

Sylvania City Council
October 5, 2015

6:30 p.m. Zoning & Annexation Committee Meeting
Design Guidelines for Architectural Districts

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 Mrs. Cappellini.
3. Additions to the agenda.
4. Approval of the meeting minutes of September 21, 2015.
5. Deb Chany, Executive Director of SCAT to provide information on State of Ohio Issue 3, (Ohio Marijuana Legalization Initiative).
6. Proposed Ordinance 60-2015, Authorizing an agreement with Volunteer Energy Services, Inc. to act as the City's Natural Gas Aggregation Supplier for a seventeen month period.
7. Proposed Ordinance 61-2015, Amending Ordinance No. 38-2015 which authorized an agreement with Detroit Salt Company for the salt for roadway de-icing for the City to reflect the actual cost of the salt.
8. 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
9. Committee reports.
 - a. Report of Zoning & Annexation Committee meeting held at 6:30p.m.
10. Committee referrals.

INFORMATION

- A. September 2015 Cash Report from the Division of Taxation.
- B. September 2015 Bank Reconciliation.

Minutes of the Meeting of Council
September 21, 2015

- The Council of the City of Sylvania, Ohio met in regular session on September 21, 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.
- Mr. Mishka 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:
- 10a. Set Zoning & Annexation Committee meeting to discuss Architectural Districts.
12. Update on the United Way/Community Shares campaign.
- Mrs. Westphal moved, Mrs. Husman 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 9, 2015 minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of September 9, 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 9, 2015 minutes.
- Mayor Stough stated that Council will now consider agenda item 5.
- Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 6-2015, a written copy of same having been previously furnished to each member of Council, "A Resolution of the Council of the City of Sylvania supporting the five year, 0.32-mill renewal plus 0.10-mill new operating levy for the Sylvania Senior Center; and declaring an emergency."; Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried. Resolution No. 6-2015, "...supporting 5 year levy... for Sylvania Senior Center..."

Minutes of the Meeting of Council
September 21, 2015

Mrs. Westphal moved, Mr. Haynam seconded, that Resolution No. 6-2015 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (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 Ordinance 58-2015, a written copy of same having been previously furnished to each member of Council, "Denying the recommendation of the Municipal Planning Commission to approve Petition for Zoning Ordinance Amendment No. ZA-2-2014 on the Petition of Jerome R. Parker, Agent for DJF Properties, Ltd., to change the zoning of property at 5904 W. Alexis Rd. and 5623 and 5625 Acres Rd., Sylvania Ohio from "R-2 Single Family Small Lot Residential District" to "B-2 General Business Zoning District"; and declaring an emergency."; Mr. Haynam moved, Mr. Frye seconded, that Council dispense with the Third Reading of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No.
58-2015,
"Denying the
recommendation
of Plan Comm.
...ZA-2- 2014
..."

Mr. Haynam moved, Mr. Mishka seconded, that Ordinance No. 58-2015 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 7.

Mr. Haynam moved, Mrs. Westphal seconded to refer Zoning Ordinance Amendment Petition No. SUP-2-2015, a request from St. Elias Orthodox Church to amend the SUP for a storage building at 4940 Harroun Rd. to the Planning Commission for review and recommendation. Roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Referral of
SUP-2-2015
to Plan
Commission.

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

Mrs. Husman presented and read aloud by title only, proposed Ordinance 53-2015, 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 operating agreement on behalf of the City of Sylvania, Ohio, with the Metropolitan Park District of the Toledo Area for the operating of the Lathrop House; 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: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No.
53-2015,
"Authorizing...
Op agreement...
Metroparks...
Lathrop House"

Minutes of the Meeting of Council
September 21, 2015

Mrs. Husman moved, Mr. Luetke seconded, that Ordinance No. 53-2015 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

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

Mrs. Husman presented and read aloud by title only, proposed Ordinance 59-2015, a written copy of same having been previously furnished to each member of Council, "Accepting a License Agreement from St. Joseph Catholic Church to install and maintain a sign indicating the location of the Lathrop House; and declaring an emergency."; Mrs. Husman 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, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 59-2015,"
Accepting License Agreement... Location of sign.... Lathrop House..."

Mrs. Husman moved, Mrs. Westphal seconded, that Ordinance No. 59-2015 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Mr. Haynam set a Zoning & Annexation Committee meeting for October 5, 2015 at 6:30 p.m. to discuss the Design Guidelines for Architectural Districts.

Z & A Com. Mtg, 10/5/15, at 6:30 p.m.

Mr. Sanford reported that the United Way/Community Shares campaign will begin on September 22, 2015.

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 7:52 p.m.

Adjournment.

Clerk of Council

Mayor

6

ORDINANCE NO. 60 -2015

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.

WHEREAS, the City of Sylvania is approved by the Public Utilities Commission of Ohio ("PUCO") as an opt-out government aggregator for natural gas and is a member of the Northwest Ohio Aggregation Coalition ("NOAC"); and,

WHEREAS, since 2003, NOAC has saved residents and small business customers in the aggregation over \$15,000,000 on their natural gas bills versus the Columbia tariff price; and,

WHEREAS, NOAC's consultant, Palmer Energy, recently issued a request for proposals and received several proposals; and,

WHEREAS, after review of the offers, Palmer Energy recommends that the NOAC communities enter into a contract with Volunteer Energy Services, Inc. to provide natural gas service at a rate substantially below the Columbia SCO price; and,

WHEREAS, the Agreement with Volunteer Energy Services, Inc. will have a start date of December, 2015 and will continue for seventeen months at a minimum rate of \$1.13 per MCF and a maximum rate of \$1.21 per MCF; and,

WHEREAS, this will result in an estimated savings of a minimum of \$8.85 and a maximum of \$23.29 during the course 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 a new gas supply contract with Volunteer Energy Services, Inc. for a

seventeen month term to supply natural gas to City of Sylvania consumers enrolled in its opt-out aggregation program.

SECTION 2. Any such contract with Volunteer Energy Services, Inc. shall be in a form which is acceptable and approved by the Director of Law.

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Agreement for said natural gas services should be approved immediately so that City residents continue to receive the best possible natural gas pricing. 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, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 61 -2015

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.

WHEREAS, Ordinance No. 11-2015, passed March 16, 2015, authorized the Mayor and Director of Finance of the City of Sylvania, Ohio, to enter into an Agreement with the Ohio Department of Transportation (“ODOT”) for the purchase of roadway de-icing salt; and,

WHEREAS, the Director of Public Service, by report dated March 13, 2015, recommended that the City purchase 1,600 tons in the Summer Fill and forgo the Winter Fill contract; and,

WHEREAS, Ordinance No. 38-2015, passed June 1, 2015, 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 at a cost of \$65.88 per ton for a total cost of \$98,820; and,

WHEREAS, since the passage of Ordinance No. 38-2015, the cost of roadway de-icing salt has decreased and the Director of Public Service was able to re-negotiate the City’s cost; and, WHEREAS, Detroit Salt Company has offered to provide 1,500 tons of road salt to the City at a cost of \$57.04 per ton for a total cost of \$85,560.

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

SECTION 1. That the amended proposal of Detroit Salt Company, for furnishing of 1,500 tons of road salt at \$57.04 per ton, piled and delivered be, and the same hereby is, determined to be the and the same is hereby accepted.

SECTION 2. That the Mayor and Director of Finance be, and they hereby are, authorized and directed to execute a contract with Detroit Salt Company named in Section 1 above for the furnishing of such salt in accordance with said proposal.

SECTION 3. That the Director of Finance of this City be, and he hereby is, authorized and directed to draw his warrant or warrants against the appropriate account to which appropriations have heretofore been made, or will be and are made, to pay for such salt as may be ordered by the Director of Public Service under said contract upon presentation of proper voucher or vouchers therefore duly approved by said Director of Public Service.

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.

SECTION 5. 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 6. 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 provision should be made to assure the availability of sufficient quantities of de-icing roadway salt. 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, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

2957890 <small>PERMIT NUMBER</small>			TRFO <small>TYPE</small>	R FUENTES 2 LLC DBA EL SALTO 2 5817 MONROE ST SYLVANIA OHIO 43560
06	01	2015 <small>ISSUE DATE</small>		
09	25	2015 <small>FILING DATE</small>		
D1 D2 D3 D6 <small>PERMIT CLASSES</small>				
48	077	A	F14894 <small>RECEIPT NO.</small>	

FROM 09/29/2015 SAFEKEEPING

6779915 <small>PERMIT NUMBER</small>				PEARL RIVER INC DBA GOURMET GARDEN 5817 MONROE ST SYLVANIA OHIO 43560
06	01	2015 <small>ISSUE DATE</small>		
09	25	2015 <small>FILING DATE</small>		
D1 D2 D3 D6 <small>PERMIT CLASSES</small>				
48	077			



MAILED 09/29/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/30/2015

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 TRFO 2957890**

(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**

LLC / PARTNERSHIP CROSS REFERENCE
DISPLAY

PGECG

2957890 PERMIT NBR
R FUENTES 2 LLC
DBA EL SALTO 2
5817 MONROE ST
SYLVANIA OHIO 43560

RICARDO ROMO

09/25/2015 ACTIVE

PRESIDENT

5% MEMSHIP

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

A



City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

October 1, 2015

Mayor Craig A. Stough and Members of Council
City of Sylvania
Sylvania, Ohio

Dear Mayor Stough and Council Members:

The monthly cash report from the Division of Taxation is as follows:

	Deposits	Refunds	Balance
September 30, 2015	733,021.31	22,243.58	710,777.73
September 30, 2014	683,034.03	13,439.56	669,594.47
Monthly Difference	49,987.28	8,804.02	41,183.26
Year to Date 2015	7,547,114.83	211,036.63	7,336,078.20
Year to Date 2014	7,293,060.65	183,427.80	7,109,632.85
Yearly Difference	254,054.18	27,608.83	226,445.35
			3.19%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

City of Sylvania
 Bank Reconciliation
 September 2015

B

CHECKBOOK BALANCE

Ending balance for Aug 2015 \$ 20,632,939.21
 Add: Monthly Receipts 3,471,623.12
 Subtotal \$ 24,104,562.33
 Less: Monthly Disbursements 2,607,184.77
 Ending balance for Sep 2015 \$ 21,497,377.56

Less:

Certificates of Deposit \$ (2,000,000.00)
 Star Ohio (77,019.73)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (31,552.33)
 PNC MoneyMarket (1,028,361.85)
 Key Bank Securities (1,008,124.62)
 5/3rd Securities (5,972,256.70)
 SJS Account (4,234,307.42)
 Morgan Stanley Investment (2,024,224.64)
 Sylvania Township Bonds (565,000.00)
 \$ 4,553,417.41

Less:

Funds Transfer to PR Acct (305,912.87)
 NSF 9/17/15 - Utilities 115.00

\$ 4,247,619.54

(1)

Division of Public Service \$ 150.00
 Department of Finance 100.00
 Division of Water 600.00
 Division of Police 200.00
 Municipal Court 700.00
 Division of Taxation 150.00
 Division of Forestry 150.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance \$ 4,278,582.12
 Deposit in Transit 1,310.49

Subtotal \$ 4,279,892.61

Less: Outstanding Checks (2) 32,273.07

Adjusted Bank Balance \$ 4,247,619.54

(2)
 Aug Outstanding Checks \$ 117,951.12

Checks written this month 1,294,150.99

Voided stale checks (621.58)

Subtotal \$ 1,411,480.53

Checks Cleared (1,379,207.46)

Sep Outstanding Checks \$ 32,273.07



Toby Schroyer
 Director of Finance, City of Sylvania