

**Sylvania City Council**  
October 19, 2015

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

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Mishka, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Frye.
3. Additions to the agenda.
4. Approval of the meeting minutes of October 5, 2015.
5. Erie Street Waterline Replacement
  - a. Service Director's report on Change Order #1 (Final).
  - b. Proposed Ordinance No. 62-2015, Authorizing Change Order #1 (Final) to reflect final installed quantities; decreasing contract amount by \$710.30.
6. Planning Commission's recommendation for Zoning Ordinance Amendment Petition No. SUP-2-2015, a request from St. Elias Church, to amend the Special Use Permit for a storage shed, for property located at 4940 Harroun Rd., Sylvania, OH. Set the public hearing date for December 7, 2015; and authorize the clerk to advertise for same.
7. Confirmation of Mayor's appointments:
  - a. Kevin Aller, Director of Public Service, and as alternative, Joe Shaw, Deputy Director of Public Service to Water Supply Committee and Stormwater Coalition.
  - b. Mayor Craig Stough, and as alternative, Kevin Aller, Director of Public Service to the Regional Water Policies Committee.
8. Committee reports.
9. Committee referrals.

**INFORMATION**

- A. Sylvania Area Chamber of Commerce letter regarding 2016 funding.
- B. Municipal Planning Commission minutes from October 14, 2015.
- C. Board of Architectural Review minutes from October 14, 2015.

Minutes of the Meeting of Council  
October 5, 2015

The Council of the City of Sylvania, Ohio met in regular session on October 5, 2015 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary Westphal (7) present.

Roll call:  
All present.

Mrs. Cappellini led the Pledge of Allegiance to the United States of America.

Pledge of  
Allegiance.

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

Requests were made for the following additions to the agenda:

7a. Report on Salt Pricing Litigation Settlement from State of Ohio.

Mr. Haynam moved, Mrs. Westphal seconded to approve the agenda as amended; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Approval of the  
agenda as  
amended.

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

Mrs. Westphal presented the September 21, 2015 minutes. Mrs. Westphal moved, Mr. Frye 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 21, 2015 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the  
September 21,  
2015 minutes.

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

Deb Chaney, Executive Director of SCAT provided information on the State of Ohio Issue 3, Ohio Marijuana Legalization Initiative. She provided information on the concerns of the legalization including health issues, monitoring, etc. Handouts were provided to council with statistics and information on the issue. SCAT opposes Issue 3.

SCAT provided  
info on State  
Issue 3.

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

Mrs. Husman moved, Mr. Haynam seconded to allow Mr. Frye to push back from the table due to a conflict of interest on the City's Natural Gas Aggregation Supplier agreement; roll call vote: (6) yeas; (0) nays. The motion carried.

Mr. Frye pushed  
back from table.

Minutes of the Meeting of Council  
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Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 60-2015, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an Agreement with Volunteer Energy Services, Inc. to act as the City's Natural Gas Aggregation Supplier for a seventeen month period beginning in December, 2015 and ending in April, 2017; and declaring an emergency."; Mr. Mishka moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Ordinance No. 60-2015, "Authorizing agreement with Volunteer Energy Svcs, Inc....Gas Aggregation..."

Mr. Mishka moved, Mr. Luetke seconded, that Ordinance 60-2015 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Mr. Frye returned to the table.

Mr. Frye returned to the table.

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 61-2015, a written copy of same having been previously furnished to each member of Council, "Amending Ordinance No. 38-2015, which authorized the Mayor and Director of Finance to enter into an agreement with Detroit Salt Company for the furnishing of salt for roadway de-icing for the City of Sylvania to reflect the actual cost of the salt; and declaring an emergency"; Mr. Frye moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 61-2015, "Amending Ord. No. 38-2015 ...actual cost of salt..."

Mr. Frye moved, Mrs. Westphal seconded, that Ordinance No. 61-2015 be enacted as an emergency measure as declared therein; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Luetke seconded to not request a hearing for the Notice of transfer of a D1, D2, D3 and D6 liquor permit from Pearl River, Inc. d/b/a/ Gourmet Garden, 5817 Monroe St., Sylvania, OH to R. Fuentes 2 LLC, d/b/a El Salto 2, 5817 Monroe St., Sylvania, OH; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

No objection to liquor permit transfer for El Salto 2.

Minutes of the Meeting of Council  
October 5, 2015

Mr. Haynam reported on the Zoning & Annexation Committee meeting held on this date regarding the Design Guidelines for Architectural Districts. After the Committee receives reports from the Plan Commission and Administration, additional discussion will take place on the proposed legislation.

Oct. 5, Z & A  
committee report,  
Design  
Guidelines.

Mrs. Westphal moved, Mrs. Husman seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:29 p.m.

Adjournment.

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Clerk of Council

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Mayor

5a



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 19, 2015

To: The Mayor and Members of Sylvania City Council

Re: **ERIE STREET WATERLINE REPLACEMENT  
CHANGE ORDER NO. 1 (FINAL)**

Dear Mr. Mayor and Council Members:

The Erie Street Waterline Replacement Project was recently completed. The original contract amount with PHC, Inc. on the project was \$175,617.50 and received Council approval on May 18, 2015 by Ordinance 35-2015.

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 \$710.30. We recommend approval of Change Order No. 1 which will decrease the final contract amount from \$175,617.50 to \$174,907.20.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller".

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



**ORDINANCE NO. 62 -2015**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 (FINAL) TO THIS CITY'S AGREEMENT WITH PHC, INC. FOR THE ERIE STREET WATERLINE REPLACEMENT PROJECT REFLECTING THE FINAL INSTALLED QUANTITIES; DECREASING THE CONTRACT AMOUNT BY \$710.30; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 35-2015, passed May 18, 2015, accepted the bid of PHC, Inc. for the Erie Street Waterline Replacement Project in the amount of \$175,617.50; and,

WHEREAS, the Director of Public Service, by report dated October 19, 2015, has recommended the acceptance of Change Order No. 1 (Final) of PHC, Inc. for said Erie Street Waterline Replacement 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 Seven Hundred Ten and 30/100 Dollars (\$710.30), for a total contract amount of \$174,907.20.

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 Seven Hundred Ten and 30/100 Dollars (\$710.30) 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, \_\_\_\_\_, 2015, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 15, 2015

To: Mayor and Members of City Council

Re: **Council Referral – Special Use Permit app. no. SUP-2-2015**

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of October 14, 2015, Council Referral – Special Use Permit app. no. SUP-2-2015, a request from St. Elias Orthodox Church, to amend the Special Use Permit to add a storage building, on the property located at 4940 Harroun Road, Sylvania, Ohio 43560:

..." Mayor Stough moved, Mr. Arnold seconded to recommend to City Council to approve the modification to the Special Use Permit as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote."...

Sincerely,

Debra Webb, Secretary  
Municipal Planning Commission



# City Of Sylvania

OFFICE OF THE MAYOR  
CRAIG A. STOUGH, MAYOR

The City of Sylvania made formal approval for Kevin Aller, Director of Public Service, to be appointed the official representative on the Water Supply Committee and Stormwater Coalition.

An alternative representative of the aforementioned person is Joe Shaw, Deputy Director of Public Service.

\_\_\_\_\_  
Craig A. Stough, Mayor

10/15/2015

\_\_\_\_\_  
Date

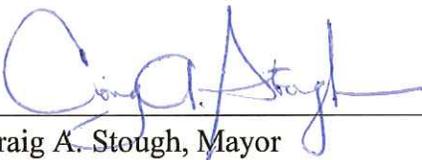


# City Of Sylvania

OFFICE OF THE MAYOR  
CRAIG A. STOUGH, MAYOR

The City of Sylvania made formal approval for Craig A. Stough, Mayor, to be appointed the official representative on the Regional Water Policies Committee.

An alternative representative of the aforementioned person is Kevin Aller.

  
\_\_\_\_\_  
Craig A. Stough, Mayor

10/15/2015  
\_\_\_\_\_  
Date

5632 N. Main Street  
Sylvania, Ohio 43560



419.882.2135  
Fax 419.885.7740

AREA CHAMBER OF COMMERCE

[www.sylvaniachamber.org](http://www.sylvaniachamber.org)

October 15, 2015

Mr. Craig Stough  
Mr. Toby Schroyer  
City Council Members  
6670 Monroe St.  
Sylvania, Ohio 43560

Dear Mayor Stough and Members of City Council:

**Re: Economic Stimulus – Sylvania Area Chamber of Commerce – Request \$25,000.00**

Thank you for your support of The Sylvania Area Chamber of Commerce and all of our endeavors. As a community, it is imperative that we work together to assess the needs of all businesses in this area. The Sylvania Area Chamber of Commerce continues to create several initiatives to spur economic growth, community pride and continuous involvement in city and township projects. The organization is acting as a tourism office, economic development hub, and downtown Sylvania retail liaison through the creation of a strong Sylvania campaign in association with many other exciting downtown events.

It is crucial that we maintain a positive and inviting energy while staying ahead of current marketing and development trends to ensure that the Sylvania area is the primary sight for new business development and redevelopment as well as residential relocation. Competition amongst neighboring cities is at an all-time high and the Chamber realizes the importance of featuring the assets of the city. With that being said, I am requesting increased support in the amount of \$25,000.00 to be used toward five downtown events rather than one and two new projects designed to draw people downtown. Moreover, we will continue our mission to make tourism to the area a top priority.

**SHOP Local Sylvania/Tourism** – Shop Sylvania has evolved into an important ongoing marketing campaign; we are now seeing that the entire retail community is beginning to participate in this effort. By strategically using local media, especially digital marketing and print, we have developed a comprehensive campaign that will help keep the assets of Sylvania, particularly our local businesses, in great demand. We have outlined a preliminary budget to document the need for this cohesive Sylvania mission. More people shopping in the area translates into more jobs and more tax dollars to the city. I am requesting **\$10,000.00** for SHOP Local Sylvania for next year. **Tourism** is vital for the community and we need to make information easily accessible while also enhancing our tourism outreach. In support of a tourism campaign we request **\$5000.00**.

**Events** - funding is being sought for five downtown parties to be held in 2016, **Pizza Palooza** that will be held again at Centennial Terrace in July and Savour Sylvania Restaurant Week in August. We will continue to stimulate community excitement with the car show in May, an art tribute in June held in cooperation with the Sylvania Community Arts Commission and three movie nights. We are enthusiastic about these opportunities and are requesting **\$10,000** for these events.

I would like the mayor and city council to know that the Chamber continues:

- Acting as the advocate for local business development and has created with our partners a comprehensive packet that is being circulated in response to inquiries about possible economic projects.
- New directory, map and visitor's guide which will be reprinted in 2016.
- Promotes a new interactive Sylvania Chamber website and city app, Discover Sylvania, which incorporates events from all local organizations in the area.
- The Chamber continues to send out grant and sponsorship proposals for all of the initiatives that help propel the area forward.
- We keep an impressive media presence which is instrumental in getting local businesses to consider the area as well as shoppers to visit.
- We have a strong emphasis on the importance of higher education through scholarships including the implementation of 2 new culinary scholarships.
- The Chamber acts in cooperation with multiple organizations with the intent of stimulating economic development.
- The ultimate desire of the Sylvania Chamber is to make all current and incoming businesses, visitors and residents welcome in our community.
- The Chamber donates much of its time and many of its resources to securing economic dollars and producing the events and projects with a dedicated staff of two full time employees and one part time employee.

Sylvania will remain a strong, vital community if we are willing to work cohesively in partnership. Please feel free to contact me at 419-882-2135 should you need any questions answered.

Sincerely,

Laura Glover  
Executive Director

## Sylvania Municipal Planning Commission

Minutes of the regular meeting of October 14, 2015. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Daniel Arnold, Brian McCann, and Thomas Lindsley (5) present. Zoning Administrator, Timothy Burns present.

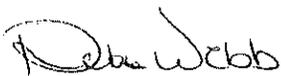
Mr. McCann moved, Mr. Arnold seconded to approve the Minutes of the September 16, 2015, meeting as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Council Referral – SUP-2-2015 requested by Reverend Fr. Ayman Kfouf for St Elias Antiochian Orthodox Christian Church, 4940 Harroun Road, Sylvania, Ohio 43560. Mr. John Sifco and Mr. Ed Sifri present. Mayor Stough stated in order to add the new building, they are required to modify the Special Use Permit. He further stated that the site is not overly crowded and that he does not see any problems with it. Mayor Stough moved, Mr. Arnold seconded to recommend to City Council to approve the modification to the Special Use Permit as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote. Mayor Stough explained to Mr. Sifco and Mr. Sifri that the item will now go back to City Council next week, and then they will then have to set a public hearing.

Item 4 – Council Referral – Proposed Ordinance 56-2015, Amending Chapter 1187 – Architectural District; Repealing Chapter 1152-Design Review Regulations. Tabled at the September 16, 2015 meeting. Mayor Stough stated the City's Law Director, Leslie Brinning, and the consultant from Poggemyer Design Group, Randy Melnick, are both present to give a short presentation on what these amendments accomplish and why we need them. He further stated that City Council just started just discussing the changes last week, that he's not sure that it's ready for the Planning Commission to act on, but he thought that it would be beneficial to hear a presentation on what it's trying to accomplish to think through until next month and wait to see if that are any changes made to it before then. Mr. Melnick stated that that ordinance is designed to update the zoning code with respect to the architectural standards by clarifying the ordinance. He gave a brief description of the three different overlay zones including the Neighborhood Character Architectural District, the Downtown Architectural District and the Gateway District. Mr. Burns presented a map which showed the three districts. Further discussion about the proposed ordinance took place. Mr. Marciniak moved, Mr. Arnold seconded to table the item until the November meeting. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission

## Board of Architectural Review

Minutes of the regular meeting of October 14, 2015. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Daniel Arnold, Brian McCann, and Thomas Lindsley (5) present. Zoning Administrator, Timothy Burns present.

Mr. Arnold moved, Mr. McCann seconded to approve the Minutes of the September 16, 2015, meeting as submitted. Vote being: Stough, Arnold, McCann, Marciniak and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Building Review – app. no. 57-2015 requested by Reverend Fr. Ayman Kfouf for St. Elias Antiochian Orthodox Christian Church, 4940 Harroun Road, Sylvania, Ohio 43560. Application is for a building design review for a new storage shed. Mr. Edward Sifri of St. Elias was present and stated that the building colors would be the same as the colors shown in the building design of the new school that was approved earlier in the year which also matched the colors of the church; and that that the material for the siding would be vinyl, not cement board like the church, but it will also have the woodgrain effect. Ms. Donna L. Schroyer-Riesen approached the podium and asked if this approval would also be for the sign. Mr. Burns and the Secretary for the Board of Architectural Review both stated that an application has not been submitted for sign approval. Mr. Lindsley stated that the sign was not on the agenda. She then asked if the sign could be approved anyway. Both Mr. Burns and the Secretary stated that it could not. Mr. Sifri stated that there are neighbors along the side and the back of the property but that the storage shed location is screened by trees so it will not be visible to the neighbors. Building Design is within the limits of the Sylvania Code. Mr. Marciniak moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the building design shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Regulated Sign – app. no. 58-2015 requested by Jamma R. Cortese of JC & Associates, dba Focus Enterprises, 5129 S. Main St., Sylvania, Ohio 43560. Application is for wall sign. Mr. Lindsley stated that it appears that the sign is already in place. Mr. Marciniak stated that he would need to recuse himself from the discussion. Mr. Burns stated that this sign, as well as all of the signs in the plaza, are not be in compliance with the sign code, but that the sign is typical of the other the signs in the plaza; and that if the we required the sign to be reduced to the size required by the code, there would be exposed white space on both sides of the sign that would look out of place. Mr. Burns further stated that he would be meeting with the property owners in the near future to discuss bringing their signs into compliance. Mr. Arnold moved, Mr. McCann seconded, to approve the sign shown in the drawing submitted with the application. Mayor Stough started that the record should show that Mr. Marciniak did not participate in the vote as he recused himself due to a business conflict of interest. Vote being: McCann, Arnold, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

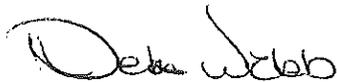
Item 5 – Regulated Sign – app. no. 59-2015 requested by Myra Gueli of Toledo Sign for 5<sup>th</sup> St. Pub, 5577 Monroe Street, Sylvania, Ohio 43560. Application is for wall sign. Ms. Gueli was present and stated that the sign is a new sign for a new business; and that the sign would be

**Board of Architectural Review**  
**Minutes of October 14, 2015**  
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internally lit. Sign is within the limits of the Sylvania Sign Code. Mr. Arnold, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,

A handwritten signature in cursive script that reads "Debra Webb". The signature is written in black ink and is positioned above the typed name of the signatory.

Debra Webb, Secretary  
Municipal Planning Commission