

Sylvania City Council
September 19, 2022

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mr. Frye, Mr. Hansen, Mr. Haynam, Mr. McCann, Mr. Richardson, Ms. Stough, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Haynam.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of September 6, 2022.
5. Mark Luetke to present information regarding the Olander Park Levy.
6. Jason Kucsma, Executive Director/Fiscal Officer to present information regarding the Library Levy.
7. Tiffany Scott, Executive Director of the Sylvania Area Chamber of Commerce to present Gateway Signage for the City.
8. Proposed Resolution No. 10-2022, Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. (Increased \$140,000 from last year.)
9. Proposed Ordinance No. 82-2022, Accepting the Amendment to the proposal of Reveille, Ltd. to provide additional Economic Development Planning Services to study the feasibility of creating a Tax Increment Finance District. (Second/Final reading)
10. Proposed Ordinance No. 84-2022, Authorizing to enter into an Amended and Restated Development Agreement with First Brookside, LLC for property located at 5705-5711 North Main St.
11. Proposed Ordinance No. 85-2022, Approving the Banner Application of the Sylvania Area Chamber of Commerce. (Fall Festival)
12. Set 2023 Schedule – City Council Meetings and Trick-Or-Treat
 - a. Set regular Council meetings.
 - b. Set Trick-Or-Treat date and time. (October 31, 2023 is a Tuesday)

13. Notice of the transfer of the D1, D2, D3, D3A and D6 permit from Wine Dine Grandview, LLC & Sidewalk Café, 1295 Grandview Ave, Grandview Hgts, Ohio 43212 to Metro North Sylvania LLC d/b/a Roosters, 5702 Monroe St., Sylvania, OH 43560. (Attached is the description of each permit.)
14. River Road Garden Club request for funding. (Referral to Committee.)
15. Committee reports.
16. Committee referrals.

INFORMATION

- A. August 2022 Bank Reconciliation.
- B. Board of Architectural Review minutes from September 14, 2022.
- C. Municipal Planning Commission minutes from September 14, 2022.

Minutes of the Meeting of Council
September 6, 2022

The Council of the City of Sylvania, Ohio met in regular session on August 15, 2022 at 7:30 p.m. with Mayor Stough in the chair. Roll was called with the following members present: Marcus Hansen, Doug Haynam, Brian McCann, Lyndsey Stough, Mary Westphal; (5) present; Mark Frye, Patrick Richardson; (2) absent.

Roll call:
Frye, Richardson
absent-excused.

Pledge of Allegiance to the United States of America led by Mr. Hansen.

Pledge of
Allegiance.

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

The following items has been added to the agenda:

- 3a. Election of President Pro Tem.
- 10. Move agenda item 10 to 4a.

Mr. Haynam moved, Mrs. Westphal seconded to approve the agenda as amended; roll call vote being: Hansen, Haynam, McCann, Stough, Westphal; (5) yeas; (0) nays. The motion carried.

Agenda approval.

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

Due to Mr. Frye's absence, Mr. Haynam moved, Mr. McCann seconded to nominate Mrs. Westphal as President Pro Tem. There were no other nominations and all present voted yea (5); and (0) nays. The motion carried.

Election of
President Pro
Tem.

Mrs. Westphal presented the August 15, 2022 meeting minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of August 15, 2022 be approved; roll call vote being: Hansen, Haynam, McCann, Stough, Westphal, (5) yeas; (0) nays. The motion carried.

Approval of the
August 15, 2022
meeting minutes.

Mrs. Westphal moved, Mr. McCann seconded to confirm Mayor Stough's appointment of Danilynn M. Miller as Chief of Police effective September 7, 2022. Roll call vote being: Haynam, McCann, Stough, Westphal, Hansen: (5) yeas; (0) nays. The motion carried.

Confirmation of
Danilyn M.
Miller as Police
Chief.

Chief Schnoor conducted the Chief of Police Passing of the Badge Ceremony to Danilyn M. Miller.

Passing of Badge
Ceremony.

Law Director Brinning swore in newly appointed Chief of Police, Danilyn M. Miller.

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Mayor Stough read the Proclamation honoring Chief Frederick L. Schnoor for his service to the City of Sylvania.

Proclamation honoring Chief Frederick L. Schnoor.

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

Mr. Haynam moved, Mrs. Westphal seconded to reschedule the public hearing ZA-2-2022 for October 17, 2022 at 6:30 p.m. to provide proper notification to adjacent property owners; roll call vote being: Haynam, McCann, Stough, Westphal, Hansen, (5) yeas; (0) nays. The motion carried.

ZA-2-2022, reschedule to 10/17/22 at 6:30 p.m.

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

Service Director's report on the Elevated Walkway Bearing Seat Maintenance – Sylvania River Trail Phase 2 was placed on file. Mr. Hansen presented and read aloud by title only, proposed Ordinance No. 81 -2022, a written copy of same having been previously furnished to each member of Council "Accepting the proposal of Suburban Maintenance & Construction, Inc. and awarding the contract for the Elevated Walkway Bearing Seat Maintenance – Sylvania River Trail Phase 2 Project to same; authorizing the expenditure for the improvements in the amount of \$28,700; appropriating funds therefore; and declaring an emergency measure; Mr. Hansen moved, Mr. Haynam seconded for passage of Ordinance No. 81-2022 as an emergency measure; roll call vote being: McCann, Stough, Westphal, Hansen, Haynam: (5) yeas; (0) nays. The motion carried.

Ordinance No. 81-2022, "accepting proposal...Elevated Walkway Bearing Seat Maint-Syl River Trail Phase Phase 2..."

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

Mrs. Westphal moved, Mr. McCann seconded for Ms. Stough to push back from the table due to possible conflict of interest. Roll call vote being: Westphal, Hansen, Haynam, McCann, Stough: (5) yeas; (0) nays. The motion carried.

Ms. Stough pushed back from table.

Mr. Sanford updated the progress of the feasibility study of creating a Tax Increment Financing District. Mrs. Westphal presented and read aloud by title only for First Reading proposed Ordinance No. 82 -2022, a written copy of same having been previously furnished to each member of Council "Accepting the Amendment to the Proposal of Reveille, Ltd. to provide additional Economic Development Planning

Ordinance No. 82-2022, First Reading.

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Services to study the feasibility of creating a Tax Increment Financing District; appropriating funds therefore in an amount not to exceed \$5,000; and declaring an emergency measure.

Ms. Stough returned to table.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 83-2022, a written copy of same having been previously furnished to each member of Council “Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 129-Department of Finance; and declaring an emergency measure; Mrs. Westphal moved, Mr. McCann seconded for passage of Ordinance No. 83-2022 as an emergency measure; roll call vote being: Westphal, Hansen Haynam, McCann, Stough: (5) yeas; (0) nays. The motion carried.

Ordinance No. 83-2022, “...amending Sylvania Codified Ordinance Chapter 129-Department of Finance....”

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

Mr. McCann presented and read aloud by title only, proposed Resolution No. 9 -2022, a written copy of same having been previously furnished to each member of Council “Authorizing the City of Sylvania to participate with Lucas County in applying for a Grant under the Safe Streets for All Program; authorizing the Mayor to execute and deliver a letter of commitment to the Lucas County engineer for submission with the Grant; and declaring an emergency measure”; Mr. McCann moved, Ms. Stough seconded for passage of Resolution No. 9-2022 as an emergency measure; roll call vote being: Hansen, Haynam, McCann, Stough, Westphal: (5) yeas; (0) nays. The motion carried.

Resolution No. 9-2022, “authoring the City to participate... Lucas County ...grant under the Safe Streets for All Program...”

Mayor Stough stated all agenda items have been addressed.

Mrs. Westphal moved, Mr. McCann seconded to adjourn at 8:30 p.m. Roll call vote being: Hansen, Haynam, McCann, Stough, Westphal; (5) yeas; (0) nays.

Adjournment.

Clerk of Council

Mayor

8

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

REVISED CODE, SECS. 5705.34-5705.35

The Council of the **City of Sylvania**, Lucas County, Ohio, met in regular session on the 19th day of September 2022, at the office of City Council

with the following members present:

Mr/Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Lucas County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

RESOLVED, By the Council of the **City of Sylvania**, Lucas County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY
BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund (CHARTER)	250,000	1,000,000	2.00	0.50
General Bond Retirement Fund	760,000			1.50
Police Pension	400,000	150,000	0.30	0.80
TOTAL	1,410,000	1,150,000	2.30	2.80

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on		
for not to exceed _____ years. _____, 20		
Current Expense Levy authorized by voters on		
for not to exceed _____ years. _____, 20		
Total General Fund Outside 10 mill Limitation.	0.50	250,000
Park Fund: Levy authorized by voters on		
for not to exceed _____ years.		
Total Police Pension Fund Outside Mills	0.80	400,000
Total Bond Retirement Fund Outside Mills	1.50	760,000
Total	2.80	1,410,000

and be it further

RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of said County; and be it further

RESOLVED, That the Clerk of this Council is hereby directed to post a copy of this Resolution in the Office of the Clerk of Council in the Municipal Building pursuant to Article III, Section 12 of the Charter of this City.

That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property, and welfare. Provided this Resolution 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 this Charter.

_____ seconded the Resolution and the roll being called upon its adoption

the vote resulted as follows:

_____	Frye	_____	,
_____	Hansen	_____	,
_____	Haynam	_____	,
_____	McCann	_____	,
_____	Richardson	_____	,
_____	Stough	_____	,
_____	Westphal	_____	,

Adopted the _____ day of _____, 2022 as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 82 -2022

ACCEPTING THE AMENDMENT TO THE PROPOSAL OF REVELLE, LTD. TO PROVIDE ADDITIONAL ECONOMIC DEVELOPMENT PLANNING SERVICES TO STUDY THE FEASIBILITY OF CREATING A TAX INCREMENT FINANCING DISTRICT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$5,000; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 65-2021, passed by Sylvania City Council on September 20, 2021, accepted the proposal of Reveille to provide economic development planning services to study the feasibility of creating a Tax Increment Financing (“TIF”) District and appropriated \$6,500 for said services; and,

WHEREAS, Ordinance No. 9-2022, passed by Sylvania City Council on January 18, 2022, accepted the amendment to the proposal of Reveille to provide additional economic development planning services to study the feasibility of creating a TIF District and appropriated an amount not to exceed \$1,500 for said services; and,

WHEREAS, the Economic Development Director, by report dated August 30, 2022, provided an update on the TIF and recommended that the amended proposal of Reveille to provide additional economic development planning services beyond the scope of what was initially included in the proposal accepted by Sylvania City Council in an amount not to exceed \$5,000 be approved; and,

WHEREAS, the actual work performed and time spent on this project has exceeded the time estimated in the original proposal resulting in the increased cost.

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

SECTION 1. That the amended proposal of Reveille in an amount not to exceed the total sum of Five Thousand Dollars (\$5,000.00) to provide economic development planning services to determine the feasibility of creating a tax increment financing district, is hereby approved and accepted.

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

SECTION 3. That to provide funds for said consulting services hereby authorized, there is hereby appropriated from the **GENERAL FUND** from funds therein not heretofore appropriated to **Account No. 110-7320-51294 – Special Projects** an amount not to exceed Five Thousand Dollars (\$5,000.00).

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 professional services should commence at the earliest possible time and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 84 -2022

AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO ENTER INTO AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT ON BEHALF OF THE CITY OF SYLVANIA WITH FIRST BROOKSIDE, LLC FOR THE PROPERTY LOCATED AT 5705-5711 NORTH MAIN STREET, SYLVANIA, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 48-2020, passed by Sylvania City Council on August 17, 2020, approved the Offer to Purchase of First Brookside, LLC for its property commonly known as 5705-5711 North Main Street, Sylvania, Ohio at a sales price of \$200,000; and,

WHEREAS, thereafter, during the due diligence period, an issue regarding a “gap parcel” was discovered and Sylvania City Council approved First Brookside, LLC’s Third Amendment to Real Estate Purchase Agreement to purchase said real estate located at 5705-5711 N. Main St., from the City of Sylvania for a total purchase price of One Hundred Eighty Thousand Dollars (\$180,000.00); and,

WHEREAS, attached to said Purchase Agreement was a Development Agreement which provided for the demolition of the existing duplexes and construction of an addition to the Purchaser’s Business adjacent to the Property to be completed on or before September 30, 2022; and,

WHEREAS, due to the COVID-19 pandemic and associated construction material supply issues, the timeline for construction of the new structures needs to be extended to June 30, 2023; and,

WHEREAS, the Amended and Restated Development Agreement attached hereto as “Exhibit A” extends the deadline for completion to June 30, 2023.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas

County, Ohio, _____ members elected thereto concurring:

SECTION 1. That the Amended and Restated Development Agreement attached hereto is hereby approved and the Mayor and Director of Finance be, and they hereby are, authorized to approve said Agreement on behalf of this City.

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 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, Sections 11 and 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 Amended and Restated Development Agreement should be approved immediately and therefore this Ordinance should be effective 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

AMENDED AND RESTATED DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (“Agreement”) is entered into between the **CITY OF SYLVANIA, OHIO**, (“the City”) a municipal corporation organized under the laws of the State of Ohio and its Charter and **FIRST BROOKSIDE, LLC**, an Ohio limited liability company (the “Developer”), effective as of the latest date set forth below (the “Effective Date”), as amended and restated in its entirety by the parties as of the ____ day of September, 2022.

RECITALS; WHEREAS:

- A. Developer owns that certain real property within the municipal boundaries of the City as legally described on **Exhibit A** (the “Property”);
- B. Developer has demolished the existing buildings, structures and related improvements on the Property, levelled the ground, installed stone and has been utilizing the space as parking since the buildings and structures were demolished;
- C. Developer intends to construct and renovate the parking improvements on the Property (the “Parking Improvements”);
- D. Developer intends to construct one or more buildings or structures consisting of approximately ____ square feet on the Property to compliment the brewery/restaurant located at 5703 Main Street, Sylvania, Ohio (“Developer’s Business”) adjacent to the south boundary of the Property (the “Future Buildings”); a conceptual plan of the Future Buildings is attached hereto as “Exhibit B;”
- E. The City desires from time to time a non-exclusive license to use the Parking Improvements to supplement public parking attributable to City sponsored or City permitted community events such as parades and festivals (the “License”); and,
- F. The parties desire to enter into this Agreement to memorialize their mutual understandings with respect to these matters.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree that the foregoing recitals are incorporated herein and as follows:

- 1. **Development Plan.** On or before October 1, 2020 (the “Commencement Date”), Developer will begin the Demolition. On or before June 30, 2023, Developer will complete the Demolition, Parking Improvements and the Future Buildings (the “Completion Date”).

2. **Plans and Permits.** Prior to the Effective Date, the City has issued to Developer the Demolition Permit required for the Demolition. Developer will present site plans and building plans from time to time to the City for approval of the Parking Improvements and for one or more of the Future Buildings (collectively, the “Developments”). Developer will deliver to the City building plans for each of the Developments for review and approval by the City. The City has ten (10) business days from delivery of the plans, and again ten (10) business days after delivery of each material modification to such plans to notify Developer in writing of any City objection to the plans citing the applicable City zoning and building requirement applicable to the Developments not met by such plans and specifying the modification to the plans required to cure each objection. If the City does not so notify Developer, then the City is deemed to have approved the plans.

3. **Licenses.** Effective seven (7) days after a written request from the City, Developer will grant City a License that ends one (1) hour after the end of each public event (each a “License Term”). The City accepts the condition of the Parking Improvements in its “As Is” condition. During the License Term, the City will: (a) use the License and Parking Improvements at the City’s sole risk; (b) remove all snow, ice, trash and debris from the Parking Improvements; (c) repair and replace the condition of the pavement and other Parking Improvements. The City waives all claims against Developer for damage to property or injury or death to persons arising during the License Term; excluding, however, such damage, injury or death to employees, or invitees of Developer.

4. **Option to Purchase.**
 - A. **Contingent Grant of Option.** Developer grants to City an option to purchase the Property (the “Option”) contingent on the Developer not finishing the Demolition or not finishing the Developments before the Completion Date. The Option term is thirty (30) days after the Completion Date (the “Option Expiration Date”).
 - B. **Exercise of Option.** To exercise this Option, City must notify the Developer in writing of such exercise (the “Exercise Notice”) on or before the Option Expiration Date. The Exercise Notice shall be effective upon deposit in the United States mail, properly addressed to Developer at its address set forth above, or upon personal delivery thereof to Developer on or before the Option Expiration Date. If exercised, the Option shall immediately result in a binding contract between City and Developer for the purchase and sale of the Property, on and subject to the terms and conditions set forth herein. If, however, this Option is not exercised by the Option Expiration Date, then this Option ends and is thereafter null and void.
 - C. **Purchase Price.** The purchase price of the property is \$180,000 plus any part of the cost of the Demolition, the Parking Improvements and the

Future Buildings paid or owed by Developer on the effective date of the Exercise Notice (the "Purchase Price") and is payable at Closing (herein defined).

- D. **Conveyance.** Developer shall convey to City title to the Property by quit claim deed (the "Deed"), free and clear of all liens and encumbrances incurred by Developer and subject to real estate taxes and general and special assessments not due and payable as of the Closing, zoning ordinances and easements, reservations, limitations, and restrictions of record as of the Closing. City will pay any conveyance fee at Closing. Real estate taxes and assessments not yet due and payable applicable to the Property will not be prorated at Closing.
- E. **Closing.** The closing shall be held not later than sixty (60) days after the Exercise Notice is sent to Developer (the "Closing"). At the Closing, Developer shall deliver to City the Deed conveying the Property to City and City shall pay Developer the balance of the Purchase Price.
- F. **Memorandum of Option.** This Option shall not be recorded and neither party will execute or record a memorandum of this Option against the Property title.

5. **Miscellaneous.**

- A. **Entire Agreement.** This Agreement and the documents referenced herein contain the entire agreement between the parties with respect to the transactions contemplated herein and supersedes any and all prior agreements, whether in writing or oral, between the parties or their predecessors relating to the subject matter hereof.
- B. **Amendment/Modification.** This Agreement may only be amended, altered, or revoked by written instrument signed by all parties. The City shall not modify or terminate this Agreement by ordinance or resolution without Developer's written consent.
- C. **Successors and Assigns.** This Agreement shall be binding on and inure to the benefit of the parties and their respective successors and assigns.
- D. **Waiver.** No term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel to enforce any provision of this Agreement, except by written instrument of the party charged with such waiver or estoppel.
- E. **Notices.** Any notice to be given to either party hereunder shall be in writing and shall be deemed to be given upon receipt, if hand delivered or delivered by express delivery service, or upon deposit of such notice in registered or certified mail, return receipt requested addressed to the addresses above. The addresses for the purpose of this paragraph may be changed by either party giving five (5) days prior notice of such change to the other party in the manner provided for giving notice.
- F. **Applicable Law.** This Agreement is made, and shall be construed and interpreted under, the laws of the State of Ohio.

- G. **Severability.** In the event any provision of this Agreement is illegal, invalid, or unenforceable under present or future laws, then, and in that event, it is the intention of the parties hereto that the remainder of this Agreement shall not be affected, and it is also the intention of the parties to this Agreement that in lieu of each clause or provision that is found to be illegal, invalid, or unenforceable a provision be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.
- H. **No Third-Party Beneficiaries.** The City and Developer intend that this Agreement shall not benefit or create any right or cause of action in or on behalf of any third-party beneficiary, or any individual or entity other than the City and Developer or permitted assignees of such parties.
- I. **No Joint Venture.** Nothing contained in this Agreement is intended by the parties to create a partnership or joint venture between the parties, and any implication to the contrary is hereby expressly disavowed. It is understood and agreed that this Agreement does not create a joint enterprise, nor does it appoint either party as an agent of the other for any purpose whatsoever. Except as otherwise specifically provided herein, neither party shall in any way assume any of the liability of the other for acts of the other or obligations of the other.
- J. **Estoppel Certificate.** Upon request of either party or any proposed mortgagee or lessee of any portion of the Property, the City shall execute and deliver to the requestor a certificate stating: (a) if there has been any amendments to this Agreement; (b) that the Agreement is in full force and effect, if the same is true; (c) that the Developer is not in default under any of the terms, covenants or conditions of the Agreement, or, if the Developer is in default, specifying the nature of the default; and (d) such other matters as the Developer reasonably requests. The undersigned parties have executed this Agreement as of the dates set forth below.
- K. **Force Majeure.** Notwithstanding anything in this Agreement to the contrary, neither party shall be liable for any delays or failures in performance resulting from acts beyond its reasonable control including, without limitation, acts of God, acts of war or terrorism, civil unrest, pandemics, epidemics, governmental health orders or shortages of supplies.
- L. **Expiration.** This Agreement expires and ends on the earlier of: (i) the date Developer completes the Developments; or (ii) the date the Option is exercised.
- M. **Community Reinvestment Area.** The Property exists entirely within a Community Reinvestment Area where all development shall be exempt from real property taxes for 10 years from the date that improvements would otherwise have been taxed by Lucas County.

[Signatures on following pages]

CITY OF SYLVANIA

Date _____

Mayor

Approved as to form:

Finance Director

Law Director

FIRST BROOKSIDE, LLC, an Ohio
limited liability company

By: _____
Brandon Fields, Manager

Date: _____

//

ORDINANCE NO. 85 -2022

APPROVING THE BANNER APPLICATION OF THE SYLVANIA AREA CHAMBER OF COMMERCE; AUTHORIZING THE ZONING ADMINISTRATOR TO INDICATE SUCH APPROVAL ON BEHALF OF THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 19-2000, passed June 5, 2000, granted permission to install banners in the public right-of-way on the Toledo Edison poles located on Monroe Street by Wendy's across to the area in front of Country Squire Plaza (near the intersection of Corey Road and Monroe Street); and,

WHEREAS, Resolution No. 19-2000 provided that the applications were to be reviewed on an application-by-application basis and set forth the criterion on which the applications were to be considered; and,

WHEREAS, Ordinance No. 20-2018, passed May 21, 2018, amended Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1166.07 – Standards for Permitted Signs to permit banners to be installed in the downtown; and,

WHEREAS, the Sylvania Area Chamber of Commerce has submitted a request to hang a banner within said public right-of-way to promote the Fall Festival on October 15-16, 2022; and,

WHEREAS, the banner will hang from September 25, 2021 – October 23, 2021 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000 and Ordinance No. 20-2018.

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

SECTION 1. That the application of the Sylvania Area Chamber of Commerce to hang a banner on across the downtown block of Main Street between Maplewood Avenue and Monroe Street is found to comply with Section 1166.07(h)(2)(A)(1) and is hereby approved.

SECTION 2. That the Zoning Administrator is authorized to sign said permit granting permission to proceed under the application hereby approved.

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 permission should be granted immediately to provide for the immediate installation of the banner. 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

12

**CITY OF SYLVANIA, OHIO
SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2023**

City Council meets in Council Chambers located in the Municipal Building (also the Police Division) at 6635 Maplewood Ave., Sylvania Ohio 43560 at **7:30 p.m.** unless otherwise noted

The **Municipal Planning Commission** meets in Council Chambers at **5:30 p.m.** unless otherwise noted

The **Board of Appeals (Zoning)** meets in Council Chambers at **7:00 p.m.** as needed

JANUARY

- 3 City Council Tuesday
- 11 Plan Commission Wed
- 17 City Council Tuesday

FEBRUARY

- 6 City Council Monday
- 15 Plan Commission Wed
- 21 City Council Tuesday

MARCH

- 6 City Council Monday
- 15 Plan Commission Wed
- 20 City Council Monday

APRIL

- 3 City Council Monday
- 12 Plan Commission Wed
- 17 City Council Monday

MAY

- 1 City Council Monday
- 10 Plan Commission Wed
- 15 City Council Monday

JUNE

- 5 City Council Monday
- 14 Plan Commission Wed
- 20 City Council Tuesday

JULY

- 12 Plan Commission Wed
- 17 City Council Monday

AUGUST

- 16 Plan Commission Wed
- 21 City Council Monday

SEPTEMBER

- 5 City Council Tuesday
- 13 Plan Commission Wed
- 18 City Council Monday

OCTOBER

- 2 City Council Monday
- 11 Plan Commission Wed
- 16 City Council Monday

NOVEMBER

- 6 City Council Monday
- 15 Plan Commission Wed
- 20 City Council Monday

DECEMBER

- 4 City Council Monday
- 13 Plan Commission Wed
- 18 City Council Monday

**NOTICE TO LEGISLATIVE
AUTHORITY**

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

13

TO

5870912		TREX		METRO NORTH SYLVANIA LLC	
02 01 2020		PERMIT NUMBER		DBA ROOSTERS	
08 23 2022		ISSUE DATE		5702 MONROE ST	
D1 D2 D3 D3A D6		FILING DATE		SYLVANIA OH 43560	
48 077		A		F28311	
TAX DISTRICT		PERMIT CLASSES		RECEIPT NO.	

FROM 09/08/2022 SAFEKEEPING

9690754		WINE DINE GRANDVIEW LLC	
02 01 2020		PERMIT NUMBER	
08 23 2022		ISSUE DATE	
D1 D2 D3 D3A D6		FILING DATE	
25 088		A	
TAX DISTRICT		PERMIT CLASSES	



MAILED 09/08/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/11/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TREX 5870912**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
 THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

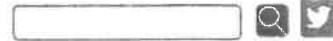
(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF SYLVANIA CITY COUNCIL
 6730 MONROE ST
 SYLVANIA OHIO 43560**



LIQUOR CONTROL

SPIRITS

WINE

BEVERAGES

GENERAL

PLEASE NOTE: The Ohio Department of Commerce web services will be intermittently unavailable from October 17th, 2014 @ 5:00 PM until October 20th, 2014 @ 8:00 AM.

Manufacturer

Permit Class	Permit Fee	Description
A1	\$3,906 (per plant)	ORC 4303.02 Manufacturer of Beer – producing more than 31 million gallons per year, wherever produced, and sell beer products to wholesale permit holders.
A1A	\$3,906	ORC 4303.021 Beer, and any intoxicating liquor by the glass or container on A-1 or A-2 permit premises only until 2:30am.
A1c	\$1,000 (per plant)	ORC 4303.022 Manufacturer of Beer - producing up to 31 million gallons per year wherever produced, for sale on premises at retail for on premises consumption, and sell beer products to retail and wholesale permit holders.
A2	\$76	ORC 4303.03 Manufacturer of wine.
A3	\$2 to \$3,906	ORC 4303.04 Manufacture, import and sell alcohol and spirituous liquor
A3A	\$2 to \$400	ORC 4303.041 Manufacturer of less than 10,000 gallons of spirituous liquor and sale to a personal consumer.
A4	\$3,906	ORC 4303.05 Manufacture and sell certain prepared and bottled drinks, import for blended purposes
B2A	\$25	ORC 4303.07 Sale of wine to retail permit holder.
S	\$25	ORC 4303.232 Sale of wine to personal consumer via mail order.
W	\$1,563	ORC 4303.231 To operate a warehouse for the storage of beer or intoxicating liquor within the state and to sell such products from the warehouse to a B permit holder with Consent to import on file or to other customers outside this state.

Distributor

Permit Class	Permit Fee	Description
B1	\$3,125	ORC 4303.06 Distributor of beer, ale, stout, other malt liquor.
B2	\$500	ORC 4303.07 Distributor of bottled wine.
B3	\$124	ORC 4303.08 Distributor of sacramental wine.
B4	\$500	ORC 4303.09 Distributor of mixed beverages.
B5	\$1,563	ORC 4303.10 Distributor and importer and bottler of wine.

Retail Store Carryout

Permit Class	Permit Fee	Description
C1	\$252	ORC 4303.11 Beer only in original sealed container for carry out only.
C2	\$376	ORC 4303.12 Wine and mixed beverages in sealed containers for carry out.
C2X	\$252	ORC 4303.121 Beer in original sealed containers for carry out.
D8	\$500	ORC 4303.184 Sale of tasting samples of beer, wine, and mixed beverages, but not spirituous liquor, at retail, for consumption on premises.

Restaurant / Night Club

Permit Class	Permit Fee	Description
D1	\$376	ORC 4303.13 Beer only for on premises consumption or in original sealed containers for carry out only until 1:00am.
D2	\$564	ORC 4303.14 Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am.
D2X	\$376	ORC 4303.141 (Grandfathered Permit) Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3	\$750	ORC 4303.15 Spirituous liquor for on premises consumption only until 1:00am.
D3X	\$300	ORC 4303.151 (Grandfathered Permit) Wine only for on premises consumption or in original sealed containers for carryout only until 1:00am.
D3A	\$938	ORC 4303.16 Extend issued permit privileges until 2:30am.
D5	\$2,344	ORC 4303.18 Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30am.
D5I	\$2,344	ORC 4303.181 (Same as D5). Restaurant meeting certain criteria.
D7	\$469	ORC 4303.183 (Same as D5). RESORT area only.

>Club

Permit Class	Permit Fee	Description
D4	\$469	ORC 4303.17 Beer and any intoxicating liquor to members only, for on premises consumption only until 1:00am.
D4A	\$750	ORC 4303.171 Airline club only - Beer and any intoxicating to members and guests until 2:00am.
D5C	\$1,563	ORC 4303.181 (Same as D5)(This class can no longer be applied for.)
D5D	\$2,344	ORC 4303.181 (Same as D5) located at airport.

Hotel And Motel

Permit Class	Permit Fee	Description
D5A	\$2,344	ORC 4303.181 (Same as D5) for hotel or motel with 50 or more rooms for transient guests.

Enclosed Shopping Mall

Permit Class	Permit Fee	Description
D5B	\$2,344	ORC 4303.181 (Same as D5) for enclosed shopping mall.

River Boats

Permit Class	Permit Fee	Description
D5E	\$1,219	ORC 4303.181 (Same as D5). Historical river boat owned by charitable organization only.

Marinas

Permit Class	Permit Fee	Description
D5F	\$2,344	ORC 4303.181 (Same as D5). Marina restaurant only.

Museums

Permit Class	Permit Fee	Description
D5G	\$1,875	ORC 4303.181 (Same as D5). National sports museum only.
D5H	\$1,875	ORC 4303.181 (Same as D5 - except sales till one am). Fine arts museum only.

Community Entertainment District/Revitalization

Permit Class	Permit Fee	Description
D5J	\$2,344	ORC 4303.181 (Same as D5). Community Entertainment District.
D5L	\$2,344	ORC 4303.181 (Same as D5). Revitalization District.

Sunday Sales

Permit Class	Permit Fee	Description
D6	\$400-c \$500-d	ORC 4303.182 Sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight.

Other

Permit Class	Permit Fee	Description
D5K	\$1,875	ORC 4303.181 (Same as D5 - except sales till one am). Certain non profit organizations that own and operate a botanical garden.
D5M	\$2,344	ORC 4303.181 (Same as D5). Restaurant affiliated with center for the preservation of wild animals.
D5N	\$20,000.00	ORC 4303.181(N) (Same as D5). Casino Operator or Casino Management Company.
D5O	\$2344.00	ORC 4303.181(O) (Same as D5). Restaurant located in a casino.
E	\$500	ORC 4303.19 Railroad car or airline to sell beer or any intoxicating liquor at retail in glass or from container for consumption in such car or aircraft.
G	\$100	ORC 4303.21 Retail drug store (alcohol for medicinal, industrial, mechanical, chemical, or scientific purposes).
H	\$300	ORC 4303.22 Carrier by rail or for hire motor carrier who also holds a license issued by the public utilities commission to transport beer, intoxicating liquor, and alcohol, or any of these. In this state or delivery or use in this state.
I	\$200	ORC 4303.23 Wholesale druggist (purchase - import alcohol for sale at wholesale and retail).

Temporary Permits

Permit Class	Permit Fee	Description
F	\$40	ORC 4303.20 Valid for beer only until 1:00am. (Temporary - 5 days).
F1	\$250	ORC 4303.201 Temporary "Special Function" permit (3 days) (allows B.Y.O.B. by a nonprofit organization at Municipal Convention Center).
F2	\$150 \$160 (jointly)	ORC 4303.202 Temporary permit (four consecutive days) beer and any intoxicating liquor by glass or container on premises only until 1:00am. (1 every 30 days in same name)
F3	\$300	ORC 4303.203 Alcohol Beverage Industry Education.
F4	\$60	ORC 4303.204 Certain non profit organizations for an event that includes the introduction, showcasing or promotion of wines produced in Ohio; to furnish at no charge 2 oz. samples and sale for on premises consumption and carry out of wine from participating A2 permit holders. The fee is \$60 (per day).
F5	\$180	ORC 4303.205 Beer and Intoxicating liquor issued to a Riverboat at a festival sponsored by a nonprofit organization (6 days - one per calendar year).
F6	\$50	ORC 4303.206 Sale of wine by a 501(c)(3) nonprofit organization (72 consecutive hours - 6 per year).
F7	\$450	ORC 4303.207 Beer, wine, mixed beverages, and spirituous liquor issued to a nonprofit organization at a "qualified golf event", meeting certain criteria until 1AM. (8 days - two(2) per calendar year).
F8	\$1700	ORC 4303.208 Temporary permit to a not-for-profit organization for sales on publicly owned property located in Hamilton County only.
F9	\$1700	ORC 4303.209 Temporary Permit to a nonprofit corporation that operates park on property leased from a municipal or non-profit corporation that provides or manages entertainment programming having an agreement meeting certain - in Franklin County only.

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CONTACT US

Division of Liquor Control
6606 Tussing Road
Reynoldsburg, OH 43068

Phone 614 644 2300
Email Web.liqr@com.state.oh.us

Webmaster
Contact the Webmaster for Questions
or Comments on the Website.
webmaster@com.state.oh.us

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ABOUT LIQUOR CONTROL

[Director Andre T. Porter](#)
[Supintendent Bruce Stevenson](#)
[FAQs](#)

Ohio.gov

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August 18, 2022

Mr. Craig Stough, Mayor
~~Mr. William Sanford, City Administrator~~
City of Sylvania
6730 Monroe St., Suite 203
Sylvania, Ohio

Dear Mayor Stough:

My son-in-law, Brad Rieger, suggested I write to both of you.

I am a member of the River Road Garden Club, which has been in existence since 1929. The Blue Star and Gold Star Memorials have been installed at the University of Toledo and also downtown Toledo at the Veterans Mall. I was instrumental in having the Blue Star and Gold Star Memorials installed at the Veterans Mall in downtown Toledo. The University of Toledo Memorials were installed by the efforts of, then, senior student, Mick Grantham.

The River Road Garden Club would like to install a Blue Star Veterans Memorial in Sylvania. The cost is \$1830.00 and we have obtained enough donations to pay for one. The Gold Star Memorial marker, which is a memorial for the families whose loved one paid the ultimate price defending the United States, also costs \$1,830.00 to have installed. We have enough donations to contribute \$1,000 towards the purchase of this Gold Star Memorial, and would like to know if the City of Sylvania could get enough donations to cover the \$830.00 we lack. If not, we would just install the Blue Star Memorial and wait until we have enough donations to pay for the Gold Star Memorial.

The Blue Star Memorial Program has been in existence through the garden club movement for more than 75 years. National Garden Clubs, Inc. is committed to placing Blue Star Memorials (and Gold Star Memorials) in honor of our nation's Armed Forces. This is to show our love for the beautiful United States of America and our appreciation for the armed services of America. The Blue Star became an icon in World War II and was seen on flags and banners in homes for sons and daughters away at war. The Gold Star is a memorial for the families whose love one paid the ultimate price defending the United States.

The memorials can only be purchased through the National Garden Clubs of America (which, incidentally, is the largest volunteer organization of its kind in the World). There are very specific guidelines for ordering, etc.

The markers are shipped with a 7' post and need to be ordered with a least 8 weeks lead time. No person's name can be on the marker, only those organizations involved. They can be installed by 2 people.

If the City of Sylvania is interested in installing these Memorials, please let me know and I will make arrangements to meet wherever you desire to more fully explain the exact importance of these Veteran Memorials. They would be installed wherever you feel would be most appropriate.

Sincerely,



Nancy Cole

River Road Garden Club

Home address: 800 Smith Rd., #39

Temperance, MI 48182

Phone: 734--847-1740

P.S. I have attached some information for you.



City of Sylvania

Bank Reconciliation

August 2022

A

Ending balance for July 2022 38,209,460.82
 Add: Monthly Receipts 4,725,652.02

Subtotal \$ 42,935,112.84

Less: Monthly Disbursements 3,933,169.11

Ending balance for August 2022 \$ 39,001,943.73

Less:

CD Metamora Bank \$ (2,209,253.18)
 Star Ohio (82,835.06)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (31,803.18)
 5/3rd Securities (10,289,670.08)
 SJS Account (5,885,431.16)
 UBS Financial (10,542,878.15)
 Premier Bank (CD) (2,112,245.16)
 Key Bank (CD) -
 Sylvania Township Bonds (80,000.00)
 \$ 7,764,714.90

5/3 Bank Error - Correction 9/1/22

(1)
 Division of Public Service \$ 150.00
 Department of Finance 100.00
 Division of Water 600.00
 Division of Police 200.00
 Municipal Court 700.00
 Division of Taxation 150.00
 Division of Forestry 150.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance \$ 8,043,484.78

Deposit in Transit:

Income Tax 7,255.99
 General Deposit 108,934.34
 Bank Error - correction 9/1/22 26.16

Subtotal \$ 8,159,701.27

Less: Outstanding Checks (2) 394,986.37

Adjusted Bank Balance \$ 7,764,714.90

(2)
 July Outstanding Checks \$ 34,389.18

Checks written this month 2,129,406.75

Voided Ck# 79779 dtd 6/2/22 (19.00)

Subtotal \$ 2,163,776.93

Checks Cleared this month (1,768,790.56)

August Outstanding Checks \$ 394,986.37



Toby Schroyer
 Director of Finance, City of Sylvania

B

Board of Architectural Review

Minutes of the regular meeting of September 14, 2022. Mr. Schaaf called the meeting to order.

Members present: Mayor Craig Stough, Carol Lindhuber, Ken Marciniak and Jeff Schaaf (4) present. Zoning Administrator, Timothy Burns also present. Kate Fischer, excused.

Ms. Lindhuber moved, Mr. Marciniak seconded to approve the Minutes of the August 10, 2022, meeting as submitted. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Regulated Sign – app. no. 19-2022 requested by Kevin Clay for House of Him, 5646 Summit Street, Sylvania, Ohio 43560. Application is for a wall sign.

Sign is within the limits of the Sylvania Sign Code.

Mr. Marciniak moved, Ms. Lindhuber seconded, to approve the sign shown in the drawing submitted with the application. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 – Building Review – app. no. 20-2022 requested by David Kreienkamp of Program Solutions Group, LLC for Sisters of St. Francis, 6832 Convent Boulevard, Sylvania, Ohio 43560. Application is for a new covered walkway and passenger loading area.

Mr. Kreinkamp was present.

Design is within the limits of the Sylvania Code.

Mayor Stough moved, Ms. Lindhuber seconded, to approve the design shown in the drawing submitted with the application. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 5 – Regulated Sign – app. no. 21-2022 requested by Nabil Shaheen of Sign Dezin USA for DW 28 Properties LLC, 5839 Monroe Street, Sylvania, Ohio 43560. Application is for a new monument sign.

Mr. Shaheen was present and presented an updated drawing of the monument sign showing a black aluminum base in place of the originally submitted red brick base.

Sign is within the limits of the Sylvania Sign Code.

Mr. Marciniak moved, Ms. Lindhuber seconded, to approve the sign shown in the updated drawing submitted presented at the meeting. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

**Board of Architectural Review
Minutes of September 14, 2022
Page 2**

Item 6 – Regulated Sign – app. no. 22-2022 requested by Nabil Shaheen of Sign Dezign USA for Vape Shack, 5805 Monroe Street, Sylvania, Ohio 43560. Application is for a new wall sign and a replacement pylon sign.

Mr. Shaheen was present.

Signs are within the limits of the Sylvania Sign Code.

Ms. Lindhuber moved, Mr. Marciniak seconded, to approve the signs shown in the drawing submitted with the application. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 7 – Regulated Sign – app. no. 23-2022 requested by Rob Hall for Planet Fitness, 6758 Sylvania Avenue, Sylvania, Ohio 43560. Application is for a new wall sign and a replacement pylon sign.

Mr. Hall was present.

Mr. Burns asked if the background color of the building will be updated to the color shown in the drawing.

Mr. Hall said that he was unsure as he was only the fabricator of the sign and not the painting of the building.

Discussion took place, and it was determined that it appeared in the drawing that the color of section of the building behind wall sign had already been changed from purple to beige.

Signs are within the limits of the Sylvania Sign Code.

Ms. Lindhuber moved, Mr. Marciniak seconded, to approve the signs shown in the drawing submitted with the application, with the appraisal that the background color of the building is changed to the beige color shown in the drawing submitted with the application. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Ms. Marciniak moved, Ms. Lindhuber seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

Sylvania Municipal Planning Commission

Minutes of the regular meeting of September 14, 2022. Mr. Schaaf called the meeting to order.

Members present: Mayor Craig Stough, Carol Lindhuber, Ken Marciniak and Jeff Schaaf (4) present. Zoning Administrator, Timothy Burns also present. Kate Fischer, excused.

Ms. Lindhuber moved, Mr. Marciniak seconded to approve the Minutes of the August 10, 2022, meeting as submitted. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

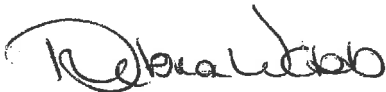
Item 3 – Lot Split – app. no. 2-2022 – submitted by Leslie Brinning for Robert and Christine Apel for the property located at 5203 Westcroft, Sylvania, Ohio 43560.

Mayor Stough stated the he spoke with Ms. Brinning, and that the owners of Lot 73, purchased the 30' section of land located behind Lots 73 and 74 in 2005, and it was all combined into one parcel. He said that the lot split was needed to allow the property owners of Lot 74, to sell the section of land located directly behind Lot 73 to the new owners of Lot 73.

Mr. Marciniak moved, Ms. Lindhuber seconded, to approve the lot split as submitted. Vote being: Stough, Lindhuber, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission