

Sylvania City Council
May 21, 2018

7:00 p.m. Public Hearing
Proposed Ordinance No. 20-2018,
Amending Standards for Permitted Signs

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Richardson, 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 Council meeting minutes of May 7, 2018.
5. Proposed Ordinance No. 20-2018, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1166.07- Standards for Permitted Signs.
 - a. Plan Commission’s recommendation.
 - b. Report of Public Hearing from this date.
6. Proposed Ordinance No. 21-2018, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1101.861-Medical Marijuana Dispensary and by amending Section 1153.02-Special uses.
 - a. Plan Commission’s recommendation.
 - b. Set Public Hearing date for July 16, and authorize clerk to advertise the same.
7. ODOT Safety Funds – Alexis Road at Acres and Elliott Roads Project.
 - a. Service Director’s report on participatory consent legislation.
 - b. Proposed Ordinance No. 27-2018.
8. Alexis Road Resurfacing and Storm Sewer Improvements Project.
 - a. Service Director’s report on additional construction funds appropriation.
 - b. Proposed Ordinance No. 28-2018.
9. Brint Road, Centennial Road, Sylvania-Metamora Road, and King Road Resurfacing Joint Cooperation Agreement.
 - a. Service Director’s report on agreement.
 - b. Proposed Ordinance No. 29 -2018.
10. Proposed Ordinance No. 30-2018, Amending the Sylvania Codified Ordinances, 1979, as amended, by amending Chapter 765 – Dealers in Second-Hand Articles.

11. Chief Rhodus' request for approval to dispose of two vehicles on GovDeals.com.
12. Committee reports.
 - a. Buildings & Grounds meeting from May 14, 2018.
13. Committee referrals.

INFORMATION

- A. Board of Architectural Review minutes from May 15, 2018.
- B. Municipal Planning Commission minutes from May 15, 2018.

Minutes of the Meeting of Council
May 7, 2018

The Council of the City of Sylvania, Ohio met in regular session on May 7, 2018 at 8:05 p.m. with Mayor Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Patrick Richardson, Mary Westphal; (7) present;, (0) absent.

Roll call:
All present.

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

Pledge of
Allegiance.

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

The following items were added to the agenda:

- 13. Mayor's update on visit to Great Lakes Water Authority.

Mrs. Westphal moved, Mr. Haynam seconded to approve the agenda as amended; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, 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 April 16, 2018 meeting minutes. Mrs. Westphal moved, Mr. Luetke 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 April 16, 2018 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
April 16
meeting
minutes.

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

Mary Arquette, Vice President of Institutional Advancement at Lourdes University will introduce her replacement Vicki Stoufer. Mayor Stough provided a Proclamation for Mary Arquette recognizing her contributions to the University and our community.

Mary Arquette
Proclamation;
introduction of
her replacement,
Vicki Stoufer.

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

Mrs. Westphal reported that Council held a public hearing on SUP-1-2018, St. Elias Church Special Use Amendment for an additional building. She stated several spoke in favor of the amendment from St. Elias church with statistics on the school, community outreach of the church and the need in our community for their services. Several spoke in opposition of the amendment stating their peaceful backyards, wildlife, and privacy will be impacted along with increased traffic in the area. Mrs. Westphal moved, Mr. Luetke seconded to forward this matter for discussion and deliberation to the Zoning Committee. Roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Report of P.H.,
SUP-1-2018, St.
Elias Church.

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 23-2018, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into agreements with a Head Teacher, Teachers, and Aides for the Sylvania Safety City Program being conducted by the Sylvania Division of Police; providing funds therefore; and declaring an emergency." Mr. Frye moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 23-2018, "...agreements with teachers, aids for Safety City..."

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 23-2018 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 24-2018, a written copy of same having been previously furnished to each member of Council, "Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the Corporate limits of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2018; establishing one district for said purpose in accordance with the provisions of Section 727.012 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency"; Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being; Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 24-2018, "Providing... repair, cleaning ...ditches..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 24-2018 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 25-2018, a written copy of same having been previously furnished to each member of Council, "Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania; authorizing the Director of Public

Ordinance No. 25-2018, "Providing for the controlling of blight and

Minutes of the Meeting of Council
May 7, 2018

Service, by and through the proper officers of said City to do said work during the year 2018; establishing one district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; 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, Richardson, (7) yeas; (0) nays. The motion carried.

disease...shade trees...”

Mrs. Cappellini moved, Mr. Luetke seconded, that Ordinance No. 25-2018 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

Mr. Richardson presented and read aloud by title only, proposed Resolution No. 8-2018, a written copy of same having been previously furnished to each member of Council, “Declaring the necessity of lighting the streets in the City of Sylvania, Ohio; determining the manner of providing street lighting and the basis for the property owner’s share of the cost and annual assessment; and declaring an emergency”; Mr. Richardson moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Resolution No. 8-2018, “declaring the necessity of lighting the streets...”

Mr. Richardson moved, Mrs. Husman seconded, that Resolution No. 8-2018 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 9.

Service Director’s report on Ohio Department of Transportation salt bid was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 26-2018, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance on the City of Sylvania, to enter into an agreement with the Ohio Department of Transportation for the purchase of roadway de-icing salt; and declaring an emergency.” Mr. Richardson moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance;, roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 26-2018, “...agreement with ODOT ...de-icing salt...”

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May 7, 2018

Mr. Richardson moved, Mr. Frye seconded, that Ordinance No. 26-2018 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the proposed mural on the ground water storage tank at 4492 S. Main Street was placed on file. Mrs. Westphal moved, Mr. Luetke seconded to refer this matter to the Buildings & Grounds Committee for review; roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Proposed mural referred to Bldgs, & Grounds committee.

Mayor Stough stated that there are no items for agenda item 11 and 12, so council will now consider agenda item 13.

Mayor Stough provided an overview of his visit to the Great Lakes Water Authority. He provided information on water capacity, water usage, structure of their Board, standardized rates, number of member communities participating as being 127, and other facts about their business.

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

Mr. Haynam moved, Mrs. Cappellini seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:05p.m.

Adjournment.

Clerk of Council

Mayor



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

May 16, 2018

To: Mayor and Members of City Council

Re: **Council Referral – Proposed Ordinance No. 20-2018**

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of May 15, 2018, Council Referral – Proposed Ordinance No. 20-2018, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1166-07-Standards for Permitted Signs:

..." Mr. Marciniak moved, Mr. Arnold seconded, Mr. Marciniak moved, Mr. Arnold seconded to recommend to Council to approve the Proposed Ordinance as submitted. Vote being: Marciniak, Arnold and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote."...

Sincerely,

Debra Webb, Secretary
Municipal Planning Commission

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May 16, 2018

To: Mayor and Members of City Council

Re: **Council Referral – Proposed Ordinance No. 21-2018**

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of May 15, 2018, Council Referral – Proposed Ordinance No. 21-2018, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1101.861 – Medical Marijuana Dispensary and by amending Section 1153.02-Special Uses:

..." Mr. Marciniak moved, Mr. Arnold seconded, Mr. Marciniak moved, Mr. Arnold seconded to recommend to Council to approve the Proposed Ordinance as submitted. Vote being: Marciniak, Arnold and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote."...

Sincerely,

Debra Webb, Secretary
Municipal Planning Commission

7a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 21, 2018

To: The Mayor and Members of Sylvania City Council

Re: **ODOT-LUC-184-0.30 Safety Project (PID 107164)**
Participatory Consent Legislation

Dear Mr. Mayor and Council Members:

On December 4, 2017 members of Council were notified that administration efforts to secure safety funds through the Ohio Department of Transportation (ODOT) on Alexis Road at Acres Road and Elliott Road were successful. The estimated cost of this project is \$745,000 with up to \$551,300 in grant funds secured through ODOT.

ODOT and the City are ready to move forward with the engineering design necessary for the project. Since this project is being administered by ODOT they require consent legislation from the participatory community which further defines project arrangements such as cooperation guidelines, financial contributions, right-of-way access, and maintenance. A copy of the legislation is enclosed for your reference.

This legislation defines the City's contributions for the project as up to \$30,160 for engineering and up to \$163,540 for construction. These amounts are consistent with the safety fund application submitted. The engineering phase amount was included in the 2018 capital improvement budget and is an anticipated expense. The remaining construction phase amount will be budgeted in the 2019 capital improvement plan.

We would recommend approval of the consent legislation for this project. Please call if you should have any questions.

Sincerely,

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

PRELIMINARY LEGISLATION

Participatory

Ordinance # _____

PID No. 107164

County/Route/Section LUC SR 184 0.30 Safety

The following is an ordinance enacted by the City of Sylvania, Lucas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

A project for the intersection improvements (signal, turn lanes, pedestrian) on (SR-184) Alexis Rd at Acres and Elliot roads in the City of Sylvania

NOW THEREFORE, be it ordained by the City of Sylvania, Ohio

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA agrees to assume and contribute to expense of the project less the amount of federal-aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation. In addition, the LPA contribution for the project shall be up to a maximum of \$30,160 for the PE phase and up to a maximum of \$163,540 for the construction phase. The STATE shall invoice the LPA when the LPA project funds are required.
- 2) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 3) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 4) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 5) The State agrees to be the lead agency and to administer the all phases of the project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The _____ of said City is hereby empowered on behalf of the City
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: _____, 2_____.
(Date)

Attested: _____
(Clerk Signature)

(Contractual Officer Signature)

Attested: _____
(Clerk Signature)

(President of Council Signature)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Sylvania, Lucas County, Ohio

I, _____, as Clerk of the City of Sylvania, Ohio, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative Authority of the said City, on the _____ day of _____, 2____, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in

_____, Page _____ .
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____, 2 _____.

Clerk

(SEAL)
(If Applicable)

City of Sylvania, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Sylvania, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

7b

ORDINANCE NO. 27 -2018

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE OF THE CITY OF SYLVANIA, OHIO, TO ENTER INTO AN AGREEMENT BETWEEN THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND THE CITY OF SYLVANIA FOR THE ALEXIS ROAD AT ELLIOT AND ACRES ROADS INTERSECTION IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania and State of Ohio Department of Transportation have determined that the intersection at Alexis Road at Acres and Elliot Roads should be improved; and,

WHEREAS, the Director of Public Service has recommended that the City of Sylvania enter into an Agreement for the Alexis Road at Acres and Elliot Roads Intersection Improvement Project within the City limits.

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 Director of Finance be, and they hereby are, authorized to enter into, on behalf of this City, an Agreement with the Ohio Department of Transportation for the improvement of the intersection at (signal, turn lanes, pedestrian) on Alexis Road at Acres and Elliot Roads in the City of Sylvania.

SECTION 2. The City of Sylvania shall cooperate with the Director of Transportation in the above described project as follows:

1. The City of Sylvania agrees to assume contribute to the expense of the project less the amount of federal-aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation. In addition, the City of Sylvania contribution for the project shall be up to a maximum of \$30,160 for the PE phase and up to a maximum of \$163,540 for the construction phase. The State shall invoice the City when the City project funds are required.
2. The City of Sylvania will assume and bear one hundred percent (100%) of the total cost of any features requested by the City of Sylvania which are not necessary for the project as determined by the State and/or Federal Highway Administration.
3. The City of Sylvania consents to having the State acquire all necessary rights of way for the subject property in the name of the City.
4. The City of Sylvania agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
5. The State agrees to be the lead agency and to administer all phases of the project.

SECTION 3. That the City agrees that all existing street and public way right-of-way within the jurisdiction of the City which is necessary for the described project shall be made available therefore. The City further agrees that any right-of-way acquired by said City on behalf

of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The City agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4. Upon completion of the Project, and unless otherwise agreed, the City shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the City in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

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.

SECTION 6. 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 7. 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 should be entered into immediately to provide for the improvement of the intersection at Alexis and Acres and Elliot Roads. 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, _____, 2018, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

8a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

May 21, 2018

To: The Mayor and Members of Sylvania City Council

Re: **ODOT-LUC-184-0.35 (PID 99662)**
ALEXIS ROAD RESURFACING AND STORM SEWER IMPROVEMENTS
ADDITIONAL CONSTRUCTION FUNDS APPROPRIATION

Dear Mr. Mayor and Council Members:

On March 19, 2018 City Council approved the appropriation of funds and contract with the Ohio Department of Transportation (ODOT) to cover the City's anticipated portion of the construction costs associated with this project. The funds approved were in the amount of \$651,840.

On April 19th bids were opened by ODOT. The low bidder was the Shelly Company with their bid of \$3,011,958.70 being approximately 17.4% over the District 2 estimate and 7.6% over the Central Office estimate. In order to move forward with the project ODOT is requesting an additional appropriation of funds from the City in the amount of \$203,880 to cover the City bid items.

In order to cover the cost of the overage the City will be monitoring current projects under construction and will be reviewing the remaining capital improvement projects slated for sale this year. Projects not currently under contract could be delayed to another fiscal year to maintain a balanced budget.

The additional funds required for this project would be appropriated from account 401-7610-53595. If approved construction is still on schedule to start in June and be completed by November. We would recommend approval of the additional appropriation of funds as requested by ODOT.

Please call if you should have any questions.

Sincerely,

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

Ohio Department of Transportation
ACCOUNT RECEIVABLE

Make check payable to: Treasurer of State

Mail to: Jeffrey M. Hisem, Administrator
Attn: Helene Ware
Ohio Department of Transportation
Office of Estimating - #4160
1980 West Broad Street, 1st Floor
Columbus, Ohio 43223

PID No. 99662
Invoice No. 10936A

To: Finance Director

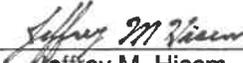
6730 Monroe Street
Sylvania, Ohio
43560

Federal Project No. E150 (482)
Lucas County
City of Sylvania
STATE ROUTE 184

PLEASE ENCLOSE TWO COPIES OF THIS INVOICE TO IDENTIFY YOUR REMITTANCE

Proposal of Participation	Type of Contract	Amount
Contract amount		\$190,541.73
ODOT Engineering		\$ 13,338.27
Total adjusted amount		\$855,720.00
Less a Check for Inv. #10936 in the amount of		\$651,840.00
Total additional amount presently due the State of Ohio from the City		\$203,880.00
Total additional amount due		\$203,880.00

Ohio Department of Transportation

By: 
Jeffrey M. Hisem, Administrator
Office of Estimating

Signature Certificate

 Document Reference: WGLVS5JXF35 IUKCXRZLHM5

RightSignature

Easy Online Document Signing



Jeffrey Hisem, Administrator
Party ID: P9RNXZI3GKSXD3PGG2K9H3
IP Address: 156.63.133.8

VERIFIED EMAIL: jeff.hisem@dot.ohio.gov

Electronic Signature

Multi-Factor
Digital Fingerprint Checksum

c8c16f1c18c561d88a41462802ccc16e0e0c5d8a



Timestamp

2018-05-07 11:04:59 -0700

2018-05-07 11:04:57 -0700

2018-05-07 11:04:55 -0700

2018-05-07 11:02:00 -0700

2018-05-07 09:43:44 -0700

Audit

All parties have signed document. Signed copies sent to: Jeffrey Hisem, Administrator and Helene Ware.

Document signed by Jeffrey Hisem, Administrator (jeff.hisem@dot.ohio.gov) with drawn signature. - 156.63.133.8

Jeffrey Hisem, Administrator (jeff.hisem@dot.ohio.gov) has viewed Consumer Disclosure and affirmatively consented. - 156.63.133.8

Document viewed by Jeffrey Hisem, Administrator (jeff.hisem@dot.ohio.gov). - 156.63.133.8

Document created by Helene Ware (helene.ware@dot.ohio.gov). - 156.63.133.8



This signature page provides a record of the online activity executing this contract.

ORDINANCE NO. 28 -2018

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE THE INCREASE IN COST RELATIVE TO THE ALEXIS ROAD RESURFACING AND STORM SEWER IMPROVEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$203,880; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 17-2018, passed March 19, 2018, authorized the Mayor and Director of Finance to enter into an Agreement with the State of Ohio Department of Transportation (“ODOT”) for the Alexis Road Resurfacing and Storm Sewer Replacement Project and authorized the expenditure for the improvements in the amount of \$651,840; and,

WHEREAS, the bids were opened by ODOT on April 19, 2018; and,

WHEREAS, the low bidder was Shelly Company in the amount of \$3,011,958.70, which bid was approximately 17.4% over the District 2 estimate and 7.6% over the Central Office estimate, resulting in an additional cost to the City of \$203,880; and,

WHEREAS, the Director of Public Service, by report dated May 21, 2018, has recommended that the additional appropriation be made for the Alexis Road Resurfacing and Storm Sewer Improvement Project in the amount of Two Hundred Three Thousand Eight Hundred Eighty Dollars (\$203,880.00) for a total project cost of \$855,720.

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

SECTION 1. That the increase in cost in the amount of Two Hundred Three Thousand Eight Hundred Eighty Dollars (\$203,880.00) for the City’s portion of the Alexis Road Resurfacing and Storm Sewer Improvement Project, is hereby approved.

SECTION 2. That to provide funds for said engineering services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. – 401-7610-53595, Alexis Road Storm Sewer Improvement Project**, the amount of Two Hundred Three Thousand Eight Hundred Eighty Dollars (\$203,880.00).

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 City should provide for the Alexis Road Resurfacing and Storm Sewer Improvements Project 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, _____, 2018, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9a



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 2, 2018

To: The Mayor and Members of City Council

Re: Brint Road, Centennial Road, Sylvania-Metamora Road, and King Road Resurfacing
Joint Cooperation Agreement

Dear Mr. Mayor and Council Members:

The above project was submitted for Ohio Public Works Commission funding as approved via Resolution No. 10-2017. The project includes resurfacing at the following locations both within and outside of the City:

King Road – Sylvania Avenue to 0.25 miles north
Brint Road – bridge over Ten Mile Creek to Silica Drive, less roundabout
Centennial Road – 0.14 south to Sylvania Metamora Road to the Michigan State Limit
Sylvania Metamora Road – 0.14 mile west to 0.08 mile east of Centennial Road

The attached agreement defines the responsibilities, both technical and financial, of the City and Lucas County Engineer for the project. The total cost of the project is estimated to be \$1,112,672 and we will be receiving \$433,942 in OPWC grant and 0% loan funds. Approximately 61% of the project, or \$678,730, is being performed within the City limits.

This project is being planned for the 2019 construction season. The City's contribution towards the initial construction is approximately \$414,025 and annual loan repayment of \$13,332 for a ten year period.

We recommend approval of this agreement to allow the project to move forward.

Please call if you have any questions.

Sincerely,

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

JOINT COOPERATION AGREEMENT

FOR

BRINT ROAD, CENTENNIAL ROAD, SYLVANIA-METAMORA ROAD AND KING ROAD RESURFACING

BETWEEN

CITY OF SYLVANIA

AND

LUCAS COUNTY

This Agreement is by and between the Board of Lucas County Commissioners, hereafter referred to as **COUNTY**, and the City of Sylvania, hereinafter referred to as **CITY**.

WITNESSTH

WHEREAS, the **CITY** and the **COUNTY** agreed to participate in a joint Ohio Public Works Commissioner (O.P.W.C.) application for the following road improvements:

Locations:

King Road from Sylvania Avenue to 0.25 miles north (0.25 miles)

Brint Road from the bridge at Ten Mile Creek to Silica Drive less roundabout limits (0.90 miles)

Centennial Road from 0.14 mile south of Sylvania Metamora Road to the Michigan State Limit (0.61 miles)

Sylvania Metamora Road from 0.14 mile west to 0.08 mile east of Centennial Road (0.22 miles)

Scope of Work:

The work includes milling the existing asphalt pavement, performing spot full depth repairs, placing a two course asphalt overlay, adjusting or reconstructing manholes and water valves to grade, adjusting drives and shoulders to grade, replacement of curb ramps to grade, replacement of pavement markings and raised pavement markers, and other related work, hereinafter, referred to as **PROJECT**, and

WHEREAS, the **CITY** has received approval from the District 12 Integrating Committee for a Ohio Public Works Commission (O.P.W.C.) funding available July 1, 2019 for a grant/loan of \$433,942 (SCIP funds) based on a partially joint **CITY** and **COUNTY** effort for said **PROJECT**, and

WHEREAS, the **CITY** and **COUNTY** desire to conclude an Agreement which will accomplish the design and construction of said **PROJECT**.

NOW, THEREFORE, the **CITY** and **COUNTY** for mutual benefits, herein contained and specified, have agreed and do hereby agree to as follows:

1. The **COUNTY** will prepare the necessary survey and detailed construction plans, bid documents, specifications, construction estimate, provide contract administration, advertising, bidding, testing, and administer the construction work including inspection for the **PROJECT**.
2. The **CITY** contribution and the **COUNTY** contribution to the **PROJECT** are now estimated at 37.20% and 23.80% respectively based on 61.4% of the area of work is within the **CITY** and 38.6% of the area of work is within the **COUNTY** as of April 1, 2018. When the actual **PROJECT** costs are finalized, the **COUNTY** will reconcile the actual local contributions. The **COUNTY**, as project manager, will complete and send the O.P.W.C. Disbursement Forms to the **CITY** for its signatures and subsequent mailing to O.P.W.C.
3. The **CITY** shall annually invoice the **COUNTY** for the current estimated amount of \$8,377 for a period of ten (10) years (amount to be based on actual cost and period to be determined by the actual O.P.W.C. agreement) to pay the **COUNTY** share of

the O.P.W.C. loan repayment. The COUNTY agrees to process payment within 60 days of receipt of said invoice.

4. It is the intent of the Agreement that the **CITY** and **COUNTY** shall each properly and expeditiously discharge any requirements that may devolve upon them from time to time during the period this Agreement will be in force.
5. Attached to this Agreement is the current estimate for the **PROJECT** which gives approximate levels of financial participation for the **COUNTY** and **CITY** with the said Ohio Public Works funding.

IN WITNESS WHEREOF, the Board of Lucas County Commissioners pursuant to Resolution _____ adopted on ____ day of _____, 2018 and the City of Sylvania, by its Mayor and Director of Finance pursuant to Ordinance Number _____ passed this ____ day of _____, 2018, have affixed their signatures respectively.

CITY OF SYLVANIA

BOARD OF LUCAS COUNTY COMMISSIONERS

Mayor

Pete Gerken, President

Director of Finance

Tina Skeldon Wozniak

Carol Contrada

Approved as to Form:

Approved as to Form:

Director of Law

Asst. Lucas County Prosecutor

Date: _____

Date: _____

Approved as to Content:

Approved as to Content:

Director of Public Service



Lucas County Engineer

Date: _____

Date: 4/18/18

EXHIBIT A CURRENT PROJECT ESTIMATE

FOR

2019 RESURFACING PROJECT

Brint Road, King Road, Centennial Road & Sylvania Metamora Road (Erie Street)

(CITY OF SYLVANIA AND LUCAS COUNTY)

Design & Engineering	\$ 29,000	County
Bid Documents & Advertising	\$ 1,000	County
Construction & Contingency	\$ 1,051,672	OPWC, City & County
Construction Inspection / Testing	\$ 31,000	County
TOTAL PROJECT COST	\$ 1,112,672	

COUNTY CONTRIBUTION (23.80%)

Design & Engineering	\$	29,000
Bid Documents/Advertising	\$	1,000
Construction & Contingency	\$	203,705
Construction Inspection	\$	25,000
Testing	\$	6,000
TOTAL	\$	264,705

CITY CONTRIBUTION (37.20%)

Construction & Contingency	\$	<u>414,025</u>
TOTAL	\$	414,025

OPWC CONTRIBUTION (39.0%)

Construction	\$	433,942
City (61.39%)	\$	266,397
LCE (38.61%)	\$	<u>167,545</u>
TOTAL	\$	433,942

City OPWC = \$266,397
(\$133,198 Grant & \$133,199 Loan)

LCE OPWC = \$167,545
(\$83,772 Grant & \$83,773 Loan)

ORDINANCE NO. 29-2018

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A JOINT COOPERATION AGREEMENT ON BEHALF OF THIS CITY OF SYLVANIA WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS RELATIVE TO THE BRINT ROAD, CENTENNIAL ROAD, SYLVANIA-METAMORA ROAD AND KING ROAD RESURFACING PROJECT; AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 10-2017, passed October 16, 2017, authorized the Mayor and Director of Finance to file a joint grant application with Lucas County with the Ohio Public Works Commission for the Brint Road, Centennial Road, Sylvania-Metamora Road and King Road Resurfacing Project; and,

WHEREAS, the project includes the resurfacing of the following locations both in and outside the City: King Road – Sylvania Avenue to 0.25 mile north; Brint Road – bridge over Ten Mile Creek to Silica Drive (not including the roundabout); Centennial Road – 0.14 mile south to Sylvania-Metamora Road to the Michigan State Line; Sylvania-Metamora Road – 0.14 mile west to 0.08 mile east of Centennial Road; and,

WHEREAS, the Director of Public Service, by report dated May 2, 2018, has recommended approval of the Joint Cooperation Agreement with the Board of Lucas County Commissioners for the Brint Road, Centennial Road, Sylvania-Metamora Road and King Road Resurfacing Project, a copy of which is attached hereto as “Exhibit A”; and,

WHEREAS, the attached Joint Cooperation Agreement sets forth both the technical and financial responsibilities of the City and Lucas County for the project; and,

WHEREAS, the total estimated cost of the project is \$1,112,672, of which \$433,942 will be funded by the OPWC grant and 0% loan funds; the City’s contribution towards the initial construction is estimated to be \$414,025 and annual loan repayment of \$13,332 for a ten-year period.

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 Director of Finance be, and they hereby are, authorized, on behalf of the City of Sylvania, Ohio, to enter into a Joint Cooperation Agreement with the Lucas County Board of Commissioners for the Brint Road, Centennial Road, Sylvania-Metamora Road and King Road Resurfacing Project.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Joint Cooperation Agreement should be entered into forthwith. 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, _____, 2018, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 30 -2018

AMENDING THE SYLVANIA CODIFIED ORDINANCES, 1979, AS AMENDED, BY AMENDING CHAPTER 765 – DEALERS IN SECOND-HAND ARTICLES; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 40-2016, passed September 6, 2016, amended the Sylvania Codified Ordinances, 1979, by adding Chapter 765 – Dealers in Second-Hand Articles; and,

WHEREAS, since the passage of Ordinance No. 40-2016, the Chief of Police has been working with the affected businesses to ensure compliance with Chapter 765; and,

WHEREAS, the Chief of Police and Director of Law have recommended that Section 765.09(a)(3) be amended to reflect the actual business hours of the second-hand dealers and Section 765.15 be added inasmuch as a similar provision is included in the Ohio Revised Code, however, was not included in the Sylvania Codified Ordinance Chapter 765 when it was adopted.

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

SECTION 1. That Chapter 765 – Dealers in Second-Hand Articles, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this ordinance must be immediately effective to make necessary

changes to the Codified Ordinances. 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, _____, 2018, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

CHAPTER 765
Dealers in Second-Hand Articles

765.01	Definitions.	765.08	Record of sale.
765.02	License required; exception.	765.09	Prohibitions.
765.03	Application for license.	765.10	Report to Police Division.
765.04	Display of license.	765.12	Hours of Business.
765.05	License fee; expiration date; renewal.	765.13	Additional rules.
765.06	Transfer of license.	765.14	Denial or revocation of license;
765.07	Record to be kept.	765.15	Notice of liability; appeals.
			Retention Period - Stolen
			Property.
		765.99	Penalty.

* * *

765.09 PROHIBITIONS.

(a) No dealer in second-hand goods:

* * *

(3) Shall purchase any property from any person between 8:00 p.m., except on Saturdays, which shall be 10:00 p.m. of one calendar day and 6:00 a.m. of the next calendar day;

* * *

(Ord. _____-2018. Passed _____-2018.)

* * *

765.15 RETENTION PERIOD - STOLEN PROPERTY.

(a) A person licensed under Chapter 765 of the Sylvania Codified Ordinances shall retain in this City any articles purchased by him until the expiration of the timeframes outlined herein.

(b) If the Chief of Police to whom the licensee made available the information required by this chapter has probable cause to believe that the article described therein is stolen property, he shall notify the licensee in writing. Upon receipt of notice, the licensee shall retain the article until the expiration of thirty days after the day on which he is first required to make

available the information required by this section, unless the Chief of Police notifies the licensee in writing that he is not required to retain the article until the expiration.

(c) If the Chief of Police determines the identity of the true owner of the allegedly stolen article, that has been purchased and held by a licensee, and informs the licensee of the true owner's identity:

- (1) The licensee may restore the allegedly stolen article to its true owner directly;
- (2) The true owner may reimburse the licensee for the amount the licensee paid for the allegedly stolen article;
- (3) The true owner may recover the article and reasonable attorney fees from the licensee in an action at law.

(d) If it is determined that the true owner of the allegedly stolen article, for whatever reason, chooses not to file a charge against the person or persons responsible for the theft, the licensee may charge the true owner of the allegedly stolen article the amount the licensee paid for the allegedly stolen article.

(Ord. _____-2018. Passed _____-2018.)



City of Sylvania
DIVISION OF POLICE
WILLIAM H. RHODUS, Chief

MEMORANDUM

May 21, 2018

To: The Mayor and City Council

Re: GovDeals

Council members,

The following vehicles are no longer of use for police and court fleet operations:

2003 Dodge Stratus SE VIN: 1B3EL30123N508673 (police)
2003 Mercury Sable GS VIN: 1MEFM50U03G630979 (court)

The police division requests approval to dispose of these vehicles by posting them for sale on the GovDeals website. Should we not receive any bids to purchase these vehicles we will dispose of them by reposting on GovDeals at a later date or through scrap value.

If you have any questions please call my office. Thank you

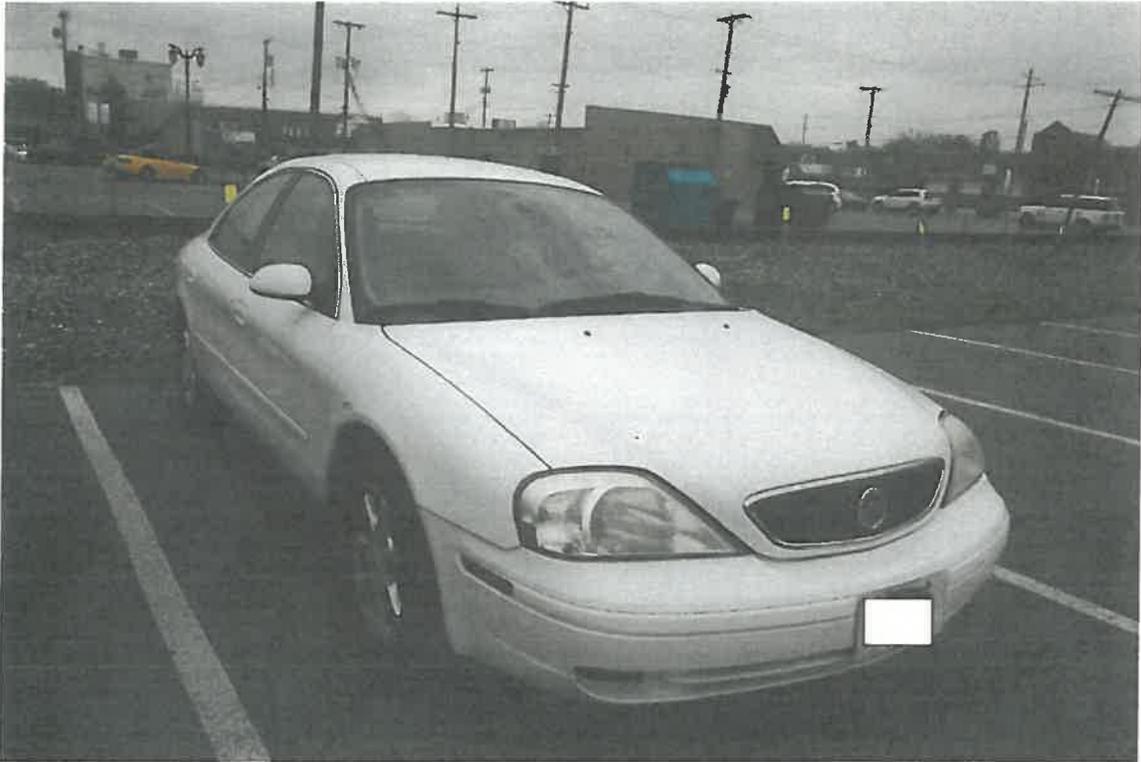
A handwritten signature in cursive script that reads "William H. Rhodus".

William H. Rhodus
Chief of Police
City of Sylvania Police Division



2003 DODGE STRATUS SE





2003 MERCURY SABLE GS



Board of Architectural Review

Minutes of the regular meeting of May 15, 2018. Mr. McCann called the meeting to order.

Members present: Ken Marciniak, Daniel Arnold and Brian McCann. Mayor Stough and Tom Lindsley excused. Zoning Administrator, Timothy Burns and Law Director, Leslie Brinning present.

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the April 11, 2018, meeting as amended to reflect a correction to paragraph 3, removing Mr. Marciniak's name as he was not present at the meeting. Vote being: Arnold, Marciniak and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 – Regulated Sign – app. no. 22-2018 requested by Vin Devers Mercedes Benz for 5570 Monroe Street, Sylvania, Ohio 43560. Application is for 5 replacement panels to existing signs. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the signs shown in the drawings submitted with the application. Vote being: Marciniak, Arnold and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 4 – Regulated Sign – app. no. 23-2018 requested by Chuck S Schmalzried of Michelle Construction for Oakcreek North Subdivision, 7511 Largberg Lane, Sylvania, Ohio 43560. Application is for a new development entrance sign. Sign is within the limits of the Sylvania Sign Code. 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: Marciniak, Arnold and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 5 – Building Review – app. no. 24-2018 requested by Stephanie Pilgrim, 5687 & 5689 Main Street Sylvania (Spacebar/Sunika), Ohio 43560. Application is for an exterior renovation including paint and an awning change. Mr. Burns stated that the colors are actually a gray color scheme but that they show somewhat green in the pictures due to a printing issue. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the design shown in the drawing submitted with the application. Vote being: Marciniak, Arnold and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 6 – Regulated Sign – app. no. 25-2018 requested by Sukumar De Silva for Aquarium World, 5601 W. Alexis Road, Sylvania, Ohio 43560. Application is for a new wall sign. Mr. De Silvan was present and stated that an existing sign will be moved from another location to this location. Mr. Burns said that the mounting would be on the face of the roofline as there is no other place to put it. Sign is within the limits of the Sylvania Sign Code. 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: Marciniak, Arnold and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

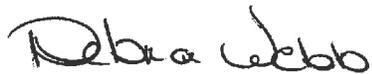
Minutes of the Board of Architectural Review

May 15, 2018

Page 2

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

Submitted by,

A handwritten signature in black ink that reads "Debra Webb". The signature is written in a cursive, slightly slanted style.

Debra Webb, Secretary
Municipal Planning Commission

B

Sylvania Municipal Planning Commission

Minutes of the regular meeting of May 15, 2018. Mr. McCann called the meeting to order.

Members present: Ken Marciniak, Daniel Arnold and Brian McCann. Mayor Stough and Tom Lindsley excused. Zoning Administrator, Timothy Burns and Law Director, Leslie Brinning present.

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the April 11, 2018, meeting as submitted. Vote being: Arnold, Marciniak and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 - Council Referral – Proposed Ordinance No. 20-2018, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1166-07-Standards for Permitted Signs.

Ms. Brinning explained that the change to the code would create an additional location for special temporary street banner signs to be erected or displayed. The new location will be on Main Street in the downtown business district of Sylvania which will be in addition to the current location allowed on the 5800 block of Monroe St.

Mr. Marciniak moved, Mr. Arnold seconded to recommend to Council to approve the Proposed Ordinance as submitted. Vote being: Arnold, Marciniak and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 4 - Council Referral – Proposed Ordinance No. 21-2018, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1101.861 – Medical Marijuana Dispensary and by amending Section 1153.02-Special Uses. Ms. Brinning stated that the proposed ordinance is to allow a Medical Marijuana Dispensary to be located in the M1 and M2 districts of Sylvania; and that the Dispensary would still need to go through a Special Use Permit process.

Ms. Brinning said that the referral was made to the Planning Commission after much consideration and discussion among City Council Members and that the legislation would both create a special use for a marijuana dispensary and limit the locations. That presently the City's code is silent on marijuana dispensaries.

Deb Chaney of the Sylvania Community Action Team was present and stated that she would prefer a ban on marijuana dispensaries, but that this legislation is a good compromise.

Sylvania Council Member Doug Haynam spoke against the proposed ordinance. He stated that that the locations should not be limited to M1 and M2 areas, presented a map showing the possible dispensary locations, and read aloud the types of businesses currently allowed in the M1, M2, B2 and B4 areas. He said that a marijuana dispensary more closely fits with the

Minutes of the Sylvania Planning Commission
May 15, 2018
Page 2

businesses currently allowed in the B2 and B4 areas; and that it would be appropriate to have it as a special use.

Sylvania Council Member Sandy Husman was present and spoke in favor of the proposed ordinance and that limiting the locations of a marijuana dispensary to the M1 and M2 areas is good compromise to a ban.

Further discussion took place amongst the members.

Mr. Marciniak moved, Mr. Arnold seconded to recommend to Council to approve the Proposed Ordinance as submitted. Vote being: Arnold, Marciniak and McCann (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission