

Agenda
Sylvania City Council
October 15, 2012 7:30 p.m.

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mayor Stough.
3. Additions to the agenda.
4. Approval of the October 1 meeting minutes.
5. Sue Schafer, Manager, Sylvania Branch Library, requesting levy support.
6. Sylvania Arts Commission will make a presentation on bridge dedication/blessing.
7. A representative will be present to request endorsement of the Metroparks levy issue.
8. Ken Katafias, Sylvania Area Recreation District, will be present requesting levy support.
9. Proposed Resolution 11-2012, accepting the amounts and rates as determined by the Budget Commission.
10. Notice from the Ohio Division of Liquor Control of the D5, spirituous liquor, beer, and wine, until 2:30 a.m. permit from AMW Brothers, Ltd., d/b/a Sylvania Diner, 5623 W. Alexis Rd.
11. Committee reports.
12. Committee referrals.

Information

- A. September cash report from the Division of Taxation.
- B. Minutes of the October 10 Board of Architectural Review meeting.
- C. Minutes of the October 10 Planning Commission meeting.
- D. September Bank Reconciliation.

NOTE: Council's next regular meeting is Monday, November 5 at 7:30 p.m.

Minutes of the Meeting of Council
October 1, 2012

The Council of the City of Sylvania, Ohio met in regular session on October 1, 2012 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: V. Michael Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0).

Roll call: all present.

Mrs. Westphal 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.

12. TARTA lawsuit.

13. Council to adjourn to Executive Session to discuss litigation the City is involved in.

A. Sylvania Area Family Services Ray of Hope Awards.

Mrs. Husman moved, Mrs. Westphal 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 September 17 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 September 17, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the September 17 minutes.

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

Mayor Stough introduced and welcomed Joe Shaw, the newly appointed Deputy Director of Public Service. Service Director Kevin Aller discussed his background, noting Mr. Shaw has drafting and surveying skills and experience. Mr. Shaw had previously served as the lead engineer on two City projects.

Introduction of Deputy Director of Public Service.

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

Lori Hauser, Executive Director, Imagination Station, gave an update on the exhibitions and programs offered. She noted that Lucas County children under the age of 12 are admitted free of charge on Saturdays when accompanied by an adult, and all

Endorsement of Imagination Station levy

Minutes of the Meeting of Council
October 1, 2012

county residents are given a discount. Ms. Hauser asked for the City's endorsement of Issue 26, a renewal of the property tax levy of .17 mill for five years. These funds will be collected in 2014. Mr. Luetke moved, Mr. Milner seconded, to endorse Issue 26, and authorize the clerk to issue a letter of endorsement to Imagination Station. There was discussion on the number of levy requests on the November ballot, and the cost to the property owner. Also discussed was whether Council should endorse these issues as a group. Vote on the motion being: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; Haynam (1) nay. The motion carried. request.

Mayor Stough stated that Council will now consider agenda item 7, and Mr. Milner moved, Mrs. Westphal seconded, to excuse Mr. Luetke, at his request, due to a possible conflict; all present voting yea (7); (0) nays. The motion carried. Luetke excused.

Mayor Stough presented the letter from the Citizens Campaign for Metroparks requesting the City's endorsement of the Metroparks 0.9 mill levy, Issue 21. This is an increase of their current levy, and no one was present to explain the details. Mrs. Westphal moved, Mr. Haynam seconded, to table the request until a representative comes to a meeting to explain the proposal; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman(6) yeas; (0) nays. The motion carried. Metroparks levy support request tabled.

Mayor Stough stated that Council will now consider agenda item 8 and Mr. Luetke returned. Luetke returns.

Mayor Stough presented the list of items to be offered for sale. Mrs. Cappellini moved, Mrs. Westphal seconded, to authorize the sale of items from the Parks & Forestry and Police Divisions on GovDeals.com since they are no longer needed by the City; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. Items for GovDeals.com.

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

Mrs. Westphal moved, Mr. Haynam seconded, that no hearing be requested for the notice of the transfer of the D5I liquor license from Thee Pub Corporation, d/b/a Southbriar, 5147 Main Street, to Mt Belly's Inc., d/b/a B Gump Restaurant and Lounge, 5147 Main Street; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. No objection to liquor permit transfer to B Gump.

There were no items for 10 and 11, and Mayor Stough stated that Council will now consider agenda item 12.

Minutes of the Meeting of Council
October 1, 2012

There was a brief discussion on TARTA's lawsuit with the Board of Elections asserting that City residents should be able to vote on Sylvania Township's withdrawal from the authority. TARTA issues.

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

At 8:12 p.m. Mrs. Westphal moved, Mr. Haynam seconded, to adjourn to Executive Session of Council to discuss litigation; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Executive Session.

At 8:45 p.m. Mr. Milner moved, Mrs. Cappellini seconded, to return to Regular Session of Council; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried. Regular Session.

Mayor Stough stated that Council discussed litigation against the City during the Executive Session and no action was taken and none needs to be taken at this time.

Mayor Stough said the Sylvania Area Family Services Ray of Hope awards is October 10, and the City is reserving a table for Council members. He noted that former mayor James Seney is being posthumously honored for his Public Service. Ray of Hope.

Mayor Stough stated that all items on the agenda had been considered. Mr. Luetke moved, Mr. Milner seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:50 p.m. Adjournment.

Clerk of Council

Mayor

RESOLUTION NO. 11-2012
RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR
AND DECLARING AN EMERGENCY

(CITY COUNCIL)

REVISED CODE, SECS. 5705.34-5705.35

The Council of the **City of Sylvania**, Lucas County, Ohio, met in _____ session on the
_____ day of _____ 20____, at the office of _____ with the
following members present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Lucas County, Ohio, has certified its action thereon to this
Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by
this Council, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

RESOLVED, By the Council of the **City of Sylvania**, Lucas County, Ohio, that the
amounts and rates, as determined by the Budget Commission in its certification, be and the same are
hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of
each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY
BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund (CHARTER)	192,000	768,000	2.00	0.50
General Bond Retirement Fund	575,000			1.50
Police Pension	310,000	115,000	0.30	0.80
Park Fund				
Recreation Fund				
TOTAL	502,000	883,000	2.30	2.80

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on		
for not to exceed _____ years. _____, 20		
Current Expense Levy authorized by voters on		
for not to exceed _____ years. _____, 20		
Total General Fund Outside 10 mill Limitation.	0.50	768,000
Park Fund: Levy authorized by voters on		
for not to exceed _____ years.		
Total Police Pension Fund Outside Mills	0.80	115,000
General Bond Retirement Fund	1.50	575,000
Total	2.80	883,000

and be it further

RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of said County; and be it further

RESOLVED, That the Clerk of this Council is hereby directed to 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.

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. Provided this Resolution 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 _____

_____ seconded the Resolution and the roll being called upon its adoption

the vote resulted as follows:

_____,
_____,
_____,
_____,
_____,
_____,

Adopted the _____ day of October, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

10

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

0006052 PERMIT NUMBER		N TYPE	AMW BROTHERS LTD DBA SYLVANIA DINER 5623 W ALEXIS RD SYLVANIA OH 43560
ISSUE DATE			
05 20 2009 FILING DATE			
D5 PERMIT CLASSES			
48 TAX DISTRICT	077 A	Y68638 RECEIPT NO.	

FROM 09/27/2012

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 09/27/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN 10/29/2012

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 N 0006052

(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

SECTION 3

LLC, GENERAL PARTNERS DATA VERIFICATION

AMW BROTHERS LTD

PERMIT # 0006052

RENEWAL YEAR 2012-2013

PARTNERS OF A PARTNERSHIP, MANAGING MEMBERS, PERSONS HOLDING 5% OR GREATER MEMBERSHIP OR VOTING INTEREST IN A LLC.	LAST FOUR DIGITS OF SOCIAL SECURITY #	INTEREST	TITLE
AFIF I MOUSSA	*****2331	MNMB5%V5%M	

IF INFORMATION LISTED ABOVE IS NOT ACCURATE, PLEASE INDICATE CHANGES BELOW.

NAME	SOCIAL SECURITY #	TITLE	BIRTHDATE

COMPLETE THE CURRENT LIST OF YOUR TOP FOUR(4) OFFICERS.
IF NO ONE HOLDS THAT OFFICE, INDICATE 'NONE'. PLEASE PRINT OR TYPE.

CEO/PRESIDENT _____

SOCIAL SECURITY# _____

VICE-PRESIDENT _____

SOCIAL SECURITY# _____

TREASURER _____

SOCIAL SECURITY# _____

SECRETARY _____

SOCIAL SECURITY# _____

EOE/ADA SERVICE PROVIDER
FOR TTY USERS, DIAL ORS 1-800-750-0750



City of Sylvania

DIVISION OF TAXATION
ANGELA J. KUHN, COMMISSIONER

October 1, 2012

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
September 30, 2012	606,340.63	13,234.42	593,106.21
September 30, 2011	545,979.99	33,332.41	512,647.58
	-----	-----	-----
Monthly Difference	60,360.64	-20,097.99	80,458.63
Year to Date 2012	6,898,528.46	154,356.60	6,744,171.86
Year to Date 2011	6,667,324.85	180,664.69	6,486,660.16
	-----	-----	-----
Yearly Difference	231,203.61	-26,308.09	257,511.70

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

Board of Architectural Review

Minutes of the regular meeting of October 10, 2012. Mr. Lindsley called the meeting to order.

Members present: Read Backus, Ken Marciniak, Thomas Lindsley (3) present. Mayor Craig Stough (1) excused. Mr. Robert Oberly present.

Dr. Backus moved, Mr. Marciniak seconded to approve the Minutes of the September 12, 2012, meeting as submitted. Vote being: Lindsley, Marciniak, Backus (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 - Regulated Sign - app. no. 29-2012 requested by Harmon Sign Co. for First United Methodist Church, 7000 Erie Street, Sylvania. Mr. Scott Brady and Mr. Larry Wilson present. They are requesting approval of an additional monument sign near the driveway. The wall with the name and address will remain, but the sign cabinets on top of the wall will be removed. The new sign will be mounted on a stone base with an electronic message center. Mr. Marciniak moved, Dr. Backus seconded to give a Certificate of Appropriateness for First United Methodist Church, 7000 Erie Street, as requested in app. no. 29-2012, provided that the electronic message center portion is operational from 7:00 a.m. until 8:00 p.m. only. Vote being: Backus, Lindsley, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 4 - Regulated Sign - app. no. 30-2012 requested by Jamilynn Fox for Nationwide Insurance, 6616 Monroe Street, Sylvania. Ms. Jamilynn Fox and Mr. Scott Keefer present. They are proposing a monument sign to be located in the planting area in front of the Thormont Building. They added the directional arrow for the city parking lot on the east entrance, but there is a sign directing people to the parking lot at the west driveway. The sign will be internally illuminated and the base will be brick to match the building. Mr. Marciniak moved, Dr. Backus seconded to give a Certificate of Appropriateness for the monument sign for Nationwide Insurance, 6616 Monroe Street, as shown on the drawing submitted with app. no. 30-2012. Vote being: Marciniak, Backus, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 5 - Regulated Sign - app. no. 31-2012 requested by John D. Anderson for B. Gumps, 5147 Main Street, Sylvania. The restaurant replaced the sign panel on the awning sign, and it is the same size as the former sign. Dr. Backus moved, Mr. Marciniak seconded to give a Certificate of Appropriateness for the sign face change for B. Gumps, 5147 Main Street, as depicted on the photograph attached to app. no. 31-2012. Vote being: Lindsley, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 6 - Unregulated District - app. no. 32-2012 requested by KIF Realty for Ross College, 5834 Monroe Street, Sylvania. No one present. Mr. Marciniak moved, Dr. Backus seconded to postpone discussion on the project to the November 14, 2012 meeting. Vote being: Backus, Marciniak, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission

C

Sylvania Municipal Planning Commission

Minutes of the regular meeting of October 10, 2012. Mr. Lindsley called the meeting to order.

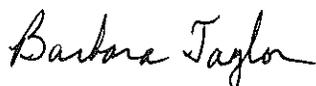
Members present: Read Backus, Ken Marciniak, Thomas Lindsley (3) present. Mayor Craig Stough (1) excused. Mr. Robert Oberly present.

Dr. Backus moved, Mr. Marciniak seconded to approve the Minutes of the September 12, 2012, meeting as submitted. Vote being: Marciniak, Lindsley, Backus (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 - Council Referral - PD-2-2012 requested by Port Lawrence Title and Trust for Pine Tree Village, an 18 unit planned development, at 5930 Heidaway Lane, Sylvania. Mr. Ryan Wamsher present. Mr. Wamsher distributed a new concept drawing for the project. They made the building boxes a little deeper by shortening the driveway from 36 to 30 feet. He had a meeting with Deputy Chief Mike Froelich and the fire department seems content with the design, they did want fire hydrants moved so the truck would not drive over fire hoses. They are in the process of obtaining an additional 135 square feet of area from the southeast corner of Lot 23 Pine Tree Villas to make up their deficiency. Mr. Oberly stated that the application was turned into the zoning office after 2:00 p.m. today, so it will be on the November 14, 2012 agenda. Mr. Marciniak said that he likes the idea of this project but he still has concerns about the storm water detention. Mr. Wamsher replied that their preference is to utilize the existing storm water area to the south. They do not have an agreement with the owner of the property to the south to use their storm water detention but the Pine Tree Village has ample space along the west side to provide their own storm water detention area. Mr. Marciniak remarked that we can't give the developer carte blanc without the drainage or an agreement to use the pond to the south. A professional engineer needs to determine if there is adequate room for the storm water detention area. The proposed lot split to added square footage has not been approved or recorded and that should also be approved prior to sending this back to city council. We also need a plan that shows all the dimensions and not just the building boxes as shown on the concept drawing. The planning commission would like a revised plan with the dimensions, storm water detention, the yard set backs, and details shown on the drawing. Dr. Backus moved, Mr. Marciniak seconded to postpone making a recommendation for Pine Tree Village to enable the developer to submit a revised drawing, they are willing to schedule a special meeting if necessary, or discuss the project at the November 14, 2012 meeting. Vote being: Lindsley, Marciniak, Backus (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission

City of Sylvania

Bank Reconciliation

September 2012

D

CHECKBOOK BALANCE	
Ending balance for Aug 2012	\$ 25,056,342.49
Add: Monthly Receipts	<u>2,921,130.86</u>
Subtotal	\$ 27,977,473.35
Less: Monthly Disbursements	<u>2,813,475.82</u>
Ending balance for Sep 2012	\$ 25,163,997.53
Less:	
Certificates of Deposit	\$ (1,000,000.00)
Star Ohio	(76,902.31)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(27,743.82)
PNC MoneyMarket	(1,025,771.57)
Key Bank Securities	(1,006,290.57)
5/3rd Securities	(14,203,516.60)
SJS Account	(5,199,333.08)
Sylvania Township Bonds	(735,000.00)
	\$ 1,886,326.72
Less:	
Adjustment	0.04
	<u>\$ 1,886,326.76</u>
(1)	
Division of Public Service	\$ 150.00
Department of Finance	200.00
Division of Water	400.00
Division of Police	200.00
Municipal Court	700.00
Division of Taxation	150.00
Division of Forestry	150.00
Division of Zoning	100.00
	<u>Petty Cash Balance \$ 2,050.00</u>

BANK BALANCE	
EOM 5/3rd Bank Balance	\$ 2,059,799.17
	<u>Subtotal</u>
	\$ 2,059,799.17
Less: Outstanding Checks (2)	<u>173,472.41</u>
Adjusted Bank Balance	\$ 1,886,326.76
(2)	
Aug Outstanding Checks	\$ 244,601.26
Checks written this month	937,058.72
Voided # 61506	(500.00)
Voided # 61515	(3,400.00)
	<u>Subtotal</u>
	\$ 1,177,759.98
Checks Cleared	<u>(1,004,287.57)</u>
Sep Outstanding Checks	\$ 173,472.41



 Treasurer, City of Sylvania