that the proposal from DGL in the not-to-exceed amount of \$3,800 for construction engineering services be accepted.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw



DGL Consulting Engineers, LLC

Experience that matters! • Founded 1926

May 23, 2013

Mr. Joseph E. Shaw, P.E., P.S.
Deputy Director of Public Service
City of Sylvania
6730 Monroe Street
Sylvania, Ohio 43560

Subject: Erie Street over Schreiber Ditch Culvert Replacement
Construction Phase Services Proposal

Dear Mr. Shaw:

Enclosed is our Proposal for Construction Phase Services for the referenced project as requested in your email on May 15, 2013. In addition to the site visits (8 hours) and structural shop drawing review (16 hours) you requested, I have also added time for general contractor questions (8 hours) and contract administration (2 hours).

The estimated fee shown on the next page will be billed on a cost plus net fee basis.

If you have any questions please feel free to contact us.

Respectfully,
DGL Consulting Engineers, LLC

A handwritten signature in blue ink, appearing to read 'S. Morehouse', is written over the typed name.

Scot A. Morehouse, P.E.
Principal

Enclosures

FEE CALCULATION

Erie Street over Schreiber Ditch
Construction Phase Services

<u>Activity</u>	<u>Rate Classification</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Fee</u>
Site Visitation	Principal	8	\$ 130.00	\$ 1,040.00
Structure Shop Drawings	Staff Professional Engineer	16	\$ 85.00	\$ 1,360.00
Answer Contractor Questions	Principal	8	\$ 130.00	\$ 1,040.00
Contract Administration	Principal	2	\$ 130.00	\$ 260.00
Direct Costs (Milage, etc.)				\$ 100.00
	Total Fee:	34		\$ 3,800.00

Toby Schroyer, Director of Finance

Craig A. Stough, Mayor

7b.

ORDINANCE NO. 47 -2013

ACCEPTING THE PROPOSAL OF DGL CONSULTING ENGINEERS, LLC FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE ERIE STREET BRIDGE NO. 122 REPLACEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$3,800; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 39-2013, passed April 15, 2013, accepted the bid of Vernon Nagle, Inc. and awarded the contract for the Erie Street Bridge No. 122 Replacement Project to same; and,

WHEREAS, the Director of Public Service has received a proposal from DGL Consulting Engineers, LLC to perform construction engineering services for this project, including site visits, structural shop drawing review, and responding to questions from the contractor; and,

WHEREAS, the Director of Public Service, in a report dated May 29, 2013, has recommended acceptance of the proposal of DGL Consulting Engineers, LLC for construction engineering services at a cost to the City of \$3,800.

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 DGL Consulting Engineers, LLC in the amount of Three Thousand Eight Hundred Dollars (\$3,800.00), for construction engineering services to for the Erie Street Bridge No. 122 Replacement Project, is hereby accepted.

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

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53610 – Erie Street Bridge Replacement Project** the total sum of Three Thousand Eight Hundred Dollars (\$3,800.00).

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

requirements, including Section 121.22 of the Ohio Revised Code.

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the construction engineering services should be provided for immediately. 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

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ORDINANCE NO. 22 -2013

**AMENDING COMMUNITY REINVESTMENT AREA NO. 3,
DESIGNATING A HOUSING OFFICER, ESTABLISHING A
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL;
REPEALING RESOLUTION NO. 26-96; AND DECLARING AN
EMERGENCY.**

WHEREAS, Ordinance No. 41-92, passed November 2, 1992, established and described the boundaries of a Community Reinvestment Area to be known as Community Reinvestment Area Number 3; and,

WHEREAS, Resolution No. 25-96, passed July 1, 1996, directed the Housing Officer of Community Reinvestment Area Number 3 not to accept any new applications for exemptions for this Community Reinvestment Area; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City's Community Reinvestment Areas; and,

WHEREAS, the Committee of the Whole met on March 4, 2013 and April 15, 2013 to review the City's Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 3 be amended to include residential properties in Clark's Subdivision as shown on the attached "Exhibit A" which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code.

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

SECTION 1. That Community Reinvestment Area No. 3 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That Resolution No. 25-96 is hereby repealed and the owner of any real property located in said Community Reinvestment Area Number 3 may file an application with the Housing Officer for an exemption from real property taxation for a new structure or remodeling completed after the effective date of this ordinance.

SECTION 3. That said Community Reinvestment Area No. 3 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 4. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for up to fifteen years.

SECTION 5. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 3. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 3 at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. 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 12. 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(c) and 12, of the Charter of this City.

SECTION 13. 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 amendments to the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be effective immediately. 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 issue.

President of Council

ATTEST:

Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

ORDINANCE NO. 23 -2013

**AMENDING COMMUNITY REINVESTMENT AREA NO. 8,
DESIGNATING A HOUSING OFFICER, ESTABLISHING A
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL; AND
DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 20-94, passed June 20, 1994, established and described the boundaries of a Community Reinvestment Area (“CRA”) to be known as Community Reinvestment Area Number 8; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City’s Community Reinvestment Areas; and,

WHEREAS, the Committee of the Whole met on March 4, 2013 and April 15, 2013 to review the City’s Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 8 be amended to include the west side of North Main Street from River Centre Clinic to St. Joseph Catholic Church and from the parking lot across from St. Joseph Catholic Church to 5470 Main Street as shown on the attached “Exhibit A” which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, upon further review of Community Reinvestment Area Number 8’s boundaries and the other CRAs in the City, it was recommended that the boundaries of CRA Numbers 8 and 1 be merged as well as the additional territory added to the CRA; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code.

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

SECTION 1. That Community Reinvestment Area No. 8 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That said Community Reinvestment Area No. 8 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 3. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for the terms as set forth below. Additionally, any qualifying project under construction in the Community Reinvestment Area as of the date of passage of this Ordinance shall be subject to the exemption terms contained herein.

SECTION 4. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 5. That the Housing Officer or his designee shall verify the construction of the new structure or the cost of remodeling and the facts asserted in the application. The Housing Officer shall determine whether the construction or the cost of remodeling meet the requirements for an exemption under Section 8 below.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 8. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement will be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement shall be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement shall be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement shall be 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 8, including the Maplewood Marketplace improvements and the Irv's Auto Parts improvements at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. 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 12. 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(c) and 12, of the Charter of this City.

SECTION 13. 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 amendments to the Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be

effective immediately. 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 issue.

President of Council

ATTEST:

Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

8c

ORDINANCE NO. 46 -2013

**AMENDING COMMUNITY REINVESTMENT AREA NO. 6,
DESIGNATING A HOUSING OFFICER, ESTABLISHING A
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL;
REPEALING RESOLUTION NO. 26-96; AND DECLARING AN
EMERGENCY.**

WHEREAS, Ordinance No. 4-93, passed February 17, 1993, established and described the boundaries of a Community Reinvestment Area (“CRA”) to be known as Community Reinvestment Area Number 6; and,

WHEREAS, Resolution No. 29-96, passed July 1, 1996, directed the Housing Officer of Community Reinvestment Area Number 6 not to accept any new applications for exemptions for this CRA; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City’s Community Reinvestment Areas; and,

WHEREAS, the Committee of the Whole met on March 4, 2013 and April 15, 2013 to review the City’s Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 6 be amended to include residential properties in as shown on the attached “Exhibit A” which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code.

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

SECTION 1. That Community Reinvestment Area No. 6 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That Resolution No. 29-96 is hereby repealed and the owner of any real property located in said Community Reinvestment Area Number 6 may file an application with the Housing Officer for an exemption from real property taxation for a new structure or remodeling completed after the effective date of this ordinance.

SECTION 3. That said Community Reinvestment Area No. 6 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 4. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for up to fifteen years as set forth below.

SECTION 5. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 6. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which

exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement may be 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 6 at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. 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.

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SECTION 13. 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 amendments to the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be effective immediately. 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 issue.

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

9.

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

0341735		TRFO	AYA DOWNTOWN LLC DBA PADDY JACKS 5629 MAIN ST 1ST FL & BSMT SYLVANIA OHIO 43560
PERMIT NUMBER		TYPE	
06	01	2012	
ISSUE DATE			
05	17	2013	
FILING DATE			
D1	D2	D3	D6
PERMIT CLASSES			
48	077	A	F09834
TAX DISTRICT		RECEIPT NO.	

FROM 05/21/2013

4275703			JENNA LLC DBA JENNAS RESTAURANT 5629 MAIN ST 1ST FL & BSMT SYLVANIA OHIO 43560
PERMIT NUMBER		TYPE	
06	01	2012	
ISSUE DATE			
05	17	2013	
FILING DATE			
D1	D2	D3	D6
PERMIT CLASSES			
48	077		
TAX DISTRICT		RECEIPT NO.	



MAILED 05/21/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN 06/21/2013

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 TRFO 0341735

(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

FOR OFFICE USE ONLY NEW	TRANSFER
PERMIT # 0341735	

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

2013 MAY 16 PM 12:55
DIVISION OF LIQUOR CONTROL

LIMITED LIABILITY COMPANY DISCLOSURE FORM

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

SECTION A.

Name of Limited Liability Company Aya Downtown, LLC	DBA Name Paddy Jacks	City, State Sylvania, OH	Zip Code 43560
Permit Premises Address 5629 Main St., 1st Floor & Bsmt	Township, if in Unincorporated Area	Tax Identification No. (TIN) 45-1498677	

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 None		
2) President Deana Deen		04-25-1973
3) Vice-President None		
4) Secretary None		
5) Treasurer None		

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 Deana M. Deen	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 6015 Barkwood Lane	Tax Identification No. (if applicable)	
City and State Sylvania, OH	Zip Code 43560	
Telephone No. 419-283-8504	Date of Birth 04-25-1973	
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, Lucas COUNTY ss,

I, Deana M. Deen being first duly sworn, according to law, deposes and says that he/she is (Title) Pres/Mang Mbr

of the Aya Downtown, 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) Deana Deen member
Sworn to and subscribed in my presence this 10th day of MAY, 2013

[Signature]
(Notary Public) (Notary Expiration)