

**Sylvania City Council
September 17, 2012**

6:30 p.m. Utilities & Environment Committee- Ordinance 60-2012

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

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Milner.
3. Additions to the agenda.
4. Approval of the minutes of the September 4 meeting.
5. Report on the 6:30 Utilities & Environment Committee meeting on the Whiteford Township Sewer Discharge Agreement .
6. Roger Brandell - income tax issues.
7. Service Director's report on the change order for the River Trail Improvements - Phase 1 project.
8. Notice from the Ohio Division of Liquor Control of the transfer of the D1, beer until 1:00 a.m. license from the former Ski's Restaurant, 5834 Monroe Street to Quy Nguyen, dba Amango Restaurant, 5228 Monroe St., Suite 1, Toledo 43623.
9. Notice from the Ohio Division of Liquor Control of the transfer of the D1, and D2, wine and certain prepackaged mixed drinks until 1:00 a.m. license from Hossain's Enterprises, 309 Marshall Passage, Columbus 43215 to Element 112, LLC, 5737 N. Main St.
10. Committee reports.
11. Committee referrals.

Information

- A. August bank reconciliation.
- B. Minutes of the September 12 Planning Commission meeting.
- C. Minutes of the September 12 Board of Architectural Review meeting.

ORDINANCE NO. 60 -2012

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH WHITEFORD TOWNSHIP FOR THE DISCHARGE OF SANITARY SEWER FROM THE SERVICE AREA OF WHITEFORD TOWNSHIP SEWAGE DISPOSAL SYSTEM NO. 2; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 23-95, passed March 6, 1995, authorized the Mayor and Director of Finance to enter into an Agreement with the County of Monroe, Michigan and the County of Lucas in the State of Ohio permitting the Whiteford Township Sewer No. 1 Service Area to connect to the City of Sylvania Sewer System and discharge sewage to the Sylvania system for ultimate treatment at Lucas County's Maumee River Waste Water Treatment Plant; and,

WHEREAS, Whiteford Township has requested the City of Sylvania accept discharge sewage from Whiteford Township Sewer District No. 2 that would come from the Village of Ottawa Lake and follow Memorial Highway south using a forced main to connect to Sylvania's sewer system near the Ohio-Michigan state line; and,

WHEREAS, Resolution No. 5-2012, passed March 5, 2012, declared the City of Sylvania's intent to enter into an Agreement with Whiteford Township and the County of Lucas in the State of Ohio permitting the Whiteford Township Sewer No. 2 Service Area to connect to the City of Sylvania Sewer System and discharge sewage to the Sylvania System for ultimate treatment at Lucas County's Maumee River Waste Water Treatment Plant; and,

WHEREAS, since the passage of Resolution No. 5-2012, the Directors of Public Service and Law have negotiated with Whiteford Township to finalize the terms of the Agreement and recommend approval of same; and,

WHEREAS, the Utilities Committee met on September 17, 2012 to review the proposed Agreement, a copy of which is attached hereto as "Exhibit A" and thereafter also recommended approval of the Agreement.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to enter into an Agreement for the Discharge of Sanitary Sewer from the Service Area of Whiteford Township Sewage Disposal System No. 2, in the form and substance of the said "Exhibit A" attached hereto and made a part hereof.

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 Agreement for the Discharge of Sanitary Sewer from the Service Area of Whiteford Township Sewage Disposal System No. 2 should be approved immediately to permit the connection of Whiteford Township to the City's sanitary sewage discharge system at the earliest possible time. 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, _____, 2012, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

**AGREEMENT FOR THE DISCHARGE OF SANITARY SEWER
FROM THE SERVICE AREA OF WHITEFORD TOWNSHIP
SEWAGE DISPOSAL SYSTEM NO. 2**

This Agreement, made and entered into as of this _____ day of _____, 2012, by and with the TOWNSHIP OF WHITEFORD, a Township corporation in the State of Michigan (hereinafter sometimes referred to as WHITEFORD), the CITY OF SYLVANIA, a municipal corporation and political subdivision in the County of Lucas and State of Ohio (hereinafter sometimes referred to as SYLVANIA) and the COUNTY OF LUCAS, a political subdivision of and in the State of Ohio (hereinafter sometimes referred to as LUCAS).

WHEREAS, WHITEFORD represents that it is fully authorized under the laws of the State of Michigan and Act 188 Public Acts of Michigan of 1954 (M.C.L. 41.721 et seq.) and by its township board to enter into this Agreement for the discharge and disposal of sanitary sewage from the service area of Whiteford Township Sewage Disposal System No. 2 to the City of Sylvania Sewer System; and

WHEREAS, SYLVANIA and LUCAS represent that they are duly authorized to enter into this Agreement for the acceptance and ultimate disposal of sanitary sewage from the service area of Whiteford Township Sewage Disposal System No. 2, SYLVANIA being authorized by Ordinance of its Council and LUCAS being authorized by Resolution of its Board of Commissioners; and

WHEREAS, the service area of Whiteford Township Sewage Disposal System No. 2 is that area in Whiteford Township, Monroe County, Michigan, designated as Whiteford Township Sewage Disposal System No. 2 Service Area on Exhibit A attached hereto and made part hereof, which area is sometimes hereinafter referred to as the Service Area; and

WHEREAS, the Service Area will be connected by a force main constructed from a pump station in the Service Area near Brown Street in the village of Ottawa Lake, south along Memorial Highway to the designated point of connection in Main Street in the City of Sylvania to the Sylvania Sanitary Sewer System; and

WHEREAS, in order for SYLVANIA to accept sanitary sewage from the Service Area of WHITEFORD and for such sanitary sewage to be transported to the Lucas County Sanitary Sewer System and treated at the Maumee River Waste Water Treatment Plant of Lucas County, it is necessary for the parties hereto to enter into this Agreement.

NOW, THEREFORE, in consideration of the premises and the covenants of each party to the other, the parties hereto agree as follows:

1. WHITEFORD is hereby given permission to connect said sanitary sewer force main servicing said Service Area to the City of Sylvania sanitary sewer in Main Street at the designated point and to discharge sanitary sewer originating in said Service Area through such connection to the Sylvania Sanitary Sewer System on and subject to all of the conditions hereinafter set forth.

2. The connection is temporary only and shall be permitted to remain only so long as there is sufficient capacity in Sylvania's sewer lines at the point of connection to accept the flow, it being understood that such temporary connection shall not extend, in all events, beyond December 31, 2052. Upon expiration or termination of this Agreement, the parties agree to meet and negotiate in good faith an extension of this Agreement or a new agreement for the discharge of sanitary sewer.
3. WHITEFORD will maintain Sylvania's standards and install a flow meter to measure the amount of sewage discharged to the Sylvania Sanitary Sewer System from the Service Area by the force main. Sylvania personnel will read the flow meter and WHITEFORD will have access thereto. If the flow meter and appurtenances thereto are not maintained or not sufficiently maintained in the sole discretion of SYLVANIA, SYLVANIA may make such repairs or maintenance on same as it deems appropriate and the entire cost thereof shall be paid by WHITEFORD in addition to Sylvania's charge for sanitary sewer service and upon such additional charge being included in the bill for such services. Said flow meter shall be calibrated annually by persons certified in such practice.
4. WHITEFORD agrees to pay for the sewage passing through the flow meter at the rate as provided in Section 925.05 of the Sylvania codified ordinances or as may be amended; provided however, the rates for WHITEFORD shall remain at the sixty-seven percent (67%) surcharge as presently provided. The billing for the sewage passing through the flow meter shall be monthly. SYLVANIA shall send all bills for sanitary sewer service to WHITEFORD or its agent designated for handling billing services.
5. Total daily flow through the flow meter shall not exceed 0.12 million gallons per day. If the total daily flow through the flow meter exceeds 0.12 million gallons per day, SYLVANIA or LUCAS may terminate this Agreement on 180 days notice. Also, the flow from the area depicted as "Golf Course" in the Service Area shall not exceed the flow of ten (10) Equivalent Residential Units or four thousand (4,000) gallons per day.

In any event, if the sewage flow received by Sylvania in any billing month from Whiteford exceeds a volume equivalent to the number of days in the billing month times the contracted daily flow of 0.12 million gallons (allowable monthly total), there shall be a surcharge applied equivalent, initially, to \$383 times each million gallons, or fraction thereof, of flow exceeding the allowable monthly total. Billing month shall be defined as the period from the last Monday of a calendar month through the last Monday of the next calendar month.

All proceeds from this surcharge shall be deposited in a separate Sylvania fund to be used exclusively toward the cost of the next expansion of Sylvania trunk sewer and/or Maumee River Waste Water Treatment Plant. Interest earned in this fund

shall become part of the fund and used exclusively toward the cost of the next expansion. Surcharge billings shall be determined each month and billed monthly. Further, the \$383 per million gallon surcharge rate shall be escalated annually beginning on January 1, 2013 based on the Engineering News Record Construction Cost Index with the base index being 9,176 for January of 2012.

6. WHITEFORD agrees to abide by all applicable Ordinances, rules and regulations of Sylvania in any respect pertaining to sanitary sewers and charges and rates therefore, including, but not limited to, Chapters 925 and 929 of the Codified Ordinances of Sylvania, 1979, as amended, and as they may be amended from time to time, and including rules promulgated by the Director of Public Service of Sylvania from time to time.
7. WHITEFORD agrees to maintain and restore the sanitary sewer connection in Main Street in the City of Sylvania right-of-way so as not to cause any damage to existing pavement and facilities and to do so in such a manner as to create no liability on SYLVANIA in any respect, all of which WHITEFORD does hereby agree and further agrees to save and hold SYLVANIA harmless therefrom.
8. SYLVANIA certifies that it will apply for the approval of the Ohio Environmental Protection Agency for such project and will file a copy thereof with WHITEFORD and LUCAS.
9. WHITEFORD agrees with SYLVANIA and LUCAS that the waste discharged from said force main to the Sylvania Sanitary Sewer System will, at all times, be in compliance with the Lucas County industrial pre-treatment program as administered and inspected by the Lucas County Sanitary Engineer's office, will, at all times, be within the effluent metal limitations for processed waste water as provided by State of Ohio and Federal regulations and will be subject to the high strength surcharge rates set forth in Exhibit B, which is attached hereto and made part hereof. All pre-treatment systems, if required in the future, must be reviewed and approved by the Office of the Lucas County Sanitary Engineer prior to installation of same.
10. Lucas County, by entering into this Agreement, hereby approves the use of the force main connecting to the Sylvania Sanitary Sewer System in Main Street and approves of discharge of sanitary sewage from said Service Area into the Sylvania Sanitary Sewer system for ultimate treatment and disposition at the Lucas County Maumee River Waste Water Treatment Plant, which approvals are subject to all of the foregoing conditions.
11. In the event that any one or more of the provisions of this contract shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions hereof, but this contract shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

12. WHITEFORD shall be permitted to assign or subcontract its duties and responsibilities, including but not limited to operation and maintenance of the Whiteford Township Sewage Disposal System No. 2; provided however, that it shall remain liable for said agent's or subcontractor's actions taken within the scope of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered by the undersigned, being duly authorized by the respective governing bodies of such parties, all as of the day and year first above written.

TOWNSHIP OF WHITEFORD

By: _____
Walter H. Ruhl, Supervisor

By: _____
Angela Christensen, Clerk

CITY OF SYLVANIA

By: _____
Craig A. Stough, Mayor

By: _____
Scott S. Smith, Director of Finance

COUNTY OF LUCAS

By: _____
President, Board of County
Commissioners

By: _____
County Commissioner

By: _____
County Commissioner

APPROVED BY:

James E. Moan, Sylvania Director of Law

APPROVED AS TO FORM BY:

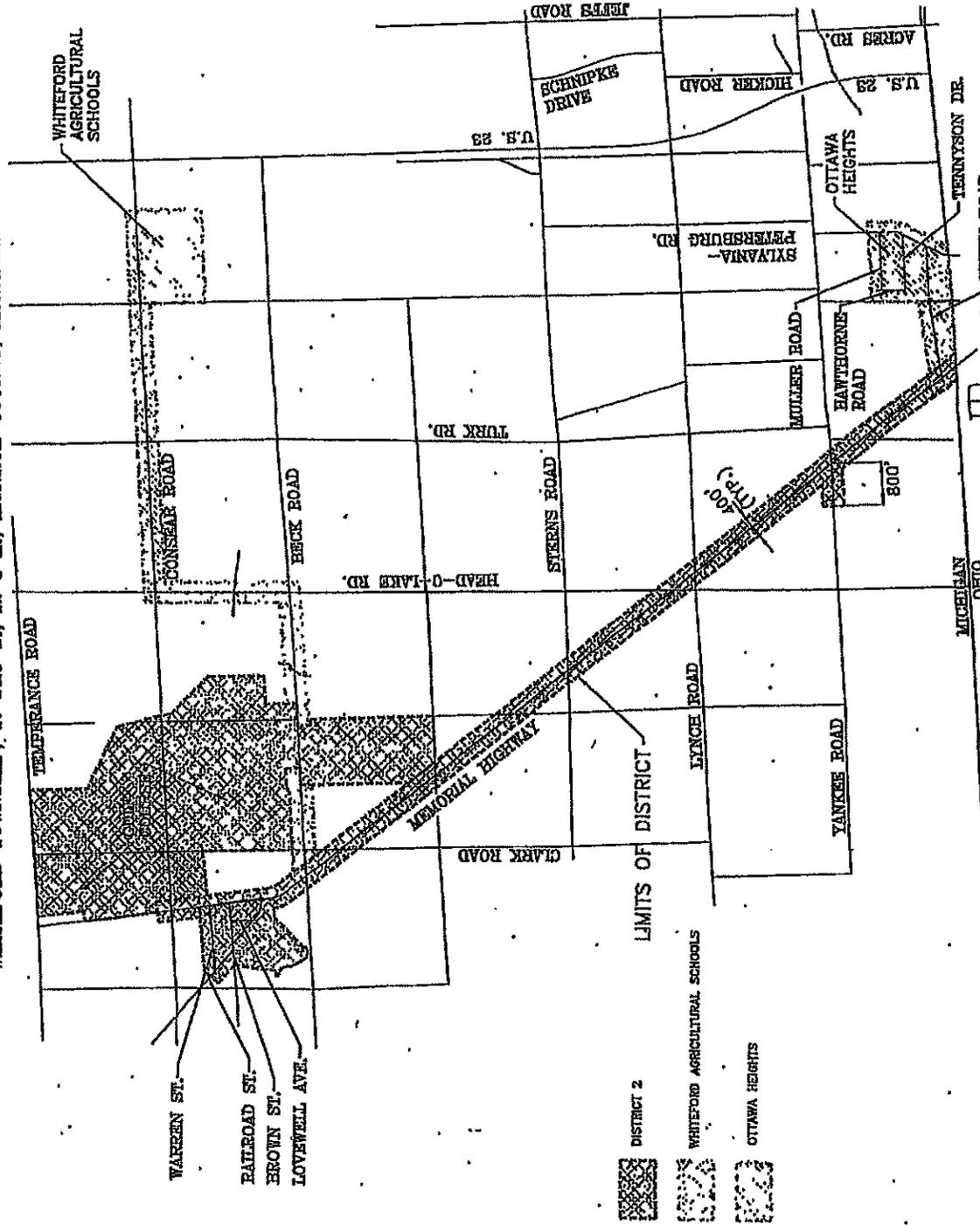
Lucas County Prosecutor

Exhibit A – Service Area

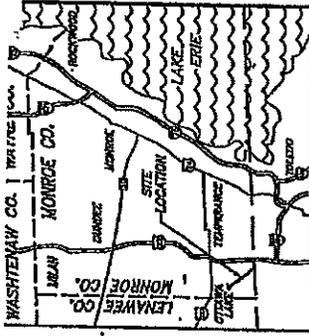
"WHITEFORD TOWNSHIP - SANITARY DISTRICT 2"

POTENTIAL EXTENSIONS

WHITEFORD TOWNSHIP, T. 8&9 S., R. 6 E., MONROE COUNTY, MICHIGAN



"Exhibit A" Resolution 5-2012



SHEET INDEX
CLAIM COVER
WHITEFORD TOWNSHIP ZONING MAP



WHITEFORD TOWNSHIP ENGINEER
DAVID ARTHUR CONSULTANTS, INC.
110 MAIN STREET
TUNBER, MICHIGAN 48181
(784) 888-8980

GOVERNING AGENCY
WHITEFORD TOWNSHIP
VALERIE KUBIL, SUPERVISOR
5450 SCHOOL ROAD
PATERBORO, MI 48270
(784) 884-8418

SEE MAP FOR LOCATION OF THIS MAP. MONROE COUNTY, MICHIGAN. THE COUNTY ENGINEER HAS REVIEWED THIS MAP AND APPROVES IT FOR RECORD.

Exhibit B – High Strength Surcharges

Any person discharging any of the below listed pollutants in the Service Area shall be subject to an additional high strength surcharge:

Charge/lb. of BOD above 180 mg/l	\$4.99/100 lbs.
Charge/lb. of COD above 450 mg/l	\$1.99/100 lbs.
Charge/lb. of SS above 200 mg/l	\$3.32/100 lbs.
Charge/lb. of phosphorus above 19 mg/l	\$40.14/100 lbs.

Minutes of the Meeting of Council
September 4, 2012

The Council of the City of Sylvania, Ohio met in regular session on Tuesday, September 4, 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.

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

Pledge of Alleg.

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

Requests were made for the following additions to the agenda:

Additions to the agenda.

4a. Report on the 6:30 Committee-of-the-Whole meeting.

11. Revised agreement distributed.

14a. Proposed Ordinance 59-2012.

14b. Confirmation of the Mayor's appointment of a Deputy Service Director.

A. August cash report from the Division of Taxation.

Mr. Milner 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 August 20 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 August 20, 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 August 20 minutes.

Mrs. Westphal reported on the 6:30 Committee-of-the-Whole meeting on the Utilities Division budget. The Service Director provided an overview of the department.

C-O-W report.

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

Economic Development/Adm. Services Coordinator Bill Sanford reported on TARTA services in the city. City Representative Tom Ramsdell was present. Mr. Sanford met with businesses and organizations for their views on the importance of TARTA services for their employees and clients. TARPS and Call-A-Ride services are very important in our community. Mr. Luetke said that TARTA should be willing to structure a suburban service specifically for residents' needs, door-to-door because the suburbs are not big users of fixed route services. Mrs. Husman suggested that dentists,

TARTA issues.

Minutes of the Meeting of Council
September 4, 2012

doctors and others located in Sylvania Township get the word out that their businesses will be adversely affected if township voters opt-out of TARTA services.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 56-2012, a written copy of same having been previously furnished to each member of Council, "Granting the petition of the residents of Maple Drive between Brint Road and Convent Boulevard for the installation of speed humps; directing the installation of speed hump traffic controls; appropriating funds therefore; and declaring an emergency." Mr. Milner moved, Mr. Brown seconded, that Ordinance No. 56-2012 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Ordinance 56-2012, "Granting the petition... Maple Drive... speed hump..."

Mr. Milner moved, Mrs. Cappellini seconded, that Ordinance No. 56-2012 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 No. 57-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing a lease between the City of Sylvania, as lessor, and Bonnie Haims, as lessee, of Suite B in the Maplewood Market located at 5703 N. Main Street, Sylvania, Ohio to be used as office space; determining said City-owned property not to be needed for Municipal purposes during the term of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania; and declaring an emergency." Mrs. Husman moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Ordinance 57-2012, "...lease... 5703 N. Main..."

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance No. 57-2012 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.

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 58-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing a lease between the City of Sylvania, as lessor, and Cynthia Burghardt, as lessee, for the building located at 5727 N. Main Street, Sylvania, Ohio to be used as a retail store; determining said City-owned property not to be needed for Municipal

Ordinance 58-2012, "...lease... 5727 N. Main..."

Minutes of the Meeting of Council
September 4, 2012

purposes during the term of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania; and declaring an emergency.” Mrs. Husman moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance No. 58-2012 be enacted as an emergency measure as declared therein; 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 9.

Mr. Haynam presented Zoning Ordinance Amendment Petition No. PD-2-2012, approval of an amended site plan for a proposed 18 unit planned development north of Sylvania-Metamora Road by Centennial Road. Mr. Haynam moved, Mrs. Westphal seconded, to refer PD-2-2012 to the Municipal Planning Commission for review and recommendation; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried. After discussion, Council asked the clerk to notify residents of the surrounding area of the Planning Commission date because some of them were upset that they only received notification of City Council’s public hearing when the water tower application was being considered.

PD-2-2012
referred to
Planning Comm.

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

Mrs. Westphal moved, Mr. Luetke seconded to set “Trick or Treat” in the city limits for Wednesday, October 31, 2012 from 6:00 p.m. to 7:30 p.m.; roll call vote being: Husman, Luetke, Milner, Westphal, Brown Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Trick or Treat
Oct. 31, 6:00-
7:30.

Mayor Stough stated that Council will now consider agenda item 11.

Mayor Stough presented the revised Agreement for the Discharge of Sanitary Sewer from the Service Area of Whiteford Township Sewage Disposal System No. 2 which was distributed prior to the meeting. Mr. Brown moved, Mr. Haynam seconded, to refer the agreement to the Utilities & Environment Committee for review and recommendation; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried. Mr. Brown set the meeting date for September 17 at 6:30 p.m. in Council Chambers.

Sanitary sewer
agreement to
Utilities Comm.
Sept. 17, 6:30.

There were no items for 12 and 13, and Mayor Stough stated that Council will now consider agenda item 14.

Minutes of the Meeting of Council
September 4, 2012

Personnel Director George Eichenauer explained the organizational changes in the Service Department which will be effective September 24. Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 59-2012, a written copy of same having been previously furnished to each member of Council, "Revising the Administrative, Departmental and Divisional organization of the City and the Codified Ordinances thereof by creating the new position of "Zoning Administrator"; amending Sylvania Codified Ordinance Chapter 127 - Department of Public Service, Section 127.01 - Director and Deputy Director; amending Sylvania Codified Ordinance Section 127.07 - Division of Engineering and Construction; amending Section 127.10 - Section of Zoning and Building Inspection; amending Sylvania Codified Ordinance Section 139.03(e)(3) to set the salaries of the "Deputy Director of Public Service" and the "Zoning Administrator"; amending Sylvania Codified Ordinance Section 139.02 to change the class grade of the Secretary I from Grade 12 to Grade 11; and declaring an emergency." Mr. Luetke moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Ordinance 59-2012, "Revising... Public Service..."

Mr. Luetke moved, Mr. Milner seconded, that Ordinance No. 59-2012 be enacted as an emergency measure as declared therein. Mr. Haynam questioned the creation of a position when no funding relief is expected from the State. Mayor Stough noted that departments are being restructured as anticipated retirements occur. Vote on the motion being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Mayor Stough reported that he has appointed Joseph E. Shaw as Deputy Director of Public Service effective September 24. He said Mr. Shaw is a professional engineer and a surveyor. Mrs. Westphal moved, Mr. Haynam seconded, to confirm Mayor Stough's appointment of Joseph Shaw; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Confirmation of Mayor's appointment, Deputy Service Director.

Mayor Stough stated that all items on the agenda had been considered. Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 10:00 p.m.

Adjournment.

Clerk of Council

Mayor



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

September 12, 2012

To: The Mayor and Members of Sylvania City Council

Re: **River Trail Improvements Phase 1**

Dear Mr. Mayor and Council Members:

Attached please find Change Order No. 3 - Final for the above-mentioned project. This change order reflects the actual materials used and work performed on this project and results in a net decrease of \$700.00 to the contract.

This decrease is due to the non-performance of a bid item we believe to be better suited for City staff.

We would recommend that Change Order No. 3 - Final for HPH, Inc. in the amount of a net decrease to the contract of \$700.00 be approved.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service

tid

Enc.

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 3-FINAL

Project Ordinance No.: 76-2011 Purchase Order No. 44345

Contract: River Trail Improvements Phase 1

Date: September 17, 2012

Description of Change:

Final quantity adjustments as attached.

RECOMMENDED FOR APPROVAL BY: Kevin G. Aller, P.E. Date _____
 Public Service Director

Original Contract Amt	\$ 1,295,819	50	REVIEWED BY: _____	_____
Previous Changes (+ or --)	85,645	87	DATE: _____	_____
This Change (+ or --)	\$ (700)	00	SUBMITTED BY: _____	_____
Adjusted Contract Amt	\$ 1,380,765	37	DATE: _____	_____

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor Date _____ Scott S. Smith, Finance Director Date _____
 Toby A. Schroyer

PROJECT: River Trail Improvements Phase 1

CHANGE ORDER #3 - FINAL

A						C	D	F
BID ITEM NO.	ODOT ITEM NO.	DESCRIPTION OF WORK	UNIT	BID QUANTITY	UNIT PRICE	QUANTITY INSTALLED	VALUE	ADDITION / (DEDUCTION)
Demolition & Site Preparation								
1	624	Mobilization	LUMP	1	\$40,000.00	1.00	\$40,000.00	\$0.00
2	623	Construction Staking	LUMP	1	\$7,000.00	1.00	\$7,000.00	\$0.00
3	614	Maintenance of Traffic	LUMP	1	\$5,000.00	1.00	\$5,000.00	\$0.00
4	207	Silt Fence	FOOT	4487	\$3.00	4025	\$12,075.00	-\$1,386.00
5	207	Inlet Filter	EACH	5	\$100.00	3.00	\$300.00	-\$200.00
6	Special	Tree Protection Fence, as per plan	FOOT	140	\$3.00	140.00	\$420.00	\$0.00
7	Special	Construction Access, as per plan	EACH	2	\$1,000.00	1.00	\$1,000.00	-\$1,000.00
8	202	Curb & Gutter Removal (Includes sawcutting)	FOOT	34	\$8.00	34.00	\$272.00	\$0.00
9	202	Pavement Removal (Includes sawcutting and base removal)	SQ YD	168	\$10.00	168.00	\$1,680.00	\$0.00
10	Special	Shrub Relocation	EACH	31	\$20.00	40.00	\$800.00	\$180.00
11	201	Clearing & Grubbing	LUMP	1	\$20,000.00	1.00	\$20,000.00	\$0.00
12	201	Tree Removed, 18" size	EACH	2	\$500.00	9.00	\$4,500.00	\$3,500.00
13	604	Adjust Manhole Structure	EACH	1	\$500.00	1.00	\$500.00	\$0.00
14	Special	Salvage gravel for reuse	SQ YD	100	\$5.00	100.00	\$500.00	\$0.00
15	Special	Selective Understory Clearing	ACRE	0.7	\$1,000.00		\$0.00	-\$700.00
16	Special	Partial Concrete Wall Removal	FOOT	19	\$40.00	19.00	\$760.00	\$0.00
17	Special	Bridge Railing Removal	FOOT	13	\$40.00	13.00	\$520.00	\$0.00
18	Special	Remove Picnic Shelter and Bench	LUMP	1	\$500.00	1.00	\$500.00	\$0.00
Site Improvements								
19	203	Excavation (Includes removal of concrete blocks and slabs)	CU YD	600	\$25.00	1414.60	\$35,365.00	\$20,365.00
20	203	Excavation, Haul off-site	CU YD	400	\$20.00	968.00	\$19,360.00	\$11,360.00
21	204	Subgrade Compaction	SQ YD	3980	\$0.50	3980.00	\$1,990.00	\$0.00
22	204	Proofrolling	HOUR	6	\$50.00	2.00	\$100.00	-\$200.00
23	604	Yard Drain (Includes excavation, bedding and backfill)	EACH	2	\$900.00	2.00	\$1,800.00	\$0.00
24	603	12" Conduit, Type B (Includes excavation, bedding and backfill)	FOOT	85	\$50.00	108.00	\$5,400.00	\$1,150.00
25	601	Riprap (At storm outlets)	SQ YD	12	\$10.00	12.00	\$120.00	\$0.00
26	601	Rock Edge Bank Stabilization	FOOT	350	\$15.00	350.00	\$5,250.00	\$0.00
27	Special	Vegetated Gabion Bank Restoration	FOOT	254	\$288.00	234.00	\$67,392.00	-\$5,760.00
28	608	Concrete Pavement, 4"	SQ FT	22842	\$3.25	15811.50	\$51,387.38	-\$22,849.13
29	424	Fine Graded Polymer Asphalt Concrete, Type A	CU YD	47	\$319.00	79.66	\$25,411.54	\$10,418.54
30	301	Asphalt Concrete Base	CU YD	164	\$192.00	133.50	\$25,632.00	-\$5,856.00
31	304	Aggregate Base	CU YD	552	\$28.00	881.08	\$24,670.24	\$9,214.24
32	609	Concrete Curb, ODOT Type 6	FOOT	30	\$36.00	30.00	\$1,080.00	\$0.00
33	606	Guardrail, ODOT Type 5	FOOT	25	\$65.00	25.00	\$1,625.00	\$0.00
34	608	Concrete Curb Ramp with Detectable Warning, as per plan	EACH	2	\$275.00	2.00	\$550.00	\$0.00
35	Special	Concrete Abutment	CU YD	216	\$600.00	218.75	\$131,250.00	\$1,650.00
36	Special	Elevated Walkway Type 1	SQ FT	2927	\$62.00	2927.00	\$181,474.00	\$0.00
37	Special	Elevated Walkway Type 2	SQ FT	306	\$60.00	306.00	\$18,360.00	\$0.00
38	Special	Concrete Bridge Column Support	EACH	1	\$8,000.00	1.00	\$8,000.00	\$0.00
39	Special	Steel Truss Pedestrian Bridge	EACH	1	\$160,716.00	1.00	\$160,716.00	\$0.00
40	Special	Concrete Nature Pattern	EACH	100	\$171.00	100.00	\$17,100.00	\$0.00
Site Furnishings								
41	Special	Bench and Concrete Pad, as per plan	EACH	2	\$1,661.00	2.00	\$3,322.00	\$0.00
42	Special	Waste Receptacle, as per plan	EACH	2	\$1,364.00	2.00	\$2,728.00	\$0.00
43	Special	Recycling Receptacle, as per plan	EACH	1	\$1,617.00	1.00	\$1,617.00	\$0.00
44	Special	Pet Waste Station, as per plan	EACH	2	\$600.00	2.00	\$1,200.00	\$0.00
45	Special	Bike Loop, as per plan	EACH	2	\$1,000.00	2.00	\$2,000.00	\$0.00
46	Special	Removable Bollard with Reflective Tape, as per plan	EACH	3	\$1,468.00	3.00	\$4,404.00	\$0.00
47	Special	42" Railing, as per plan	FOOT	367	\$150.00	370.00	\$55,500.00	\$450.00
48	Special	36" Railing, as per plan	FOOT	227	\$135.00	227.00	\$30,645.00	\$0.00
Signage & Pavement Marking								
49	642	Centerline, Broken, 4" White	MILE	0.6	\$4,950.00	0.030	\$138.60	-\$2,821.50
50	642	Stop Bar & Obstruction Marking, as per plan	EACH	3	\$110.00	3.00	\$330.00	\$0.00
51	642	Word on Pavement, 48 inch, "ROAD", as per plan	EACH	1	\$55.00	1.00	\$55.00	\$0.00
52	642	Word on Pavement, 48 inch, "XING", as per plan	EACH	1	\$55.00	1.00	\$55.00	\$0.00
53	642	Parking Lot Stall Striping	FOOT	110	\$6.00		\$0.00	-\$660.00
54	642	Handicap Symbol Marking	EACH	1	\$30.00		\$0.00	-\$30.00
55	644	Crosswalk Line, as per plan	FOOT	120	\$11.00	120.00	\$1,320.00	\$0.00
56	644	Yield Pavement Marking, as per plan	FOOT	46	\$22.00	48.00	\$1,056.00	\$44.00
57	644	Word on Pavement, 96", "XING", as per plan	EACH	4	\$330.00	4.00	\$1,320.00	\$0.00
58	644	Pavement Marking, Bicycle Symbol, as per plan	EACH	4	\$330.00	4.00	\$1,320.00	\$0.00
59	630	Relocated Handicap Parking Sign, as per plan	EACH	1	\$50.00		\$0.00	-\$50.00
60	630	Sign Post, as per plan	EACH	25	\$50.00	25.00	\$1,250.00	\$0.00
61	630	OMUTCD Sign, R1-1	EACH	3	\$45.00	3.00	\$135.00	\$0.00
62	630	OMUTCD Sign, R1-2	EACH	5	\$45.00	5.00	\$225.00	\$0.00
63	630	OMUTCD Sign, R1-6	EACH	2	\$45.00	2.00	\$90.00	\$0.00
64	630	OMUTCD Sign, W1-1	EACH	3	\$45.00	3.00	\$135.00	\$0.00
65	630	OMUTCD Sign, W1-5	EACH	2	\$45.00	2.00	\$90.00	\$0.00
66	630	OMUTCD Sign, W3-1	EACH	3	\$45.00	3.00	\$135.00	\$0.00
67	630	OMUTCD Sign, W3-2	EACH	1	\$45.00	1.00	\$45.00	\$0.00
68	630	OMUTCD Sign, W11-1	EACH	4	\$45.00	4.00	\$180.00	\$0.00
69	630	OMUTCD Sign, W16-7P	EACH	2	\$45.00	2.00	\$90.00	\$0.00
70	630	OMUTCD Sign, W16-9p	EACH	2	\$45.00	2.00	\$90.00	\$0.00
71	630	Sign, Custom C1, as per plan	EACH	5	\$50.00	5.00	\$250.00	\$0.00
72	630	Sign, Custom C2, as per plan	EACH	2	\$50.00	2.00	\$100.00	\$0.00
73	630	Sign, Custom C3, as per plan	EACH	2	\$50.00	2.00	\$100.00	\$0.00
Landscape								
74	652	Topsoil, 6"	CU YD	1240	\$30.00	1256.00	\$37,680.00	\$480.00
75	659	Lawn Seed Mix	SQ YD	6725	\$1.00	6725.00	\$6,725.00	\$0.00
76	659	Native Seed Mix	SQ YD	707	\$1.00	707.00	\$707.00	\$0.00
77	660	Erosion Control Blanket	FOOT	955	\$1.00	955.00	\$955.00	\$0.00
78	Special	Metal Edging, as per plan	FOOT	232	\$2.00	242.50	\$485.00	\$21.00
79	661	Acer Rubrum, 2.5" Cal.	EACH	8	\$145.00	8.00	\$1,160.00	\$0.00

PROJECT: River Trail Improvements Phase 1

CHANGE ORDER #3 - FINAL

A						C	D	F
BID ITEM NO.	ODOT ITEM NO.	DESCRIPTION OF WORK	UNIT	BID QUANTITY	UNIT PRICE	QUANTITY INSTALLED	VALUE	ADDITION / (DEDUCTION)
80	661	Nyssa Sylvatica, 2.5" Cal.	EACH	3	\$260.00	3.00	\$780.00	\$0.00
81	661	Picea Glauca, 8' Ht.	EACH	5	\$152.00	5.00	\$760.00	\$0.00
82	661	Quercus Bicolor, 2.5" Cal.	EACH	2	\$148.00	2.00	\$296.00	\$0.00
83	661	Quercus Macrocarpa, 2.5" Cal.	EACH	3	\$148.00	3.00	\$444.00	\$0.00
84	661	Quercus Rubra, 2.5" Cal.	EACH	5	\$217.00	5.00	\$1,085.00	\$0.00
85	661	Spirea x bumalda 'Lemon Princess'	EACH	28	\$25.00	39.00	\$975.00	\$275.00
86	661	Juniperous Chinensis 'Spartan'	EACH	10	\$75.00	10.00	\$750.00	\$0.00
87	661	Juniperous Chinensis 'Sea green'	EACH	23	\$37.00	23.00	\$851.00	\$0.00
88	661	Hemerocallis 'Barbara Mitchell'	EACH	68	\$40.00	68.00	\$2,720.00	\$0.00
89	661	Hemerocallis 'Stella D'Oro'	EACH	97	\$40.00	97.00	\$3,880.00	\$0.00
90	661	Rudbeckia Fulgida 'Goldsturm'	EACH	58	\$40.00	58.00	\$2,320.00	\$0.00
Electrical								
91	625	Electrical Service	EACH	1	\$7,900.00	1.00	\$7,900.00	\$0.00
92	625	Electrical Service Cabinet Enclosure	EACH	1	\$1,430.00	1.00	\$1,430.00	\$0.00
93	625	Elec Service Cabinet Concrete Pad	EACH	1	\$500.00	1.00	\$500.00	\$0.00
94	625	Receptacle Panel	EACH	1	\$951.00	1.00	\$951.00	\$0.00
95	625	Fixed Camera	EACH	1	\$1,705.00		\$0.00	-\$1,705.00
96	625	Digital Video Recorder	EACH	1	\$15,840.00		\$0.00	-\$15,840.00
97	625	Fiber Receiver	EACH	1	\$1,210.00		\$0.00	-\$1,210.00
98	625	Equipment Rack	EACH	1	\$1,155.00		\$0.00	-\$1,155.00
99	625	62.5mm 6-strand Fiber Optic Cable	FOOT	1500	\$3.50		\$0.00	-\$5,250.00
100	Special	Fiber Optic Connection to Police Station	FOOT	1500	\$19.00		\$3,300.00	-\$25,200.00
101	625	Light Fixture Type HA	EACH	12	\$1,182.00	12.00	\$14,184.00	\$0.00
102	625	Light Pole Type 'A'	EACH	4	\$2,200.00	4.00	\$8,800.00	\$0.00
103	625	Light Pole Type 'C'	EACH	1	\$2,893.00	1.00	\$2,893.00	\$0.00
104	625	Light Pole Type 'D'	EACH	4	\$2,585.00	4.00	\$10,340.00	\$0.00
105	625	Light Pole Type 'E'	EACH	3	\$2,750.00	3.00	\$8,250.00	\$0.00
106	625	4"C PVC in trench complete	FOOT	2800	\$7.00	2800.00	\$19,800.00	\$0.00
107	625	2"C PVC in trench complete	FOOT	2800	\$4.00	2800.00	\$11,200.00	\$0.00
108	625	#10 AWG Wire	CLF	120	\$50.00	120.00	\$6,000.00	\$0.00
109	625	Trenching/Backfill/Compacting	FOOT	2800	\$8.00	2800.00	\$22,400.00	\$0.00
110	625	Light Pole Foundation	EACH	12	\$1,100.00	12.00	\$13,200.00	\$0.00
111	625	Ground Rod	EACH	13	\$186.00	13.00	\$2,418.00	\$0.00
112	625	Handholes	EACH	2	\$1,006.00	2.00	\$2,012.00	\$0.00
113	625	Connection at poles	EACH	12	\$49.00	12.00	\$588.00	\$0.00
114	625	In-line Fuses	EACH	12	\$60.00	12.00	\$720.00	\$0.00
115	625	5 - 4"C PVC in trench complete	FOOT	1850	\$40.00	1850.00	\$74,000.00	\$0.00
PREVIOUS CHANGE ORDERS								
CO 1	1	4 inch conduit	EACH	1	\$23,517.18	1.00	\$23,517.18	\$23,517.18
CO 1	2	Handholes	EACH	1	\$20,838.86	1.00	\$20,838.86	\$20,838.86
CO 1	3	Directional Drill	EACH	1	\$8,053.34	1.00	\$8,053.34	\$8,053.34
CO 1	4	Signage	EACH	1	\$142.91	1.00	\$142.91	\$142.91
CO 1	5	Bulletin 2 (Lightpoles)	EACH	1	\$7,681.87	1.00	\$7,681.87	\$7,681.87
CO 1	6	Add work 24" Caissons	EACH	1	\$10,909.00	1.00	\$10,909.00	\$10,909.00
CO 1	7	Add work 8" Piles	EACH	1	\$48,494.22	1.00	\$48,494.22	\$48,494.22
CO2	1	Lighting conduit repair at Main St.	EACH	1	\$561.05	1.00	\$561.05	\$561.05
CO2	2	Riprap/concrete restoration at east easement	EACH	1	\$4,668.48	1.00	\$4,668.48	\$4,668.48
CO2	3	Asphalt patch at Sautters	EACH	1	\$740.04	1.00	\$740.04	\$740.04
CO2	4	Credit for Asphalt substitution	EACH	1	-\$7,886.34	1.00	-\$7,886.34	-\$7,886.34
Non complete items - replaced with Bulletin 1								
Line 100 is material given to the City - 2" cable and handholes not returnable								
TOTAL CHANGE IN CONTRACT								\$84,945.87

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR C
6606 TUSSING ROAD, P.O. BOX
REYNOLDSBURG, OHIO 43068
(614)644-2360 FAX(614)644-3166

8

TO

6381459		TFOL	OUY NGUYEN	
PERMIT NUMBER		TYPE	DBA AMANGO RESTAURANT	
06	01	2011		
ISSUE DATE				
08	29	2012		
FILING DATE				
D1				
PERMIT CLASSES				
48	077	A	F08266	
TAX DISTRICT			RECEIPT NO.	

FROM 08/31/2012 SAFEKEEPING

82199040005			SKIS POLISH AMERICAN RESTAURANT LLC	
PERMIT NUMBER		TYPE	DBA SKIS	
06	01	2011		
ISSUE DATE				
08	29	2012		
FILING DATE				
D1				
PERMIT CLASSES				
48	077			
TAX DISTRICT			RECEIPT NO.	



MAILED 08/31/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/01/2012

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 TFOL 6381459**

(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

9

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 401
REYNOLDSBURG, OHIO 43068-9001
(614)644-2360 FAX(614)644-3166

TO

2485375 <small>PERMIT NUMBER</small>		TREX <small>TYPE</small>	ELEMENT 112 LLC DBA ELEMENT 112 5737 N MAIN ST SYLVANIA OH 43560	
06	08	2012 <small>ISSUE DATE</small>		
08	28	2012 <small>FILING DATE</small>		
D1		D2 <small>PERMIT CLASSES</small>		
48	077	A	F08258 <small>RECEIPT NO.</small>	
<small>TAX DISTRICT</small>				

FROM 08/30/2012 SAFEKEEPING

39933200010 <small>PERMIT NUMBER</small>			HOSSAINS ENTERPRISES INC 309 MARSHALL PASSAGE COLUMBUS OH 43215	
06	08	2012 <small>ISSUE DATE</small>		
08	28	2012 <small>FILING DATE</small>		
D1		D2 <small>PERMIT CLASSES</small>		
25	044			
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>		



MAILED 08/30/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN 10/01/2012

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 TREX 2485375**

(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

City of Sylvania

Bank Reconciliation

August 2012

a

CHECKBOOK BALANCE	
Ending balance for July 2012	\$ 24,325,468.98
Add: Monthly Receipts	<u>2,943,796.20</u>
Subtotal	\$ 27,269,265.18
Less: Monthly Disbursements	<u>2,212,922.69</u>
Ending balance for August 2012	\$ 25,056,342.49
Less:	
Certificates of Deposit	\$ (1,000,000.00)
Star Ohio	(76,895.93)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(27,743.82)
PNC MoneyMarket	(1,025,614.65)
Key Bank Securities	(1,006,166.85)
5/3rd Securities	(14,186,636.50)
SJS Account	(5,192,201.43)
Sylvania Township Bonds	(735,000.00)
	\$ 1,802,970.45
Less:	
OPERS adj	0.04
	<u>\$ 1,802,970.49</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>\$ 2,050.00</u>

BANK BALANCE	
EOM 5/3rd Bank Balance	\$ 2,046,085.29
Deposit in Transit	1,486.46
	<u>\$ 2,047,571.75</u>
Subtotal	\$ 2,047,571.75
Less: Outstanding Checks (2)	<u>244,601.26</u>
Adjusted Bank Balance	\$ 1,802,970.49
(2)	
July Outstanding Checks	\$ 1,063.56
Checks written this month	1,362,449.45
Ck # 59789 to Unclaimed Funds	(11.85)
Ck # 59877 to Unclaimed Funds	(275.00)
Ck # 60320 to Unclaimed Funds	(16.16)
	<u>\$ 1,363,210.00</u>
Subtotal	\$ 1,363,210.00
Checks Cleared	<u>(1,118,608.74)</u>
August Outstanding Checks	\$ 244,601.26



Treasurer, City of Sylvania

Sylvania Municipal Planning Commission

Minutes of the regular meeting of September 12, 2012. Mr. Lindsley called the meeting to order.

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

Item 3 - Lot Split - app. no. 2-2012 requested by Jerome R. Parker, agent for BMJ Real Estate, LLC, for property located at 6111 Monroe Street, Sylvania. Mr. Jerome Parker present. Mr. Parker mentioned that BP is a client of his and after a relative stated how much they enjoyed seeing the trees behind the BP station while they were in the hospice, he suggested that BP donate the land to reserve the land and the flood plain. The property will be joined to their existing parcel across the creek. The split will be at approximately the top of the bank, as shown on the drawing. Mayor Stough said the Dutch Pantry was located behind the BP site and there is a curb along the top of the bank, there was paved but it is mostly broken up. They will not need access to the parcel since it is flood plain and trees. Mr. Marciniak moved, Mayor Stough seconded to grant the lot split as requested on app. no. 2-2012. Vote being: Marciniak, Stough, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 2 - Council Referral - PD-2-2012 requested by Port Lawrence Title and Trust for Pine Tree Village, an eighteen unit planned development, at 5930 Heidaway Lane, Sylvania. Mr. Ryan Wamsher present. Mr. Ryan Wamsher, Mr. Dough Wamsher, and Mr. David Schmitt present. Mayor Stough explained the procedure for the PD and that the planning commission will make a recommendation to city council and that city council will have a public hearing and make the final decision. It was noted that the description of the plan submitted had an error, and the parcel is currently zoned R-2. Mr. Ryan Wamsher presented a copy of the plan that was approved in 2006. The new plan shows eighteen units instead of sixteen, the proposed units are larger and they will be for sale. Mr. Schmitt will be the builder, the deepest floor plan is 46 feet. The pavement will be 25 feet wide and should accommodate fire and rescue vehicles. They plan to utilize the retention pond on the south side of the property. There is a ditch that runs along the north property line. The site is short by 129 square feet to meet the minimum R-2 zoning requirement for lot size per unit. John Keller, 5917 Heidaway Lane, thought there was going to be a second access. He also wanted to know who was going to be responsible for the pond maintenance. He also asked where this development would tie into the water and sewer lines and if the existing lines can provide service to the new development. Mr. Ryan Wamsher said that the pond was designed to be used for both developers. This development will be tied into public utilities. Mr. Aller said the sewer and water could accommodate the addition of the new development. Pat Stark, 5920 Summer Place Drive, stated that he thought the driveway was to be located across from the retention area so vehicle headlights do not shine into the houses. There are also concerns for safety and increased traffic. There were cars parked on one side of the street that makes it difficult for emergency vehicles to drive down the street. He said it can take seven minutes to access Sylvania Metamora Road from Summer Place Drive or Heidaway Lane at peak time, and this development would only add more traffic to the back ups. Richard Trumbull, 5934 Centennial Road, wanted to know how far the buildings will be set back from his property line. He also wanted to know if he would have access to water and sewer taps as previously agreed then the 2006 approval was granted. Mr. Ryan Wamsher said the buildings will be thirty feet from his rear property line. He does not know about

Item 2 - continued:

the water and sewer taps. Mr. Trumbull answered that if they do not want to provide the taps they might as well buy his property, which would give them a second access and solve their problem of not having enough square footage. Mr. Doug Wamsher said that the thirty-foot strip shown on the 2006 drawing is a ditch easement. With the addition of the eighteen units there would be 45 houses with two entries onto Sylvania Metamora Road. They are not partners is the strip center to the south and cannot control the retention pond. Mayor Stough said that if the developers wanted a recommendation tonight, his vote would be no. Mr. Wamsher asked for a continuance until the October 10, 2012 meeting of the planning commission. Mr. Marciniak moved, Mayor Stough seconded to table PD-2-2012 for Pine Tree Village at the request of the applicants. Vote being: Stough, Lindsley, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission

C

Board of Architectural Review

Minutes of the regular meeting of September 12, 2012. Mr. Lindsley called the meeting to order.

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

Mr. Marciniak moved, Mayor Stough seconded to approve the Minutes of the August 15, 2012 meeting as submitted. Vote being: Lindsley, Stough, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 - Regulated Sign - app. no. 27-2012 requested by Harmon Sign Co. for Hear-Rite Hearing Center, 6600 Sylvania Avenue, Sylvania. Mr. Oberly stated that this sign is similar to other signs in the plaza that has been updated to channel letters. Mr. Marciniak moved, Mayor Stough seconded to grant a Certificate of Appropriateness for app. no. 27-2012 for Hear-Rite Hearing Center, 6600 Sylvania Avenue, as requested. Vote being: Stough, Marciniak, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 4 - Regulated Sign - app. no. 2-2012 requested by Greg Cook for Papa G's Pizza 'n Grill, 5127 Main Street, Sylvania. Requesting approval of the replacement center portion of the sign, the sign was reviewed January 11, 2012. They are asking to have the art work for the center portion of the sign approved. The size is the same as the existing. Mayor Stough moved, Mr. Marciniak seconded to approve the new art work, as depicted on the drawing, for the center portion of the sign as previously approved. Vote being: Marciniak, Lindsley, Stough (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 5 - Regulated Sign - app. no. 28-2012 requested by Toledo Sign for Auto Mall, 6820 Sylvania Avenue, Sylvania. Ms. Myra Gueli present. There is an existing sign with a reader board, they will cover that sign as shown on the drawing, the size and location will remain the same. Mr. Oberly mentioned that there is a new business on the Franklin Drive side of the building, they did install a sign in front of the building and in the future they may want to look at a new sign near the corner of Sylvania Avenue and Franklin Drive. Ms. Gueli said that the reader board will be covered as part of the new sign. Mr. Marciniak moved, Mayor Stough seconded to give a Certificate of Appropriateness for the Auto Mall sign at 6820 Sylvania Avenue, as requested in app. no. 28-2012 provided that the illegal sign in front of the building and the promotional banner are removed. Vote being: Lindsley, Marciniak, Stough (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission