

Sylvania City Council
April 3, 2017

6:45 p.m. Utilities & Environment Committee Meeting
Regional Bulk Water Supply System
(Admin Bldg., Service Dept. Conference Room)

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Mishka, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Mishka.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of March 20, 2017.
5. Proposed Ordinance 83-2016, Amending Part One-Administrative Code of the Codified Ordinances by adding Chapter 161-Sister City Commission.
6. Proposed Ordinance 30-2017, Amending Part Eleven, Planning and Zoning Code of the Codified Ordinances by amending Section 1157.12-Front Yard Parking Prohibited. For referral to the Planning Commission.
7. Proposed Ordinance 31-2017, Amending Part Eleven, Planning and Zoning Code of the Codified Ordinances by amending Section 1101.01-Definitions and by amending Section 1153.02-Special Uses. (Adult Day Care Centers) For referral to the Planning Commission.
8. Committee reports.
 - a. Utilities & Environment Committee Meeting held 6:45 p.m.
9. Committee referrals.

INFORMATION

None.

Minutes of the Meeting of Council
March 20, 2017

The Council of the City of Sylvania, Ohio met in regular session on March 20, 2017 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Mark Luetke, Doug Haynam, Sandy Husman, Jason Mishka, (6) present; Mary Westphal (1) absent.

Roll call:
Westphal:
absent, excused.

Mr. Luetke led the Pledge of Allegiance to the United States of America.

Pledge of
Allegiance.

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

Requests were made for the following additions to the agenda:

- 3a. Election of President Pro-Tem.
- 5a. Proposed Ordinance 29-2017.
- 10. Request to set Utility & Environment Committee meeting to continue the discussion on Regional Water.

Mr. Haynam moved, Mrs. Cappellini seconded to approve the agenda as amended; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (6) yeas; (0) nays. The motion carried.

Agenda
approval.

Due to Mrs. Westphal's absence, Mr. Haynam moved, Mr. Mishka seconded, to nominate Mark Luetke as President Pro-Tem. There were no other nominations, and all present voted yea (6); (0) nays. The motion carried.

President Pro-
Tem election:
Luetke

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

Mr. Luetke presented the March 6, 2017 meeting minutes. Mr. Luetke 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 March 6, 2017 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the
March 6
meeting
minutes.

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

Mr. Haynam reported on the Public Hearing from 7:00 p.m. on this date. The petition was for Zoning Ordinance Amendment Application SUP-1-2017 from the Toledo-Lucas County Public Library, located at 6749 Monroe Street, Sylvania, Ohio to make additions and renovations to existing building.

Public Hearing
Report: SUP-1-
2017.

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Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 29-2017, a written copy of same having been previously furnished to each member of Council, "Amending the Special Use Permit for the Toledo-Lucas County Public Library for renovations and additions to the Sylvania Branch Library located at 6749 Monroe Street, Sylvania, Ohio, on the recommendation of the Municipal Planning Commission; and declaring an emergency.": Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

Ordinance No. 29-2017, "Amending the SUP for Tol-Lu County-Sylvania Library....."

Mr. Haynam moved, Mr. Mishka seconded, that Ordinance No. 29-2017 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated that council will now consider added agenda item 6.

Mr. Aller provided an overview the primary modifications to PD-1-2017.

Mr. Haynam moved, Mrs. Cappellini seconded to refer Zoning Ordinance Amendment Application No. PD-1-2017, a request from Mercurio Developers for an amendment to an approved Planned Development for property located at 5142 W. Alexis Rd., Sylvania, Ohio to the Planning Commission for review and recommendation; roll call vote being: Luetke, Mishka, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

PD-1-2017; refer to Plan Comm. for review & recommendation

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

Mr. Haynam moved, Mr. Frye seconded to refer Zoning Ordinance Amendment Application No. ZA-1-2017, a request from the City of Sylvania for a zoning change from "B-3" Central Business District to "B-5" Office, Residential and Retail District for property Located at 0 Main St., 0 Monroe St, 6447, 6453, 6457, 6461, 6465, 6465 Monroe St. to the Planning Commission for review and recommendation: roll call vote being: Mishka, Cappellini, Frye, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

ZA-1-2017; refer to Plan Comm. for review and recommendation

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

Minutes of the Meeting of Council
March 20, 2017

Service Director's report on the Sylvania Avenue Sanitary Pumping Station Generator Project was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 28-2017, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Dmytryka Jacobs Engineers, Inc. to provide engineering services for the Sylvania Avenue Pumping Station Generator Project; appropriating funds therefore in the amount of \$16,900; and declaring an emergency."; Mr. Mishka moved, Mr. Frye seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (6) yeas; (0) nays. The motion carried.

Ordinance No. 28-2017; "Accepting proposal... Jacobs Engineering... Pump St. generator..."

Mr. Mishka moved, Mr. Haynam seconded, that Ordinance No. 28-2017 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Cappellini, (7) yeas; (0) nays. The motion carried.

There being no items for agenda item 9, Mayor Stough stated Council will now consider agenda item 10.

Mr. Mishka set the Utilities & Environment Committee meeting for April 3, 2017 at 6:45p.m. in the Administration Building, Service Department Conference room to continue the discussion on the Regional Water System. Meeting contingent on Mrs. Westphal's ability to attend.

Utilities Com. Mtg., set for 4/3/17, 6:45 p.m.

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

Mr. Luetke moved, Mrs. Cappellini seconded that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:00 p.m.

Adjournment.

Clerk of Council

Mayor

ORDINANCE NO. 83 -2016

**AMENDING PART ONE - ADMINISTRATIVE CODE OF THE
CODIFIED ORDINANCES OF THE CITY OF SYLVANIA, 1979, BY
ADDING CHAPTER 161 – SISTER CITY COMMISSION; AND
DECLARING AN EMERGENCY.**

WHEREAS, Resolution No. 37-92, passed by the Council of the City of Sylvania on October 5, 1992, recognized the declared intention of Woodstock, Ontario, Canada to be in a Sister City relationship with the City of Sylvania, Ohio and declared Sylvania’s intention to be in such a relationship with Woodstock; and,

WHEREAS, Ordinance No. 71-93, passed by Sylvania City Council on June 21, 1993, authorized the payment of \$2,500 to the Sylvania Area Chamber of Commerce to be used in establishing, maintaining and operating the Sylvania Area Sister City Commission; and,

WHEREAS, the Sylvania Area Sister City Commission was comprised of representatives from the City of Sylvania, the Township of Sylvania and the Sylvania City School District; and,

WHEREAS, earlier this year, Sylvania Township informed the Sylvania Area Sister City Commission that it no longer wished to participate in the Sylvania Area Sister City Commission and requested the City make this an official City Commission; and,

WHEREAS, due to the change in structure and membership of the Sylvania Area Sister Commission, it is necessary to form a new commission; and,

WHEREAS, at the December 19, 2016 meeting of Sylvania City Council, this matter was referred to the Employee and Community Relations Committee for its review and recommendation; and,

WHEREAS, the Employee and Community Relations Committee met on January 3, 2017 and thereafter recommended that various community organizations be approached regarding their interest in serving on the Commission; and,

WHEREAS, the Mayor contacted the organizations suggested at the Employee and Community Relations Committee and those interested have been incorporated into the Commission Membership as set forth in Section 161.02 attached hereto.

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

SECTION 1. That Chapter 161 of the Codified Ordinances of Sylvania, is hereby enacted to read as set forth on "Exhibit A" attached hereto and made a part hereof.

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 Codified Ordinances of Sylvania should be amended 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 dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

- (c) The Commission shall adopt its own rules. In the absence of a rule to govern a point of procedure, reference shall be had to the approved practice in parliamentary bodies.

The chairperson shall be the presiding officer at all meetings and the chief executive officer of the Commission. The secretary-treasurer or other designated officer shall maintain records of all action of the Commission and records of attendance of members at meetings and shall furnish monthly, to the Mayor, a certified copy thereof together with complete financial operating statements satisfactory to the Director of Finance as to form and content, which records and statements shall be filed by the Mayor in the office of the Clerk of Council.

(Ord. ____-2016. Passed _____-2017.)

161.04 DEPOSIT OF RECEIPTS.

All receipts received by the Sylvania Sister City Commission shall be deposited daily within twenty-four hours after the customary closing time for daily operation in a financial institution which is a designated depository of City funds during banking hours or in a night depository therefore in such account or accounts as may be specified from time to time by the Commission. A monthly statement of all deposits in each such account shall be furnished to the Director of Finance together with a copy of all bank records reconciled with the commissioners' record relative to such account.

(Ord. ____-2016. Passed _____-2017.)

ORDINANCE NO. 30 -2017

**AMENDING PART ELEVEN – PLANNING AND ZONING CODE OF THE
CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED, BY
AMENDING SECTION 1157.12 – FRONT YARD PARKING PROHIBITED;
AND DECLARING AN EMERGENCY.**

WHEREAS, the Director of Public Service has recommended that Sylvania Codified Ordinance Section 1157.12 – Front Yard Parking Prohibited, be amended to provide greater clarification and guidelines for front yard parking and driveways for residential properties in the City.

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

SECTION 1. That Section 1157.12 – Front Yard Parking Prohibited of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “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 the amendment to this Chapter should be provided for 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 this Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

1157.12 FRONT YARD PARKING PROHIBITED.

Off-street parking spaces shall not be permitted in a required front yard or in a street side yard area of a corner lot except in a driveway or defined parking area in residentially zoned districts. The aggregate area of the driveway or defined parking area shall not exceed thirty-five percent (35%) of the front yard.

(Ord. _____-2017. Passed _____-2017.)

ORDINANCE NO. 31 -2017

AMENDING PART ELEVEN – PLANNING AND ZONING CODE OF THE SYLVANIA CODIFIED ORDINANCES, 1979, AS AMENDED BY AMENDING SECTION 1101.01 – DEFINITIONS AND BY AMENDING SECTION 1153.02 – SPECIAL USES; AND DECLARING AN EMERGENCY.

WHEREAS, the Zoning Administrator has recently been approached about locating an Adult Day Care Center in the City; and,

WHEREAS, inasmuch as the City’s current Zoning Code does not provide for Adult Day Care Centers as a permitted use, it is necessary to amend the Zoning Code to

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

SECTION 1. That Section 1101.261 – Definitions, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

SECTION 2. That Section 1153.02 – Special Uses, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit B.”

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 this ordinance must be immediately effective to provide for adult day care facilities in the City and 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, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

1101.261 DAY CARE CENTERS; ADULT.

A center where adults are given care for not more than twelve (12) hours within any 24-hour period.

(Ord. _____-2017. Passed _____-2017.)

“Exhibit A”

1153.02 SPECIAL USES.

* * *

(cc) Day Care Centers; Adult. Adult Day Care Centers may be granted a Special Use Permit so long as such use meets all applicable federal, state, or local requirements such as but not limited to licensing, health and safety regulations.

(Ord. _____-2017. Passed _____-2017.)

“Exhibit B”