

**Sylvania City Council**  
September 16, 2013

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

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Westphal.
3. Additions to the agenda.
4. Approval of the meeting minutes of September 3, 2013.
5. Deb Chaney, Executive Director of SCAT to provide an update on their organization.
6. Ms. Janice Pierson, representative for neighbors on Vicksburg Dr. to discuss feral cats in their neighborhood.
7. Municipal Planning Commission's recommendation regarding Zoning Amendment Petition No. PD-3-2013, Amendment to the Master Development Plan on the campus of Flower Hospital to accommodate the proposed nursing care facility. (Set public hearing for November 4<sup>th</sup> and authorize the clerk to advertise the same.)
8. Monroe Street Reconstruction Design Services:
  - a. Service Director's report on design services; and
  - b. proposed Ordinance 71-2013, Authorizing amendment to contract with Mannik & Smith for additional design services.
9. Proposed Ordinance 70-2013, Amending Part Eleven-Planning & Zoning Code Section 1117.07-Accessory Buildings & Uses. (Recreational Equipment Storage)
10. Committee reports.
11. Committee referrals.

**Information**

- A. August 2013 Income Tax Report.
- B. August 2013 Bank Statement.
- C. Minutes of the September 11, 2013 Municipal Planning Commission meeting.
- D. Minutes of the September 11, 2013 Board of Architectural Review meeting.

Minutes of the Meeting of Council  
September 3, 2013

The Council of the City of Sylvania, Ohio met in regular session on September 3, 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 (6); absent: Mary J. Westphal (1), excused by Mayor Stough.

Roll call:  
Westphal absent,  
excused.

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

Pledge of Alleg.

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

Requests were made for the following additions to the agenda:

Additions to the  
agenda.

3a. Nomination for President Pro Tem.

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

Due to Mrs. Westphal's absence, Mrs. Husman moved, Mr. Haynam seconded, to nominate Todd Milner as President Pro Tem. There were no other nominations, and all present voted: yea (6), (0) nays. The motion carried.

Milner -  
President Pro  
Tem.

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

Mr. Milner presented the August 19 minutes. Mr. Milner moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of August 19, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Brown (6) yeas; (0) nays. The motion carried.

Approval of the  
August 19  
minutes.

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

Mayor Stough presented Zoning Ordinance Amendment Petition No. PD-3-2013, a request from Flower Hospital/HCRMC and ProMedica JV, LLC to amend the existing planned development of the Flower Hospital Campus to accommodate a nursing care facility at the northwest portion of the Campus; for referral to the Planning Commission.

PD-3-2013  
referral to Plan  
Commission.

Minutes of the Meeting of Council  
September 3, 2013

Mr. Haynam moved, Mr. Milner seconded, to refer Zoning Amendment Petition No. PD-3-2013 to the Plan Commission for review and recommendation; roll call vote being: Haynam, Husman, Luetke, Milner, Brown, Cappellini, (6) yeas, (0) nays. The motion carried.

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

Mayor Stough presented Zoning Ordinance Amendment Petition No. ZA-5-2013, a request from Dearborn Land Investments, LLC c/o Zaremba Group, LLC. to change zoning from M-2 Heavy Industrial to B-2 General Business to enable the demolition of existing building and construct a 13,225sf freestanding CVS/pharmacy store; for referral to the Planning Commission.

ZA-5-2013  
referral to Plan  
Commission.

Mr. Haynam stated an additional request of the Plan Commission on Petition No. ZA-5-2013 to review the traffic associated with this development in this already heavily congested area.

Mr. Haynam moved, Mr. Luetke seconded to refer Zoning Ordinance Amendment Petition No. ZA-5-2013 to the Plan Commission with additional review of the traffic associated with this development that is already in a heavily congested area; roll call vote being: Husman, Luetke, Milner, Brown, Cappellini, Haynam, (6) yeas, (0) nays. The motion carried.

Service Director Aller's report on the 2013 Resurfacing Project Change Order No. 1 (Final) was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance 69-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 1 (Final) to this City's agreement with Gerken Paving, Inc. for the 2013 Resurfacing Project which reflects the actual materials used and work performed on this project; decreasing the contract amount by \$4,938.42; and declaring and emergency." Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Ord. 69-2013  
"Authorizing  
CO#1...2013  
Resurfacing  
Project....  
decrease  
\$4,938.42 ...."

Mr. Milner moved, Mr. Haynam seconded, that Ordinance 69-2013 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council  
September 3, 2013

Service Director Aller's report on the Brint & King Roundabout Project was placed on file. Mr. Milner presented and read aloud by title only, proposed Resolution 11-2013, a written copy of same having been previously furnished to each member of Council, "A Resolution declaring it necessary and declaring council's intent to appropriate certain property for the Brint and King Roundabout Project from Louisville Title Agency for N.W. Ohio, Inc., Trustee; authorizing the Mayor to cause written notice to be given; and declaring an emergency." Mr. Milner moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, (6) yeas; (0) nays. The motion carried.

Resolution No. 11-2013 "to appropriate certain property ...Brint & King Roundabout..."

Mr. Milner moved, Mr. Haynam seconded, that Resolution 11-2013 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Brown, (6) yeas; (0) nays. The motion carried.

Service Director Aller's report on the Great Lakes Basin Program for Soil Erosion and Sediment Control was placed on file. Mr. Brown presented and read aloud by title only, proposed Resolution 12-2013, a written copy of same having been previously furnished to each member of Council, "A Resolution authorizing the Mayor and Director of Finance to file a grant application with the Great Lakes Basin Program for Soil Erosion and Sediment Control; and declaring an emergency." Mr. Brown moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Milner, Brown, Cappellini, (6) yeas; (0) nays. The motion carried.

Resolution No. 12-2013 "...file grant application ...for soil erosion control..."

Mr. Brown moved, Mr. Luetke seconded, that Resolution 12-2013 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Brown, (6) yeas; (0) nays. The motion carried.

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

Mr. Haynam reported on the Zoning & Annexation Committee meeting held on August 28th to discuss amendments to the Sylvania Codified Ordinance regarding recreational equipment storage. Haynam stated there was review of modification to specific language to the code with recommendation to Council coming next meeting.

Report of Z & A committee.... 8/28/13... Recreational Equipment..."

Minutes of the Meeting of Council  
September 3, 2013

Mr. Luetke reported on the Employee & Community Relations Committee meeting held on August 28<sup>th</sup> to discuss City Council's appointments to the CRA Housing Council District Nos. 6 & 8. Mr. Luetke moved, Mr. Haynam seconded to seek candidates by public notice for council's review with the deadline of September 20<sup>th</sup>; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Brown, (6) yeas; (0) nays. The motion carried.

Report of  
Employee &  
Comm. Relations  
....CRA  
Appointments...

Service Director Aller provided an update on the Erie Street Bridge Project and the Monroe Street Reconstruction Project with completion information.

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

Mr. Haynam moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned 8:30 p.m.

Adjournment.

---

Clerk of Council

---

Mayor



# City Of Sylvania

MUNICIPAL PLANNING COMMISSION

September 13, 2013

To: Mayor and Members of City Council

Re: **Council Referral – PD-3-2013**

Dear Mayor and Members of Council:

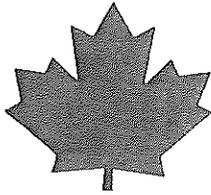
Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of September 11, 2013, PD-3-2013 Flower Hospital/HCRM - ProMedica JV, LLC to amend the existing Master Development Plan of the Flower Hospital Campus to accommodate a nursing care facility at the northwest portion of the Campus

..." Mayor Stough moved, Mr. Marciniak seconded that the Planning Commission recommend approval of the Master Plan as amended with the addition of a reference to a future River Trail being shown on the Master Plan. Vote being Backus, Marciniak, Stough and Lindsley (4) aye (0) nay. Motion passed by a 4 to 0 vote. Mr. McCann recused himself from the vote due to professional and personal reasons."...

Sincerely,

Debra Webb, Secretary  
Municipal Planning Commission





# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

ROBERT H. OBERLY, ZONING ADMINISTRATOR

September 3, 2013

To: Joe Shaw, Deputy Director of Public Service

Cc: Kevin Aller

From: Bob Oberly, Zoning Administrator

Re: HCR Manor Care Extended Care Facility

The Zoning Department has reviewed the proposed HCR Manor Care Extended Care Facility to be located on the northern of the end campus of Promedica Flower Hospital, 5200 Harroun Road, Sylvania Ohio.

The proposed facility will be an amendment to the Flower Hospital Master Plan approved by Sylvania City Council, Ordinance No. 26-2007 dated April 2, 2007 Titled PD-1-2007. The proposed facility is located close to where the Crestview Apartments were located prior to being demolished several years ago.

Zoning has the following comments on the proposed plans:

- 1) SCO 1157.05(r) - One parking space is required for every four beds. Thirty parking spaces are required. One hundred thirty seven are shown.
- 2) The site Zoning district is R-3 PD. The facility is an appropriate use in this district.
- 3) The building setbacks are in excess of code requirements.



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

6730 MONROE STREET  
SYLVANIA, OH 43560

---

**DATE:** September 3, 2013

**PROJECT:** Heartland at ProMedica Flower Hospital Campus

**PURPOSE:** Preliminary Site Plan Review Comments

**PREPARED BY:** Joseph E. Shaw, P.E., P.S., Deputy Director

---

**GENERAL COMMENTS**

1. Anticipated Fees
  - a. Sewer Charges
    - i. Section 929.08 - \$95 Permit Fee (covers the first 8 hours of inspection).
    - ii. Section 929.10(a)(3) - \$430 Connection Charge (for parcels within the City limits).
2. Internal Plumbing Plans
  - a. Please provide a copy of the internal plumbing plans including meter setting, fire department connect & backflow prevention for review by our Utilities Department.
3. Parking Requirements
  - a. Please review the provided number of parking spaces and reduce where applicable. The required amount per City code (30) and provided in the plan set (137) are substantially different. The City would like to reduce parking as much as possible and avoid unnecessary paving.
4. Lighting Plan and Landscape Plan
  - a. These sheets were not provided with this submittal. Please provide for a detailed review.

**C-1-TITLE SHEET**

5. Cover Sheet
  - a. Please include appropriate signature blocks on the Cover Sheet with the final plan submission.

**C-2-EXISTING CONDITIONS AND DEMO PLAN**

6. Water Main Location
  - a. Please provide updated locations of the water main as marked up by our Utilities Department. Provide changes to the proposed plan as needed.

**C-3-SITE PLAN**

7. Fire Lane
  - a. Investigate the possibility of using a permeable paver type product rated for fire lane use instead of asphalt in an effort to reduce hardscape and paving.
8. 6' Asphalt Walking Path



- a. Consider removing the entire drive and constructing a new 6' asphalt path rather than saw cutting and keeping a portion of the existing. Not sure aesthetically how this would look as a finished product. Is milling and resurfacing a portion of the driveway an option?

#### **C-4-PRELIMINARY GRADING PLAN**

9. No comments.

#### **C-5-UTILITY PLAN**

10. Not provided in review set. Plans are of insufficient detail to understand sanitary, storm and water concepts. Please provide for further review.

#### **C-6 & C-7-EROSION CONTROL PLAN & EROSION CONTROL NOTES & DETAILS**

11. Storm Water Pollution Prevention Plan

- a. Per NPDES Construction General Permit requirements the site plans should include an SWP3. One was not provided in the review set. Please provide for further review.

12. OEPA Notice of Intent

- a. The project earth disturbance area is greater than one acre and as a result an OEPA Notice of Intent (NOI) shall be filed. Please provide a copy to the City.

#### **C-8-SITE NOTES**

13. Not provided in review set. Please provide for further review.

#### **C-9-SITE DETAILS**

14. Not provided in review set. Please provide for further review.

#### **A0.1, A0.2, A0.3, A3 & A3.1 (ARCHITECTURAL FLOOR PLANS AND BUILDING ELEVATIONS)**

15. Not reviewed.

89



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

September 9, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Monroe Street Reconstruction Design Services**

Dear Mayor and Council Members:

The design services for this project were originally awarded on the basis of removing and replacing the existing asphalt surfaces and one lane of older concrete pavement base.

During the course of design, we decided it to be prudent to replace sections of older water main either underneath existing pavement or along the edge of it. We also thought this to be an ideal time to remove the unsightly bus bays in the Maplewood Elementary area as they had not been used in some time, nor were they planned to be used.

Accordingly, there was additional design services required of our consultant for this project, the Mannick & Smith Group. After much discussion and negotiation with the consultant, we hereby recommend approval of an additional \$22,424.66 in design fees to the Mannick & Smith Group. This fee has been negotiated and we believe it to be fair and reasonable for the additional work required.

Please call if you have any questions.

Sincerely,

Kevin G Aller, P.E.

Director of Public Service

KGA/dsw

**Invoice**

1800 Indian Wood Circle  
 Maumee, Ohio 43537  
 Tel: (419) 891-2222  
 Fax: (419) 891-6976

September 04, 2013  
 Project No: SYLC0010  
 Invoice No: 47827

Kevin Aller  
 Director of Public Services  
 City of Sylvania, OH  
 6730 Monroe Street  
 Sylvania, OH 43560

Project SYLC0010 Monroe St. - Resurfacing/Reconstruction

**Authorization: Signed Engineering Proposal**

**Work Description:** Extra work as requested by the City of Sylvania. Extra work includes; waterline design, removal of bus bays near intersection of Monroe St. and Judi Young Lane, changes requested for Maintenance of Traffic, additions to General Notes and addition of extra sidewalks. See attached sheets for detailed explanations.

**Professional Services thru July 26, 2013**

**Additional Fees**

Total Fee per attached Summary	22,424.66	
<b>Total Additional Fees</b>	<b>22,424.66</b>	<b>22,424.66</b>
<b>Total this Invoice</b>		<b>\$22,424.66</b>

ORDINANCE NO. 71 -2013

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE THE AMENDMENT TO THE CITY’S AGREEMENT WITH MANNIK & SMITH GROUP TO REFLECT THE ADDITIONAL DESIGN SERVICES REQUESTED; INCREASING THE PROPOSAL AMOUNT BY \$22,424.66; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 18-2012, passed February 21, 2012, accepted the proposal of Mannik & Smith Group to provide design services for the Monroe Street Reconstruction Project at a cost not to exceed Sixty-Five Thousand Two Hundred Nineteen Dollars (\$65,219.00); and,

WHEREAS, during the course of the design work, two changes were made to the project, the first to replace sections of older water main underneath existing pavement and the second to remove the bus bays in the Maplewood Elementary area; and,

WHEREAS, the changes to the project resulted in additional design services being required; and,

WHEREAS, the Director of Public Service, in a report dated September 9, 2013, has recommended approval of the additional fee for design services in the amount of \$22,424.66.

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

**SECTION 1.** That said increase in the proposal in the amount of Twenty-Two Thousand Four Hundred Twenty-Four and 66/100 Dollars (\$22,424.66), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said proposal amendment on behalf of this City, thereby indicating such approval and changing the total contract amount.

**SECTION 2.** 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. 401-7610-53612 – Monroe Street Improvement Project** the total sum of Twenty-Two Thousand Four Hundred Twenty-Four and 66/100 Dollars (\$22,424.66).

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

**SECTION 4.** That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the payment for the additional services provided at the earliest possible time so as to preserve the good credit of this City. 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

**ORDINANCE NO. 70-2013**

**AMENDING PART ELEVEN – PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED, BY AMENDING SECTION 1117.07 – ACCESSORY BUILDINGS AND USES; APPROVING THE RECOMMENDATION OF THE SYLVANIA MUNICIPAL PLANNING COMMISSION; AND DECLARING AN EMERGENCY.**

WHEREAS, at the February 19, 2013 meeting of Sylvania City Council, the proposed amendment to Sylvania Codified Ordinance Section 1117.07 was referred to the Zoning and Annexation Committee for its review and recommendation; and,

WHEREAS, the Zoning and Annexation Committee met on February 28, 2013 to consider the proposed amendment and thereafter at the March 4, 2013 meeting of Sylvania City Council recommended that the proposed amendment be referred to the Municipal Planning Commission for its review and recommendation; and,

WHEREAS, said Municipal Planning Commission did report its recommendation to Council on March 18, 2013 of its March 15, 2013 review of the proposed amendment to Sylvania Codified Ordinance Section 1117.07, which recommendation was as follows:

“...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 boats or RVs not be allowed.

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

and,

WHEREAS, this Council, on March 18, 2013, established May 6, 2013, at 6:30 p.m., as the date and time for the Public Hearing before this Council on said proposed amendments; and,

WHEREAS, such Hearing was advertised pursuant to the Codified Ordinances of the City and notices given as required and the Hearing was duly held at the date, time and location specified in the notices and advertisements; and,

WHEREAS, following the public hearing, this matter was discussed at the City Council meeting on May 6, 2013 and thereafter a recommendation was made to refer this issue to the Zoning and Annexation Committee for its review and recommendation; and,

WHEREAS, the Zoning and Annexation Committee met on June 13, 2013 and August 28, 2013 to consider the proposed amendments and thereafter recommended that Sylvania Codified Ordinance Section 1121.07 be amended as set forth on "Exhibit A" attached hereto.

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

SECTION 1. That Section 1117.07 – Accessory Buildings and Uses of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached "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 amendment to this Chapter 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 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



- (f) Portable Storage Containers. Residential use properties are permitted one portable storage container for an aggregate of fourteen total days per year. The container must be situated on a paved surface and be set back a minimum of ten feet from the right of way, easement of access, or edge of pavement, whichever is the greater setback. A portable storage container is intended to provide “temporary” storage for moving and similar short-term purposes. These units are not permitted as a permanent accessory storage structure, regardless of the proposed location of the unit. A temporary/accessory residential use zoning certificate is required before the container is placed on-site. Nonresidential use properties are permitted one portable storage container for fourteen total days per year. The container must be situated on a paved surface and be set back a minimum of ten feet from the right of way, easement of access, or edge of pavement, whichever is the greater setback. These units are not permitted as a permanent accessory storage structure, regardless of the proposed location of the unit. A temporary commercial use zoning certificate is required before the container is placed on site.

(Ord. \_\_\_\_\_-2013. Passed \_\_\_\_\_-2013.)

A



# City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

September 3, 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
August 31, 2013	634,513.31	10,882.18	623,631.13
August 31, 2012	705,365.11	19,465.86	685,899.25
Monthly Difference	(70,851.80)	(8,583.68)	(62,268.12)
Year to Date 2013	6,548,284.88	148,960.42	6,399,324.46
Year to Date 2012	6,292,187.83	141,122.18	6,151,065.65
Yearly Difference	256,097.05	7,838.24	248,258.81
			4.04%

Respectfully submitted,

Christy M. Golis  
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

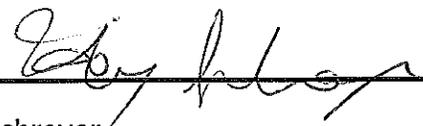
**City of Sylvania**  
Bank Reconciliation  
August 2013

**B**

CHECKBOOK BALANCE	
Ending balance for Jul 2013	\$ 21,978,330.92
Add: Monthly Receipts	<u>1,577,620.90</u>
Subtotal	\$ 23,555,951.82
Less: Monthly Disbursements	<u>2,087,131.25</u>
Ending balance for Aug 2013	\$ 21,468,820.57
Less:	
Certificates of Deposit	\$ (1,000,000.00)
Star Ohio	(76,945.27)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(28,386.02)
PNC MoneyMarket	(1,027,283.09)
Key Bank Securities	(1,007,479.86)
5/3rd Securities	(12,117,138.47)
SJS Account	(5,217,945.71)
Sylvania Township Bonds	(680,000.00)
	\$ 310,529.29
Less:	
	<u>\$ 310,529.29</u>
(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
	<u>2,050.00</u>

Petty Cash Balance \$ 2,050.00

BANK BALANCE	
EOM 5/3rd Bank Balance	\$ 727,320.29
Subtotal	<u>\$ 727,320.29</u>
Less: Outstanding Checks (2)	<u>416,791.00</u>
Adjusted Bank Balance	\$ 310,529.29
(2)	
Jul Outstanding Checks	\$ 288,668.02
Checks written this month	1,241,895.12
Ck # 63044 voided	2,166.52
Subtotal	<u>\$ 1,532,729.66</u>
Checks Cleared	<u>(1,115,938.66)</u>
Aug Outstanding Checks	\$ 416,791.00

  
 Toby Schroyer  
 Director of Finance, City of Sylvania

Sylvania Municipal Planning Commission

Minutes of the regular meeting of September 11, 2013. Mr. Lindsley called the meeting to order.

Members present: Mayor Stough, Read Backus, Brian McCann, Ken Marciniak and Thomas Lindsley (5) present. Mr. Robert Oberly and Mr. Kevin Aller present.

Mr. Marciniak moved, Dr. Backus seconded to approve the Minutes of the August 14, 2013, meeting as submitted. Vote being: (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 - Council Referral - PD-3-2013, requested by Flower Hospital/HCRMC - ProMedica JV, LLC to amend the existing Master Development Plan of the Flower Hospital Campus to accommodate a nursing care facility at the northwest portion of the Campus. Attorney Mark Rose was present representing Flower Hospital and HCR Manorcare. Also present was Dave Lanning, Griffin Julius and Brian Palmer for HCR Manorcare; Alan Sattler, Randy Schimmoeller and Tim Grohnke for Promedica; and Jeff Ruch for Toledo engineering firm ESA. Attorney Rose gave a short presentation and provided details of the plan for a new two story nursing care facility in the area once occupied by the Crestview Apartment Building. The plans also showed the intent to remove a building that was previously approved in the Master Plan in order to create a greater green space that will enhance the screening between the proposed nursing care facility and Harroun Rd. Mayor Stough made reference to the site plan review comment letter submitted by the Service Director and asked if there were any issues with the letter and Mark Rose stated that they accept all conditions written and will continue to work on resolving outstanding issues. Sylvania City Council member Mark Luetke was present and expressed concerns that the revised plans presented do not contain any reference to the River Trail project. He stated that there were past agreements not carried through, and that there have been recent good faith discussions between the City and the Hospital on working to find a place for the route on the property and obtaining an easement. Some members of council believe that the plans show a lack of commitment to the project. Attorney Mark Rose stated that the Hospital remains committed to working with the City to find an appropriate location for the trail on the property that balances the needs of the City from a cost standpoint and preserves the sensitivity of some of the locations on the campus including the hospice and the dementia center. He also pointed out that the location of the proposed nursing care facility poses no impact on location of the trail that was last discussed between the Hospital and the City that they last "walked" during discussions. He further stated that they are committed to the project and stated that they are willing to add the proposed trail to the plans, with a location to be determined. The Mayor proposed that since the trail is to provide residents with a safe way out of the City, the next step would be to come up with a reference on the Master Plan in a non-descript spot with an arrow pointing both directions saying "Future River Trail" and that the fact is reflected on the Master Plan may prevent having to come back for a modification in the future. Mr. Aller agreed that would be appropriate. Mark Rose stated that they would put an indication of the River Trail on both the east and west side of the plans and that he would confer with Law Director Jim Moan prior to the council meeting. Alan Sattler also stated that they are committed to the River Trail project and that they want to find the right balance by finding a

location for the trail that is mutually compatible with the City's vision while giving consideration to their patients and their families.

Mayor Stough moved, Mr. Marciniak seconded that the Planning Commission recommend approval of the Master Plan as amended with the addition of a reference to a future River Trail being shown on the Master Plan. Vote being Backus, Marciniak, Stough and Lindsley (4) aye (0) nay. Motion passed by a 4 to 0 vote. Mr. McCann recused himself from the vote due to professional and personal reasons.

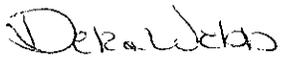
Item 5 - Council Referral - ZA-5-2013, requested by Dearborn Land Investment, LLC c/o Zaremba Group, LLC for CVS/Pharmacy to change the zoning from M-2 Heavy Industrial to B-2 General Business for the property located at 7510 West Sylvania Avenue, Sylvania, OH 43560. John Wojtila of the Zaremba Group, Scott Roback of Norr, LLC and Michael Schweikart of TMS Engineers present. Mr. Wojtila explained that they are requesting rezoning of the lot from M-2 to B-2 and that the properties across the street and that adjoining property to the west are zoned B-2. Concerns were expressed by the members of the Planning Commission about the impact of the traffic going in and out of the property that could create traffic tie ups at the intersection of King and Sylvania. Mr. Schweikart stated that the traffic study showed that the impact would be minimal and that timing adjustments on the traffic light at the intersection would help to alleviate some of that problem. Mayor Stough stated that entrance on King Rd would be a temporary curb cut and that cross easements to the north that the Service Director has asked for, and the applicant has agreed to, would be obtained when that property is developed. In regards to the Sylvania Avenue entrance, Mr. Wojtila stated that the access would be right in right out and left in and that the left in would take place from the existing intersection left-turn channel. The discussion included the suggestion of obtaining a cross access easement with the Andersons, another store in the development further down to the west so that the traffic could be moved further down away from the traffic light. Mayor Stough stated that he would like the Planning Commission to consider if they should require a cross easement with the Andersons. Mr. Aller state that his office has already begun discussions with the owner and Mr. Wojtila stated that he would contact the owner of Andersons to discuss further but that they would also want to keep the current access on Sylvania Avenue and that the shared access would be an addition to that current access. Mayor Stough stated that the discussion should be tabled until the next meeting pending receipt of more information on cross easements and traffic, particularly to the west. Sylvania resident Carol Lindhuber of 5300 Brandy Lane stated that she has concerns that the store will increase traffic problems that already exist in the area. She also stated that there are presently six pharmacy stores within one mile of this location that she would like the Planning Commission to consider and that CVS has a past history of closing up stores in the area and leaving the properties empty. Mr. Marciniak moved, Dr. Backus seconded to table discussions on CVS until the next meeting. Vote being Stough, Marciniak, McCann, Backus and Lindsley (5) aye, (0) nay. Motion passed by a 5 to 0 vote.

Mayor Stough welcomed new member Brian McCann to the Planning Commission.

Dr. Backus announced his resignation from the Planning Commission effective immediately. Mayor Stough read his letter of resignation aloud.

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

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission

D

## Board of Architectural Review

Minutes of the regular meeting of September 11, 2013, 2013. Mr. Lindsley called to convene the meeting to run concurrently with the Planning Commission Meeting.

Members present: Mayor Stough, Read Backus, Brian McCann, Ken Marciniak and Thomas Lindsley (5) present. Mr. Robert Oberly and Mr. Kevin Aller present.

Mr. Marciniak moved, Mr. McCann seconded to approve the Minutes of the August 14, 2013, meeting as submitted. Vote being: (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

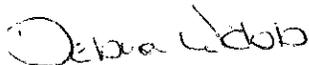
Item 4 - Building Review - requested by Dearborn Land Investment, LLC c/o Zaremba Group, LLC for CVS/Pharmacy, 7510 West Sylvania Avenue, Sylvania, Ohio 43560. Mr. Scott Robach of Norr Architect and Engineers gave a presentation of the design of the new building that will replace the existing structure. He explained that the building would be a split block design with a single drive-thru lane and an enclosure for the dumpsters to match the design of the building. Sylvania resident Carol Lindhuber of 5300 Brandy Lane expressed concerns about the effect on the landscaping of the area and that there are currently trees on the property along Sylvania Avenue and she would like to see restrictions put on the applicant that would require them to maintain the landscaping if they do remove the trees. Mr. Wojtila said that they would take a look at possible keeping the current trees and added that CVS maintains their properties. Mr. Marciniak moved, Dr. Backus seconded to table discussions on CVS until the next meeting. Vote being Stough, Marciniak, McCann, Backus and Lindsley (5) aye, (0) nay. Motion passed by a 5 to 0 vote.

Item 5 - Regulated Sign - app. no. 27-2013 requested by Dearborn Land Investment, LLC c/o Zaremba Group, LLC for CVS/Pharmacy, 7510 W. Sylvania Avenue, Sylvania, Ohio 43560. Mr. Marciniak moved, Dr. Backus seconded to table discussions on CVS until the next meeting. Vote being Stough, Marciniak, McCann, Backus and Lindsley (5) aye, (0) nay. Motion passed by a 5 to 0 vote.

Item 3 - Regulated Sign - app. no. 26-2013 requested by Julianne Reinhart for Peace Love & Pottery Studio, 6750 Sylvania Avenue, Sylvania, Ohio 43560. Application is for LED lit channel letter sign. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Dr. Backus seconded, to grant a Certificate of Appropriateness for the sign shown in the amended drawing that was submitted. Vote being: Stough, McCann, Backus, Marciniak, and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission