

Sylvania City Council

March 20, 2017

7:00 p.m. Public Hearing

SUP-1-2017, Toledo-Lucas County Public Library

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. Luetke.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of March 6, 2017.
5. Report on Public Hearing from 7:00 p.m. on this date. (SUP-1-2017)
6. Zoning Ordinance Amendment Application No. PD-1-2017, a requested from Mercurio Developers for an amendment to an approved Planned Development for property located at 5142 W. Alexis Rd., Sylvania, Ohio; for referral to the Planning Commission.
7. Zoning Ordinance Amendment Application No. ZA-1-2017, a request from the City of Sylvania for a zoning change from "B-2" General Business District to "B-5" Office, Residential and Retail District for property located at 0 Main St., 0 Monroe St., 6447, 6453, 6457, 6461, 6465, 6465 Monroe St., Sylvania, Ohio; for referral to the Planning Commission.
8. Sylvania Avenue Sanitary Pumping Station Generator project.
 - a. Service Director's report on project.
 - b. Proposed Ordinance No. 28-2017, Accepting the proposal of Dmytryka Jacobs Engineers, Inc. to provide engineering services for the Sylvania Avenue Pumping Station Generator Project.
9. Committee reports.
10. Committee referrals.

INFORMATION

- A. Municipal Planning Commission minutes from March 15, 2017.
- B. Board of Architectural Review minutes from March 15, 2017.

Minutes of the Meeting of Council
March 6, 2017

The Council of the City of Sylvania, Ohio met in regular session on March 6, 2017 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, Mark Luetke, Doug Haynam, Sandy Husman, Jason Mishka, Mary Westphal: (7) present; (0) absent.

Roll call:
All, present.

Mrs. Husman 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:

- 4a. Consideration of a proposal to sell city owned real estate.
- 4b. Proposed Ordinance 27-2017, referral to Planning Commission.

Mrs. Westphal moved, Mr. Haynam 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.

Agenda
approval.

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

Mrs. Westphal presented the February 21, 2017 meeting minutes. Mrs. Westphal moved, Mr. Mishka 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 February 21, 2017 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
February 17
meeting
minutes.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 26-2017, a written copy of same having been previously furnished to each member of Council, "Approving the offer to purchase of Republic Development, LLC and J.C. Hart Company, Inc. to purchase the City's real estate known as SOMO property located along Monroe Street at a sale price of \$1,200,000.00; authorizing the Mayor and the Director of Finance to accept said offer to purchase on behalf of the City of Sylvania; determining said real estate to be no longer needed for municipal purposes; and declaring an emergency."; Mr. Luetke moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No.
26-2017,
"...Republic/
Hart purchase
SOMO
property...."

Minutes of the Meeting of Council
March 6, 2017

Mr. Luetke moved, Mr. Haynam seconded, that Ordinance No. 26-2017 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. Hayman moved, Mr. Luetke seconded to refer proposed Ordinance 27-2017, Amending Part Eleven-Planning & Zoning Code by creating Chapter 1143, B-5 Office, Residential, and Retail District to the Planning Commission for review and recommendation; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 27-2017 referred to Plan Commission.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 17-2017, a written copy of same having been previously furnished to each member of Council, "An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances; to repeal Ordinances in conflict therewith; to publish the enactment of new matter; and declaring an emergency."; Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 17-2017, "...Approve, adopt, and enact replacement pages to Cod. Ordinances...."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 17-2017 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 added agenda item 6.

Mr. Haynam moved, Mrs. Westphal seconded to allow Mr. Frye push back from the table due to a conflict of interest; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 18-2017, 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 twenty-four (24) month period beginning in May, 2017 and ending in April, 2019; and declaring an emergency."; Mr. Mishka moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

Ordinance No. 18-2017, "authorizing agreement with Volunteer Energy Services.... Gas aggregation Services..."

Minutes of the Meeting of Council
March 6, 2017

Mr. Mishka moved, Mr. Luetke seconded, that Ordinance No. 18-2017 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

May 2017 to
April 2019....”

Mr. Frye returned to the table.

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

Service Director’s report on the 2017 Microsurfacing Project was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 19-2017, a written copy of same having been previously furnished to each member of Council, “Accepting the proposal of Strawser Construction, Inc. to provide pavement rehabilitation work for the 2017 Microsurfacing project; appropriating fund therefore in the amount of \$197,640.39; and declaring an emergency.”; Mr. Frye moved, Mr. Mishka 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.
19-2017,
“accepting
Strawser
Const.....2017
Microsurfacing
Project...”

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 19-2017 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 8.

Service Director’s report on the Advanced Tree Cutting Contract – River Trail Phase 2 Project was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 20-2017, a written copy of same having been previously furnished to each member of Council, “Accepting from Flower Hospital and Promedica Continuing Care Services Corporation a temporary license for access and tree removal for the River Trail Phase 2 project; dedicating the areas for public purposes as expressed in the license; and declaring an emergency.”; Mrs. Cappellini moved, Mr. Luetke 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.
20-2017,
“Accepting from
Flower Hospital
a temporary
license for
access & tree
removal...River
Trail Phase 2...”

Mrs. Cappellini moved, Mrs. Westphal seconded, that Ordinance No. 20-2017 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.

Minutes of the Meeting of Council
March 6, 2017

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 21-2017, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of T&J Excavating & Tree Clearing, LLC to provide tree cutting services relative to the River Trail Phase 2 project; appropriating funds therefore in the amount of \$8,400; and declaring an emergency."; Mrs. Cappellini moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance No. 21-2017, "Accepting proposal of T&J Excavating...tree cutting services ...River Trail Phase 2..."

Mrs. Cappellini moved, Mrs. Westphal seconded, that Ordinance No. 21-2017 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the River Trail Phase 2 Project was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 22-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the amendment to the proposal of Smithgroup JJR to provide services for the River Trail Phase 2 project; appropriating funds therefore in an amount not to exceed \$26,400; and declaring an emergency."; Mrs. Cappellini moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No. 22-2017, "...Amendment to proposal of Smithgroup JJR...River Trail Phase 2..."

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 22-2017 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on City Hall Cooling System Project was placed on file. Mrs. Husman moved, Mrs. Westphal seconded to authorize the Clerk to advertise for bids; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

City Hall Cooling System authorization to bid.

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

Minutes of the Meeting of Council
March 6, 2017

Service Director's report on the Safety Study for the Alexis Road corridor between Acres Road and Elliott Drive was placed on file. Mr. Frye moved, Mrs. Westphal seconded to refer this matter to the Streets Committee for further review and discussion; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Referral of
Safety Study
...Alexis Rd. to
Street Comm.

Mayor Stough stated that Council will now consider agenda item 12.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 23-2017, 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 on behalf of the City of Sylvania between the City of Sylvania and the Board of Lucas County Commissioners for the Suburban Court Services Program; agreeing to participate in funding a portion of the Lucas Share for Suburban Courts' Services; appropriating \$25,000 therefore; 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: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance No.
23-2017,
"Authorizing....
Suburban Court
Services
program..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 23-2017 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the One-Ton Dump Truck purchase was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 24-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Valley Truck Centers for the provision of a new one-ton dump truck chassis for the Division of Streets, Department of Public Service; appropriating \$42,855 therefore; and declaring an emergency."; Mr. Frye 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.
24-2017; "...
one-ton dump
truck purchase"

Mr. Frye moved, Mrs. Westphal seconded, that Ordinance No. 24-2017 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.

Minutes of the Meeting of Council
March 6, 2017

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 25-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Kalida Truck Equipment, Inc. for the provision of a new dump body and safety package for the Division of Streets, Department of Public Service; appropriating \$15,460 therefore; and declaring an emergency."; Mr. Frye moved, Mr. Haynam 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. 25-2017, ...provision of new dump body & safety package..."

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 25-2017 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 14.

Mayor Stough presented the list of items to be offered for sale. Mrs. Westphal moved, Mr. Haynam seconded to authorize the sale of items from the Police Division on GovDeals.com since they are no longer needed by the City; roll call being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Items for GovDeals.com.

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 8:44 p.m.

Adjournment.

Clerk of Council

Mayor

PETITION FOR ZONING ORDINANCE AMENDMENT

To: City of Sylvania, Ohio
City Council and
Municipal Planning Commission

Application No. PD-1-2017
Date 3/8/17

Petitioner Name(s): MERCURIO DEVELOPERS

Petitioner Address: P.O. Box 912, SYLVANIA, OHIO 43560

Email: mercurodevelopers@buckeye-express.com Telephone: 419-885-8211

Location of property for which zoning amendment is requested:
5142 ALEXIS RD, SYLVANIA, OHIO

Purpose of amendment request: AMEND PREVIOUSLY APPROVED PD

Current Zoning: B-2 PD Requested Zoning: B-2 PD

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments:
1. Full legal description of the property for which the Zoning Amendment is proposed.
 2. Area location map.
 3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted.

A check for \$100.00 + cost of advertising, payable to the City of Sylvania is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By: Joseph J. Meek
PRESIDENT

Date referred by Council: _____

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

For Office Use Only

Date: _____ Check #: _____ Cash: _____ Fee: \$ _____

PETITION FOR ZONING ORDINANCE AMENDMENT

To: City of Sylvania, Ohio
City Council and
Municipal Planning Commission

Application No. ZA-1-2017
Date 3-14-17

Petitioner Name(s): City of Sylvania (Kevin Aller)

Petitioner Address: 6730 Monroe Street
Sylvania, OH 43560

Email: kaller@cityofsylvania.com Telephone: 419-885-8965

Location of property for which zoning amendment is requested:

0 Main Street; 0 Monroe Street; 6447, 6453, 6457, 6461, 6465, & 6465
Monroe Street Parcels 82-03451, 03552, 03570, 03576, 03577, 03677

Purpose of amendment request: Rezone for proposed residential 03681
development. 03684

Current Zoning: B-3 Requested Zoning: B-5

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments:**
1. Full legal description of the property for which the Zoning Amendment is proposed.
 2. Area location map.
 3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted.

A check for \$100.00 + cost of advertising, payable to the City of Sylvania is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By: Kevin G. Aller
Kevin G. Aller

Date referred by Council: _____

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

For Office Use Only

Date: _____ Check #: _____ Cash: _____ Fee: \$ _____

8a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 17, 2017

To: The Mayor and Members of Sylvania City Council

Re: Sylvania Avenue Pumping Station Generator

Dear Mr. Mayor and Council Members:

It is our desire to eliminate the current emergency electrical service for the Sylvania Avenue Pumping Station. The current layout requires Toledo Edison to dispatch to the site and switch our service to an alternate power feed during periods of outage.

In times of widespread power outage, neither source of power is available. At times, Toledo Edison's response times have been less than desirable. Finally, the existing switchgear is in very poor shape and sometimes does not perform as intended.

Therefore, it is our desire to eliminate the existing system and install an on-site emergency generator. We believe this system will provide the dependable emergency service we desire and is a duplicate of the layout at our other pumping stations. The project was included in our 2017 Capital Improvement budget.

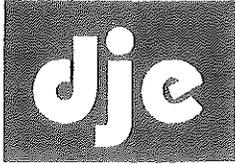
Dmytryka Jacobs Engineers, Inc. (DJE) of Toledo has submitted a proposal of \$16,900 for engineering services for the project. This fee includes design services, bidding phase seminars, and construction phase services.

We recommend approval of the DJE proposal and request council's approval to move forward on this project.

Please call if you have any questions.

Sincerely,

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



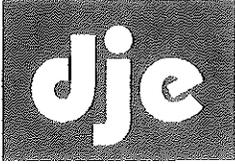
Professional Fee Schedule

Following is the table of hourly rates by job classification for Dmytryka Jacobs Engineers, Inc. These rates are firm through 2017.

Principal	\$180.00
Professional/Senior Engineer	\$140.00
Staff Engineer	\$105.00
CAD Operator/Technician	\$70.00
Word Processing	\$45.00
Chargeable Expenses	Cost

Monthly invoices will be based on actual time used to complete the effort billed at the rates identified above.

Terms are Net 30 Days.



DMYTRYKA JACOBS ENGINEERS, INC.

1101 Research Drive • Toledo, Ohio 43614

February 28, 2017

Kevin G. Aller, P.E.
Director of Public Safety/Service
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

Subject: Sylvania Avenue Pump Station – Electrical Design Services

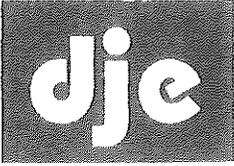
Dear Mr. Aller:

Thank you for your interest in Dmytryka Jacobs Engineers, Inc. (DJE) and the opportunity to offer the City of Sylvania electrical design services for the Sylvania Avenue Pump Station Project. From our recent on-site meeting we understand that the scope of the project is essentially the design of an on-site backup generator system to eliminate the need for the City to contact the utility to switch over to an alternate power feed during periods of power outage. This letter will summarize what we understand our scope of services to be for this effort and the cost for those services.

Design Phase Services

During the design phase of the project DJE will:

- Meet with you to discuss details of the project and perform a field investigation of the pump station incoming power wiring.
- Prepare electrical construction plans. These will include demolition plans, new electrical one-lines, site electrical, conduit/wire plans, associated schedules, and interface wiring from the new generator system to the existing pump station telemetry. We assume your existing telemetry system has several spare points available to monitor the new generator and transfer switch status.
- Coordinate with Toledo Edison. It is anticipated the power company will abandon in place any switches used for the alternate feed. Should any utility work (or associated charges) be required it is our intent to provide for this via an allowance in the project specifications. DJE will reference any required service work on the drawings.
- Provide technical specifications.
- Provide estimates of construction costs.
- At the 60%, and 95% completion milestones, provide three (3) copies of the design documents to the City and review them with City officials.
- All drawings developed for this effort will be signed and sealed by an Ohio Registered Professional Engineer.
- We understand that this project will not require work with Ohio EPA or other governmental agencies for reviews and approvals for the project work.



Bidding Phase Services

During the Bidding Phase DJE will:

- Provide technical specifications and drawings to the City. We understand the City will assemble, advertise, and distribute the bid packages.
- Attend a pre-bid conference to assist bidders in a better understanding of the project.
- Respond to contractors' and suppliers' inquiries related to the design documents and provide addenda to the bidding documents as necessary.
- Provide opinion to the City concerning the acceptability of the bidders and their respective subcontractors and suppliers.
- Assist the City in evaluation of the bids as required.

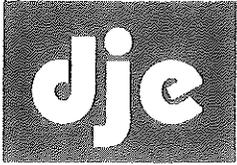
Construction Phase Services

During the Construction Phase DJE will:

- Attend a preconstruction meeting for the project.
- As this project is essentially milestone driven we do not see the need for a full time project resident. We see our actual on-site "inspection" time limited to a few visits during the contractor's time on-site to observe the progress and quality of the various aspects of work being performed. We understand that the City staff will also be involved in watching the construction effort and should they spot a problem DJE will respond accordingly. We estimate our required site presence during the construction effort to be up to 8 hours.
- Attend up to two progress meetings.
- Issue necessary interpretations and clarifications of the Contract Documents and prepare construction bulletins and change orders as needed.
- Review shop drawings and other submitted data as outlined in the Contract Documents.
- Evaluate and determine the acceptability of substitute materials and equipment proposed by the contractor if permitted by the Contract Documents.
- Review operating and maintenance instructions, schedules, tests, and approvals assembled by the contractor in accordance with the Contract Documents.
- Assist in resolving conflicts and provide interpretations as directed by the City.
- Conduct a review of the project for substantial completion and acceptable work and advise the City of any unacceptable work for correction as needed to complete the project as intended. Inform the City of acceptable or unacceptable work in writing.
- Witness commissioning of the backup power system by the electrical contractor.
- Witness any required contractor training of City personnel.
- Provide final "as-built" contract drawings based on field changes and contractor markups.

DJE offers to provide the above detailed services for a fee of \$16,900.00.

If this proposal is acceptable, we can begin this work immediately upon the execution of an agreement for professional services. Monthly invoices will be based on actual time used to



complete the work at our established hourly rates attached. Expenses will be charged at cost. Payment terms are Net 30 days. Additional services beyond the above scope can be provided at our established rates.

We look forward to working with you and the City. If you have any questions regarding this proposal, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Mark E. Jacobs', with a stylized flourish at the end.

Mark E. Jacobs, P.E.
Vice President

86

ORDINANCE NO. 28 -2017

ACCEPTING THE PROPOSAL OF DMYTRYKA JACOBS ENGINEERS, INC. TO PROVIDE ENGINEERING SERVICES FOR THE SYLVANIA AVENUE PUMPING STATION GENERATOR PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$16,900; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service, by report dated March 17, 2017, has recommended that the existing emergency electrical service for the Sylvania Avenue Pumping Station be eliminated and an on-site emergency generator be installed instead; and,

WHEREAS, the Director of Public Service, in a report dated March 17, 2017, has recommended that the proposal of Dmytryka Jacobs Engineers, Inc. to provide the design services, bidding phase seminars and construction phase services for the Sylvania Avenue Pumping Station Generator Project at a cost of Sixteen Thousand Nine Hundred Dollars (\$16,900.00), be accepted.

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

SECTION 1. That the proposal of Dmytryka Jacobs Engineers, Inc. in the amount of Sixteen Thousand Nine Hundred Dollars (\$16,900.00) for providing engineering services for the Sylvania Avenue Pumping Station Generator Project, is hereby accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to said consultant to proceed under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said engineering services hereby authorized, there is hereby appropriated from the **SEWER FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-53501** the amount of Sixteen Thousand Nine Hundred Dollars (\$16,900.00).

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 the City should provide for the Sylvania Avenue Pumping Station Generator 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, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

Sylvania Municipal Planning Commission

Minutes of the regular meeting of March 15, 2017. 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 February 15, 2017 meeting as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

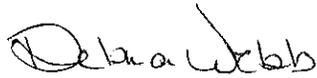
Item 3 – Council Referral – Ordinance No. 27-2017, Amending Part Eleven-Planning and Zoning Code by creating Chapter 1143, B-5 Office, Residential and Retail District. Mayor Stough stated that the addition to the Zoning Code is to accommodate a new downtown development. Mr. Lindsley asked if there was anyone present that wished to speak about the issue. Sylvania City Council Member Sandy Hussman of 5916 Indian Trail, Sylvania, Ohio 43560 came forward and stated there is a lot to this code that needs to be considered, and that after speaking with citizens, she had two points that she would like the board to consider. 1) Is this going to become a “Lourdes dormitory”? 2) Are pets going to be allowed? Mayor Stough commented that those points were site specific and that the board does not have site a site specific before them tonight, but that it is a zoning change that would allow the density to be 3 x’s what is normally allowed and that the board needs to consider if it fits the City; and that City Council needs the Planning Commissions wisdom and thought in thinking if this is appropriate for our community and is it written the right way such as is this change is properly controlled, where it could go, how many, how big, and also other requirements such as will it be apartments or condominiums and that the signage and parking lot size needs to be considered. After further discussion among the members and the Zoning Administrator, Mayor Stough added that the he was ordered by the Chairman of the City’s Zoning & Annexation Committee, Doug Hannum, during the open Council meeting, to bring his message to the Planning Commission that the proposed change to the zoning code does not go far enough; that there needs to be higher density, higher buildings, and lower parking requirements. Sylvania City Council Member Mark Luetke of 4327 Todd Drive, Sylvania, Ohio 43560 came forward and commented that there is going to be a high level of interest by all to the members of Council; that the developer involved in this project is very creditable but that he encourages extreme due diligence by the Planning Commission. He also said that he doesn’t know that the message, that the Mayor commented on from the Chairman of the Zoning and Annexation Committee, speaks for the entire Council. Mr. Lindsley suggested that the Planning Commission should take the time to give this some more consideration. Mayor Stough stated that the City will support the Planning Commissions research efforts and that it is not often that something like this comes before the Planning Commission. He suggested that the members use the City’s law director as a resource and also take the time to visit some similar developments such as in Chicago. Mr. Luetke also added that there are similar developments in the Indianapolis area. Mayor Stough said that it would be appropriate, since it was public knowledge, for the Secretary of the Planning Commission to email out to the Planning Commission members the site plan that has been submitted to the City. He added that although it is not an official site plan application, it could be used to show how this kind of development works. Further discussion took place and Mr. Lindsley suggested that the discussion and vote be tabled until the next meeting to allow for research and further review. Mr. Arnold moved, Mr. McCann seconded to table the discussion

Planning Commission
Minutes of the March 17, 2017 Meeting
Page 2

and vote until the next meeting. Vote being: Stough, McCann, Marciniak, Arnold 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".

Debra Webb, Secretary
Municipal Planning Commission

Board of Architectural Review

Minutes of the regular meeting of March 15, 2017. 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 February 15, 2017 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 – Regulated Sign – app. no. 10-2017 requested by Kyle Saxton of Harmon Sign for The Buckeye Store, 5714 Monroe Street, Sylvania, Ohio 43560. Application is for a wall sign. Jim Damshroder of the Buckeye store and Dave Brink of Harmon Sign were present. Mr. Damshroder stated that the application is for 1 wall sign. Mr. McCann asked if they would be putting up another sign on the other side. Mr. Damshroder said no and added that the one that is there now will be removed. Mayor Stough asked what they would be doing with the blow up Brutus's. Mr. Damshroder stated, that due to a previous approval, they would be putting 1 Brutus up on the roof, and that right now they are down for repairs. He also said that they would bring the Brutus down during game day time as people like to have they picture taken with it. Mr. Burns stated that they have permission to do that for one day. Sign is within the limits of the Sylvania Sign Code. Mr. McCann moved, 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.

Item 4 – Regulated Sign – app. no. 11-2017 requested by Jim Grzywinski for Appliance Center, 5656 Monroe Street, Sylvania, Ohio 43560. Application is for 1 wall sign and 2 awning signs. Mr. Grzywinski was present. Mayor Stough stated that he would need to push away from the table for the discussion and vote due to a business conflict. Mr. Burns stated that the application included a monument sign that did not meet the sign code so that sign was pulled from the application. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mayor Stough returned to the table.

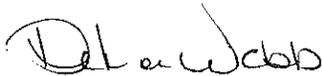
Item 5 – Regulated Sign – app. no. 12-2017 requested by Marilyn Barnes for KIF Realty, 5838 Monroe Street, Sylvania, Ohio 43560. Application is for exterior building renovations. Building design is within the limits of the Sylvania Code. Mr. Burns stated that these renovations are a continuance of previously approved renovations to other portions of the building; and that the materials and colors match the previously approved materials and colors. Mr. Arnold moved, 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.

Board of Architectural Review
Minutes of the March 17, 2017 Meeting
Page 2

Item 6 – Regulated Sign – app. no. 13-2017 requested by Matt Vankounet of Sign Pro of Toledo, LLC for Oswald Companies, 5671 Main Street, Sylvania, Ohio 43560. Application is for a projection sign. Mr. John Miller of the Oswald Companies was present. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. McCann 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 black ink, appearing to read "Debra Webb". The signature is written in a cursive style with a large initial "D".

Debra Webb, Secretary
Municipal Planning Commission