

Sylvania City Council
September 2, 2014

7:00 p.m. ZA-3-2014 Public Hearing
Zoning Amendment- R-2 to R-1, Sisters of St. Francis

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mr. Brown, Mrs. Cappellini, Mr. Hayman, Mrs. Husman, Mr. Luetke, Mr. Milner, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mrs. Husman.
3. Additions to the agenda.
4. Approval of the meeting minutes of August 18, 2014.
5. Monroe Street Sanitary Sewer Lining Project:
 - a. Service Director's report on Change Order No. 1.
 - b. Proposed Ordinance 49-2014, Authorizing to approve Change Order No. 1 (Final) with Insight Pipe Contracting for Monroe Street Sanitary Sewer Lining project.
6. Brint and McCord Road Intersection Improvement:
 - a. Service Director's report on Change Order No. 1.
 - b. Proposed Ordinance 50-2014, Authorizing to approve Change Order No. 1 (Final) with Lake Erie Electric for Brint & McCord Intersection project.
7. Report on Zoning Amendment Application No. ZA-3-2014 Public hearing.
8. Committee reports.
9. Committee referrals.

INFORMATION

- A. Certificate of Notice – ZA-3-2014, Sisters of St. Francis.

Minutes of the Meeting of Council
August 18, 2014

The Council of the City of Sylvania, Ohio met in regular session on August 18, 2014 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, Mary Westphal (6) present; (0) absent.

Roll call:
Milner, (arrived
7:35p.m.)

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

Pledge of Alleg.

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

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

Agenda approved
was submitted.

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

Mrs. Westphal presented the July 21, 2014 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 July 21, 2014 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Approval of the
July 21
minutes.

Mr. Milner joined council for meeting.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance 46-2014, a written copy of same having been previously furnished to each member of Council, "Ordinance approving the Assessments heretofore authorized by Resolution No. 13-2014 for Street Lighting; levying said assessment; and declaring an emergency." Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried.

Ordinance
46-2014,
"Approving the
assessment for
street lighting..."

Mr. Milner moved, Mrs. Westphal seconded, that Ordinance 46-2014 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.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance 47-2014, a written copy of same having been previously furnished to each member of Council, "To assess a special tax upon the lots and lands described in the schedule referred to

Ordinance
47-2014, "To
assess a special

Minutes of the Meeting of Council
August 18, 2014

herein to pay a part of the cost and expense of providing for the removal and special treatment of shade trees for the purpose of controlling blight and disease of same; and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City for the year ending December 31, 2014; and declaring an emergency.” Mrs. Cappellini moved, Mr. Milner 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.

tax...shade trees...”

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance 47-2014 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.

Mr. Brown presented and read aloud by title only, proposed Ordinance 48-2014, a written copy of same having been previously furnished to each member of Council, “To assess a special tax upon the lots and lands described in the schedule referred to herein to pay a part of the cost and expense of providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches within the corporate limits of the City of Sylvania for the year ending December 31, 2014; and declaring an emergency.” Mr. Brown moved, Mrs. Westphal 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.

Ordinance 48-2014, “To assess a special tax...open drainage ditches...”

Mr. Brown moved, Mrs. Westphal seconded, that Ordinance 48-2014 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 6.

Mr. Haynam presented and read aloud by title only, proposed Resolution 16-2014, a written copy of same having been previously furnished to each member of Council, “Objecting to the issuance of the new C1, C2 Liquor Permit to Ohio CVS Stores, LLC, D/B/A CVS/Pharmacy 10457, 7510 Sylvania Ave., Sylvania, OH 43560; requesting a hearing on said application; and declaring an emergency.” Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried.

Resolution 16-2014, “Objecting to issuance of new liquor permit...CVS Stores, LLC....request hearing...”

Minutes of the Meeting of Council
August 18, 2014

Mr. Haynam moved, Mr. Luetke seconded, that Resolution 16-2014 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.

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

Service Director Kevin Aller's report on the Harroun Community Park Storm Water Demonstration project was placed on file. Mrs. Husman moved, Mr. Brown seconded to authorize the clerk to advertise for bids; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Authorize for bids...Harroun Park Storm Water Demonstration Project.

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

Mrs. Westphal moved, Mr. Milner seconded to set Thursday, October 30, 2014 from 6:00 p.m. – 7:30 p.m. for the City of Sylvania's Trick-or-Treat; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Trick-or-Treat set for Oct 30th 6-7:30 p.m.

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

Mrs. Westphal reported on the Committee of the Whole meeting held on this date to discuss the water emergency. Service Director Aller reported on timeline of city's actions during emergency. Health Department representatives provided information on the science of testing and issues resulting from the test results. City administration will review strategy for water testing and the communication to residents.

COW Mtg. report re: water emergency.

Roger Brandell, 4625 Tamworth addressed Council regarding unwanted delivery items being dropped in his yard. Administration will research the issue.

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

Mrs. Westphal moved, Mr. Haynam seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:13 p.m.

Adjournment.

Clerk of Council

Mayor



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

September 2, 2014

To: The Mayor and Members of Sylvania City Council

Re: **MONROE STREET SANITARY SEWER LINING PROJECT (SILICA DRIVE TO BECKER PLACE)
CHANGE ORDER NO. 1 (FINAL)**

Dear Mr. Mayor and Council Members:

The Monroe Street Sanitary Sewer Lining Project (Silica Drive to Becker Place) was recently completed. Insight Pipe Contracting's original contract amount for the project was \$47,400 and received Council approval on July 21, 2014 by Ordinance 40-2014.

Now that the project is completed, the final installed quantities have been resolved and a change order is necessary to adjust the final contract price.

The installed quantities have resulted in a decrease to the original contract in the amount of \$1,141.60. We recommend approval of Change Order No. 1 which will decrease the final contract amount from \$47,400 to \$46,258.40.

Please call if you have any questions.

Sincerely,

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

ORDINANCE NO. 49 -2014

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 (FINAL) TO THIS CITY'S AGREEMENT WITH INSIGHT PIPE CONTRACTING, L.P. FOR MONROE STREET SANITARY SEWER LINING PROJECT REFLECTING THE FINAL INSTALLED QUANTITIES; DECREASING THE CONTRACT AMOUNT BY \$1,141.60; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 40-2014, passed July 21, 2014, accepted the bid of Insight Pipe Contracting, L.P. for the Monroe Street Sanitary Sewer Lining Project in the amount of \$47,400; and,

WHEREAS, the Director of Public Service, by report dated September 2, 2014, has recommended the acceptance of Change Order No. 1 (Final) of Insight Pipe Contracting, L.P. for said Monroe Street Sanitary Sewer Lining Project to reflect the final installed quantities; and,

WHEREAS, the work performed and final installed quantities resulted in a net decrease to the contract in the amount of One Thousand One Hundred Forty-One and 60/100 Dollars (\$1,141.60), for a total contract amount of \$46,258.40.

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

SECTION 1. That said change order decreasing the contract amount by the sum of One Thousand One Hundred Forty-One and 60/100 Dollars (\$1,141.60) be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. 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 3. 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 adjustments in the contract should be approved immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the

Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2014, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

69



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

September 2, 2014

To: The Mayor and Members of Sylvania City Council

Re: **BRINT ROAD & MCCORD ROAD INTERSECTION IMPROVEMENTS
CHANGE ORDER NO. 1 (FINAL)**

Dear Mr. Mayor and Council Members:

The Brint Road & McCord Road Intersection Improvement Project was recently completed. Lake Erie Electric's original contract amount for the project was \$195,870 and received Council approval on February 3, 2014 by Ordinance 4-2014.

Now that the project is completed, the final installed quantities have been resolved and a change order is necessary to adjust the final contract price. Various pay items were installed at less than the anticipated bid quantity. In addition, further work items were necessary outside of the bid documents to complete the project. These additional work items were:

- Relocate a traffic signal pole due to an underground utility conflict.
- Additional sidewalk adjustments for ADA compliance.
- Pavement resurfacing adjustments.

The installed quantities along with the additional work items have resulted in an increase to the original contract in the amount of \$11,274.05. We recommend approval of Change Order No. 1 which will increase the final contract amount from \$195,870 to \$207,144.05.

Please call if you have any questions.

Sincerely,

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

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 1 (FINAL)

Project Ordinance No.: 4-2014 Purchase Order No. 48228

Contract: Brint & McCord Intersection Improvements

Title of Change Order: _____

Date: 9/2/2014

Description of Change: See attached.

RECOMMENDED FOR APPROVAL BY:

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

8/26/14
Date

Original Contract Amt	\$ 195,870	00
Previous Changes (+ or --)	\$ 0	00
This Change (+ or --)	\$ +11,274	05
Adjusted Contract Amt	\$ 207,144	05

REVIEWED BY: Joseph E. Shaw
Engineer

DATE: 8/25/14

SUBMITTED BY: LAKE ERIE ELECTRIC
Name of Contractor

DATE: 8/22/14 Terry Wever
Contractor's Signature

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor

Date

Toby Schroyer, Finance Director

Date

6b

ORDINANCE NO. 50 -2014

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 (FINAL) TO THIS CITY'S AGREEMENT WITH LAKE ERIE ELECTRIC, INC. FOR THE BRINT AND MCCORD ROAD INTERSECTION IMPROVEMENT PROJECT WHICH REFLECTS THE ACTUAL WORK PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$11,274.05; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 4-2014, passed February 3, 2014, accepted the bid of Lake Erie Electric, Inc. for the Brint and McCord Road Intersection Improvement Project, which bid was in the amount of \$195,870; and,

WHEREAS, the Director of Public Service, by report dated September 2, 2014, has recommended the acceptance of Change Order No. 1 (Final) of Lake Erie Electric, Inc. for said Brint and McCord Road Intersection Improvement Project to reflect the final installed quantities and additional work performed on this project; and,

WHEREAS, the work performed and final installed quantities resulted in a net increase to the contract in the amount of Eleven Thousand Two Hundred Seventy-Four and 05/100 Dollars (\$11,274.05), for a total contract amount of \$207,144.05.

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

SECTION 1. That said change order increasing the contract amount by the sum of Eleven Thousand Two Hundred Seventy-Four and 05/100 Dollars (\$11,274.05), 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 change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53613 – Brint & McCord Intersection Improvement Project**, the sum of Eleven Thousand Two Hundred Seventy-Four and 05/100 Dollars (\$11,274.05).

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 adjustments in the contract for said additional improvements should be approved immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2014, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

A



City Of Sylvania

SYLVANIA CITY COUNCIL
SHARON M. BUCHER, CLERK

To: Mayor Craig A. Stough and Members of City Council

From: Sharon Bucher, Clerk of Council

Certificate of Notice

ZA-3-2014, Sisters of St. Francis, 5347, 5335, 5263, 5245, 5255, 5261, 5235 Silica and
7028 and 7036 Eubank, Sylvania, OH 43560,

The undersigned Clerk of Council hereby certifies as follows:

- A. Thirty (30) days of time and place of public hearings were published in the The Blade on July 28, 2014.
- B. Written notice of hearings were mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed as follows:

<u>Owner</u>	<u>Property Address</u>	<u>Owner Address</u>
--------------	-------------------------	----------------------

See attached List.

<u>Sharon Bucher</u>	<u>7/28/14</u>
Clerk of Council	Date

CITY OF SYLVANIA



5347, 5335, 5263, 5245, 5255, 5261, 5235 Silica and 7028 and 7036 Eubank, Sylvania, OH 43560, Sylvania, OH 43560
PROPERTY OWNER NOTIFICATION LIST

NO.	ADDRESS	OWNER	MAILING ADDRESS	CITY	STATE	ZIP
1	5363 Silica Dr.	Board of Education-Sylvania City School District	4747 N. Holland-Sylvania Rd.	Sylvania	OH	43560
2	620 Convent Blvd.	Sisters of St. Francis	6832 Convent Blvd, Unit 1	Sylvania	OH	43560
3	5231 Silica Dr.	Kinberly Taylor	5225 Silica Dr.	Sylvania	OH	43560
4	7070 Convent Blvd.	Fred & Victoria Stroll	7070 Convent Blvd.	Sylvania	OH	43560
5	5242 Eagle Ridge Ln.	Lindsay Samuelson	5242 Eagle Ridge Ln.	Sylvania	OH	43560
6	5252 Eagle Ridge Ln.	Brenda Baker	5252 Eagle Ridge Ln.	Sylvania	OH	43560
7	5304 Eagle Ridge Ln.	Meira Zucker	5304 Eagle Ridge Ln.	Sylvania	OH	43560
8	5314 Eagle Ridge Ln.	Albert & Kathleen Payne	5314 Eagle Ridge Ln.	Sylvania	OH	43560
9	5324 Eagle Ridge Ln.	Christopher & Deborah Spegele	5324 Eagle Ridge Ln.	Sylvania	OH	43560
10	5334 Eagle Ridge Ln.	Nancy Machcinski, Tr.	5334 Eagle Ridge Ln.	Sylvania	OH	43560
11	5344 Eagle Ridge Ln.	Wisdom Dzotsi, etal.	5344 Eagle Ridge Ln.	Sylvania	OH	43560
12	7118 Oak Hill Dr.	Patricia Kuhr, Tr.	7118 Oak Hill Rd.	Sylvania	OH	43560
13	7111 Pine Birr Ln.	Benjamin & Sandra Briggie	7111 Pine Birr Ln.	Sylvania	OH	43560
14	5365 Silica Dr.	Board of Education-Sylvania City School District	4747 N. Holland-Sylvania Rd.	Sylvania	OH	43560
15	5232 Eagle Ridge Ln.	Raymond, Jr. & Amy Martinek	5232 Eagle Ridge Ln.	Sylvania	OH	43560