

Sylvania City Council

January 22, 2013

7:30 p.m. Council Meeting

Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Westphal.
3. Additions to the agenda.
4. Approval of the minutes of the January 7 meeting.
5. Sylvania Township Fire Chief Jeff Kowalski to address Council to provide update on Fire Station #1.
6. Executive Session for various personnel matters.
7. Proposed Ordinances - Revising Administrative, Departmental and Divisional Organization of the City and Codified Ordinances thereof:
 - a. Proposed Ordinance 3-2013, amending Sylvania Codified Ordinance Chapter 121 – Mayor.
 - b. Proposed Ordinance 4-2013, amending Sylvania Codified Ordinance Chapter 125 – Dept. of Public Safety, Section 125.01- Director’s power & duties and Section 125.02 – Division of Police.
 - c. Proposed Ordinance 5-2013, amending Sylvania Codified Ordinance Chapter 127 – Dept. of Public Safety.
 - d. Proposed Ordinance 6-2013, amending Sylvania Codified Ordinance Chapter 129 – Dept. of Finance and deleting Chapter 126 – Dept. of Personnel.
 - e. Proposed Ordinance 7-2013, amending Sylvania Codified Ordinance Chapter 131 – Dept. of Law.
8. Proposed Ordinance 8-2013, Authorizing the Donation of Bicycles to Sylvania Area Family Services.
9. Request for approval of Ohio Liquor License transfer at 7625 Sylvania Ave.

10. ODOT Agreement regarding maintenance of US 23 within City Limits.
 - a. Service Director's report on ODOT Agreement #17512; and
 - b. Proposed Ordinance 11-2013, Authorizing agreement with ODOT for Snow and Ice removal of US 23.
11. Committee reports.
12. Committee referrals.

Information

- A. December 2012 cash report from the Division of Taxation.
- B. Letter regarding Demolition Permit Application, 6633 Monroe S.T.F.D. #1.
- C. Article regarding bids sought for construction of new Sylvania fire station.
- D. Minutes of the January 16, 2013 Planning Commission meeting.
- E. Minutes of the January 16, 2013 Board of Architectural Review meeting.

Minutes of the Meeting of Council
January 7, 2013

- The Council of the City of Sylvania, Ohio met in regular session on January 7, 2013 at 7:39 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: V. Michael Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0). Roll call: all present.
- Mr. Milner led the Pledge of Allegiance to the United States of America. Pledge of Alleg.
- Mayor Stough stated that Council will now consider agenda item 3.
- Requests were made for the following additions to the agenda: Additions to the agenda.
- 6a. Hotel/Motel tax discussion.
- 9a. Report from Zoning & Annexation Committee.
- Mrs. Westphal moved, Mr. Haynam seconded, to approve the agenda as amended; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.
- Mayor Stough stated that Council will now consider agenda item 4.
- Mrs. Westphal presented the December 17 minutes. Mrs. Westphal moved, Mr. Brown 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 December 17, 2012 be approved; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried. Approval of the December 17 minutes.
- Mayor Stough stated that Council will now consider agenda item 5.
- Mrs. Westphal presented the December 27 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 special meeting of December 27, 2012 be approved; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried. Approval of the December 27 minutes.
- Mayor Stough stated that Council will now consider agenda item 6.
- Mr. Ronald Myers of the Lucas County Engineer's office provided a report on the proposed roundabout at the intersection of Brint Road and King Road. He stated this is Brint Rd...King Rd Roundabout

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a joint cooperation agreement with the City of Sylvania, Sylvania Township, and Lucas County. Construction is expected to be completed in the Summer 2014. Construction cost estimate is \$731,000.00, with a total project cost estimate of \$950,200.00 with no assessments to abutting property owners. The project construction will be funded by federal transportation CMAQ funds administered by TMACOG at a rate of 80% of eligible cost up to \$632,800.00, OPWC grant of \$222,380.00 and local funds of the City and Township. report.

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

Mr. Luetke moved, Mr. Milner seconded to allow Mr. Haynam to push back from the table regarding the discussion of hotel tax due to possible conflict; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Mr. Doug Wamsher requested a 45 day waiver of the 3% hotel tax to allow research of the timeline of facts regarding the hotel tax history.

Mr. Milner moved, Mrs. Westphal seconded to waive the 3% hotel tax for 45 days starting January 1, 2013 to allow for review of the facts; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried. Hotel Tax
...45 day waiver
...begin 1/1/13

Mr. Haynam rejoined the table for the balance of the meeting.

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

Mrs. Westphal moved, Mr. Haynam seconded, not to request a hearing on liquor permit no. 8961750, a D1 & D6 permit being transferred from Chen Family LLC d/b/a Restaurant Pacific, 7629 Sylvania Avenue, Sylvania, OH 43560 to Toledo International Trading Co., LLC d/b/a Restaurant Pacific 7629 Sylvania Avenue, Sylvania, OH 43560; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried. No hearing requested for transfer of liquor permit.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance 1-2013, a written copy of same having been previously furnished to each member of Council, "Authorize the payment of Transportation Planning Assessments for 2013 in the amount of \$2,829.00 to Toledo Metropolitan Area Council of Governments; and declaring an emergency." Mr. Milner moved, Mr. Luetke seconded, that Council Ord. 1-2013, "Authorizing Transportation Assessment... TMACOG....."

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dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Haynam, Husman, Luetke, Milner, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mrs. Husman seconded, that Ordinance No. 1-2013 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nay. The motion carried.

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

Mr. Haynam stated the Zoning & Annexation met on this date at 6:45p.m. Discussion included recreational vehicle parking on side lots and the sign code amendments. Mr. Haynam moved, Mr. Luetke seconded to refer the proposed Ordinance with the memorandum dated January 4, 2013 from the administration regarding the sign code amendments to the Planning Commission for comment and recommendation; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried. Referral Sign Code Amend.... to Plan Comm.

Mrs. Westphal stated that TMACOG will have their general assembly on Tuesday, January 29th at French Quarters in Perrysburg.

Mayor Stough stated that all items on the agenda has been considered. Mrs. Westphal moved, Mr. Milner seconded, that this meeting adjourn: all present voting yeas (7); (0) nays. The motion carried and the meeting adjourned at 8:26 p.m. Adjournment.

Clerk of Council

Mayor

7a.

ORDINANCE NO. 3 -2013

REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE CHAPTER 121 - MAYOR; AND DECLARING AN EMERGENCY

WHEREAS, due to several recent retirements, numerous personnel changes have been made and the Administrative Staff has reviewed Title Five – Administrative Code of the City of Sylvania Codified Ordinances, 1979, as amended, and has recommended that several changes be made to more accurately reflect the City’s current Administrative structure.

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

SECTION 1. That Section 121.02 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 amendments to the Sylvania Codified Ordinances 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, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

121.02 FULL-TIME, TEMPORARY, PART-TIME AND SEASONAL
EMPLOYEES.

The Office of the Mayor shall have an Administrative Assistant to the Mayor, an Economic Development/Administrative Services Coordinator, and all such temporary, part-time, and seasonal employees as deemed necessary by the Mayor and who may be appointed by the Mayor if funds are appropriated to a specific account to pay such employees in addition to his full-time regular employees.

(Ord. ____-2013. Passed ____-2013.)

“Exhibit A”

7 b.

ORDINANCE NO. 4 -2013

REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE CHAPTER 125 – DEPARTMENT OF PUBLIC SAFETY, SECTION 125.01 – DIRECTOR’S POWERS AND DUTIES AND SECTION 125.02 – DIVISION OF POLICE TO MORE ACCURATELY REFLECT THE CURRENT CITY PERSONNEL ASSIGNMENTS; AND DECLARING AN EMERGENCY

WHEREAS, due to several recent retirements, numerous personnel changes have been made and the Administrative Staff has reviewed Title Five – Administrative Code of the City of Sylvania Codified Ordinances, 1979, as amended, and has recommended that several changes be made to more accurately reflect the City’s current Administrative structure.

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

SECTION 1. That Section 125.01 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. That Section 125.02 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 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 the Codified Ordinances 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 this Charter.

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

Passed, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

125.01 DIRECTOR'S POWERS AND DUTIES.

Under the direction of the Mayor, the Director of Public Safety shall have charge of and exercise supervision over the Divisions of Police, Fire, Health, Forestry and Pools and Concessions and shall perform such other duties consistent with his office as may be imposed upon him by the Charter, by ordinance of Council or by the Mayor. He shall have power to promulgate rules for all of the divisions of which he is in charge, subject to the approval of the Mayor.

(Ord. _____-2013. Passed _____-2013.)

125.02 DIVISION OF POLICE.

The Chief of the Division of Police, to be called the Chief of Police, shall, under the Director of Public Safety, have exclusive control of the stationing and transfer of all patrolmen and other officers and employees constituting the police force, under such rules and regulations as the Director may promulgate from time to time. The Chief of Police shall have an Administrative Secretary – Safety whose duties he shall assign within the Division. The police force shall be composed of a Chief of the Division of Police; one captain, who shall be directed by and answerable to the Chief, six sergeants, who shall be answerable to and assigned by the Chief; **twenty-six** patrolmen, who shall be answerable to and assigned duties by the Chief of Police; a chief telecommunicator and five regular full-time telecommunicators in the Communications Section, all of whom shall be answerable to and assigned duties by the Chief of Police; and such additional personnel, both full-time and part-time as Council shall hereafter authorize. The Chief of Police may set up, combine and/or abolish and assign or reassign any member of the police force to, or withdraw therefrom, any of the following sections: Office of Community Affairs; Detective Bureau; Court Officer; Property and Evidence Room; Road Patrol. In the event of an emergency, the Mayor may appoint additional patrolmen and other officers for temporary service during the emergency.

(Ord. _____-2013. Passed _____-2013.)

ORDINANCE NO. 5 -2013

REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE CHAPTER 127 – DEPARTMENT OF PUBLIC SERVICE; AND DECLARING AN EMERGENCY

WHEREAS, due to several recent retirements, numerous personnel changes have been made and the Administrative Staff has reviewed Title Five – Administrative Code of the City of Sylvania Codified Ordinances, 1979, as amended, and has recommended that several changes be made to more accurately reflect the City’s current Administrative structure.

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

SECTION 1. That Section 127.01 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. That Section 127.03 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 B.”

SECTION 3. That Section 127.04 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 C.”

SECTION 4. That Section 127.05 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 D.”

SECTION 5. That Section 127.08 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 E.”

SECTION 6. That Section 127.10 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 F.”

SECTION 7. That Section 127.16 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 G.”

SECTION 8. That Section 127.17 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 H.”

SECTION 9. 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 10. 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 11. 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 amendments to the Codified Ordinances 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 this Charter.

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

Passed, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

127.01 DIRECTOR AND DEPUTY DIRECTOR.

(a) Under the director of the Mayor, the Director of public Service, who shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, shall have charge of and exercise supervision over the Divisions of Streets, Utilities, Vehicle Maintenance, Health, Pools and Concessions, Parks and Forestry and through the Deputy Director of Public Service, Engineering, Construction and Utility Office Service and such other functions and duties consistent with his office as may be required by the Charter, by ordinance of Council or by the Mayor. The Department of Public Service shall have secretarial and clerical employees consisting of an Administrative Secretary – Service who shall serve as Sylvania Municipal Plan Commission Secretary and Zoning Board of Appeals Secretary. The Director shall assign and supervise within the Department, a Secretary I, whose duties shall be assigned and supervised by the Administrative Secretary – Service and a Secretary I whose duties the Deputy Director of Public Service shall assign and supervise within the Department.

* * * * *

(Ord. _____-2013. Passed _____-2013.)

127.03 DIVISION OF UTILITIES.

The Director of Public Service shall have charge of and exercise supervision over the Water Section, Sewage Section and Section of Utility Office Service, and shall perform such other duties consistent with employment in or for a water or sewage utility.

(Ord. _____-2013. Passed _____-2013.)

127.04 SECTION OF WATER.

The Foreman of the Section of Water to be called the Water Foreman under the Director of Public Service shall have charge of the construction, improvement, repair and maintenance of the water mains, pumps, pipes, storage tanks and the water supply and distribution system. The Section of Water shall be comprised of a Foreman in charge, who shall have direct supervision and control over one water maintenance crew leader, up to one water maintenance worker, up to five public works servicemen, up to one Laborer and such additional seasonal, part-time or temporary employees as shall hereafter be authorized by, and have funds for the same provided by, Council.

(Ord. _____-2013. Passed _____-2013.)

127.05 SECTION OF SEWAGE.

The Foreman of the Section of Sewage to be called the Sewage Foreman under the supervision of the Director of Public Service shall have charge of the construction, improvement, repair and maintenance of sewers, drains, ditches, culverts, streams, watercourses and sewerage systems, and the management and control of the collection and disposal of sewage. The Section of Sewage shall be comprised of a Foreman in charge, who shall have direct supervision and control over a sewage maintenance crew leader, one Sewer Maintenance worker, up to four public works servicemen, two Labor I employees and such additional seasonal or part-time employees as shall hereafter be authorized by, and funds for the same provided by, Council.

(Ord. _____-2013. Passed _____-2013.)

127.08 SECTION OF UTILITY OFFICE SERVICE.

The supervisor of the Section of Utility Office Service, to be called the Utility Manager, under the direction of the Director of Public Service, shall have charge of the Utility Office providing service to the public in the form of customer relations, paying water and sewer charges, making contracts for meter connections and disconnections and providing maintenance for service problems, and shall provide for reading meters and billing and such other services as assigned to it from time to time by the Director of Public Service. The Section of Utility Office Service shall be comprised of a Utility Manager in charge who shall have direct supervision and control over one Senior Account Clerk and one Secretary I, those employees assigned to this Section from the Section of Water and Section of Sewage by the Director of Public Service, and such additional part-time employees or shall hereafter be authorized by, and have funds for the same provided by Council.

(Ord. _____-2013. Passed _____-2013.)

127.10 SECTION OF ZONING AND BUILDING INSPECTION.

The Section of Zoning and Building Inspection, under the direction of the Zoning Administrator, shall be responsible for and have supervision and control over all aspects of zoning administration and the County issuance of City building permits. The Zoning Administrator shall also administer the contract with Lucas County providing for County issuance of City building permits, administration of the City's Building Code, and inspection incidental to all of the same.

(Ord. _____-2013. Passed _____-2013.)

127.16 DIVISION OF POOLS AND CONCESSIONS.

The maintenance of the municipal pool and concession facilities shall be under the supervision and control of the Director of Public Service. The operation and management of such facilities and the swimming and concession programs are, by contract, vested with agencies other than the City.

(Ord. _____-2013. Passed _____-2013.)

127.17 DIVISION OF PARKS AND FORESTRY.

The Superintendent of the Division of Parks and Forestry, to be called the Superintendent of Parks and Forestry, under the Director of Public Service, shall be responsible for and have supervision and control of park maintenance, composting operations, tree planting and maintenance and gardening and landscaping in the parks, cemetery, and on the grounds under control of the City; and facilities maintenance of all City buildings and structures. The Division shall be composed of the Superintendent of Parks and Forestry, one Parks and Forestry Foreman, responsible to the Superintendent and in control of, and having direct supervision over one Facilities Manager, one Parks and Forestry Crew Leader, one Parks and Forestry Maintenance Worker, up to four Public Works Servicemen, three Laborers, and such additional seasonal, temporary or part-time employees as shall hereafter be authorized by, and have funds for the same provided by Council.

(Ord. _____-2013. Passed _____-2013.)

ORDINANCE NO. 6 -2013

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; BY DELETING CHAPTER 126 – DEPARTMENT OF PERSONNEL; AND DECLARING AN EMERGENCY

WHEREAS, due to several recent retirements, numerous personnel changes have been made and the Administrative Staff has reviewed Title Five – Administrative Code of the City of Sylvania Codified Ordinances, 1979, as amended, and has recommended that several changes be made to more accurately reflect the City’s current Administrative structure.

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

SECTION 1. That Section 129.01 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. That Section 129.03 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 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 the amendments 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, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

129.01 DIRECTOR'S POWERS AND DUTIES.

(a) The Director of the Department of Finance shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0 of Article IV of the Charter. The Director of Finance shall be the Fiscal Officer of the City and shall be the head of the Department of Finance. He shall be the financial advisor of the City and shall at all times keep the Mayor and Council informed of the financial condition and needs of the City. To the extent required by the Constitution of the State of Ohio, he shall comply with the applicable laws of the State relating to certification for and expenditures of public moneys. To that end he shall prepare and sign all warrants for the disbursements of moneys of the City and shall examine all payrolls, bills and other claims against the City. Unless he finds that such payroll, bill or claim is in proper form, correctly computed and duly approved; that the same is due and payable; that a lawful appropriation has been made for the payment thereof; and that the amount required to pay the same is in the Treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances, the Director of Finance shall issue no warrant for the payment thereof. The Director of Finance shall prepare the annual estimate of receipts and expenditures and all appropriation measures and submit the same to the Mayor for transmittal to Council. On or before March 31 of each year, the Director of Finance shall prepare and submit to the Mayor and Council a report of the financial condition of the City and of receipts and expenditures for the preceding calendar year, which report shall be published in accordance with the provisions of Section 12.0 of Article III of the Charter, all as provided for the Clerk-Auditor in Article V, Section 6.0 of the Charter.

Under the direction of the Mayor, he shall exercise supervision over the Department of Personnel, formulate and direct City personnel policy and functions, and perform such other duties consistent with his office as may be imposed upon him by the Charter, by ordinance of Council or by the Mayor. Additionally, the Director of Finance shall perform those duties imposed on him as Treasurer under Section 129.02 and those duties imposed on him as Treasurer under Chapter 139.

* * * * *

(d) The Director of Finance shall supervise the general financial policy of the City, including being responsible for preparation of note and bond transcripts and special assessment proceedings and the preparation of transcripts therefore, unless such responsibility or responsibilities is or are specifically required of another officer or employee of the City by ordinance, and shall supervise and control the various divisions of the department. The Department of Finance shall consist of a Director, a Human Resource Specialist and the Divisions of Treasury, Taxation, Information Technology and Clerk of Council.

(e) All checks for the payment of money of \$10,000 or more issued by the City shall be signed by not less than two of the following designated officials of this City: Director of Finance, Director of Public Service and Commissioner of Taxation. All checks for the payment of money less than \$10,000 shall be signed by one of the following designated officials of this City: Director of Finance, Director of Public Service and Commissioner of Taxation.

* * * * *

129.03 DIVISION OF TAXATION.

The Commissioner of the Division of Taxation, to be called the Commissioner of Taxation, under the supervision and direction of the Director of Finance, shall have supervision and control of the administration and enforcement of the City income tax in all aspects thereof. The Commissioner shall be appointed by the Mayor and be subject to confirmation by a majority of the members of Council. The Division may have four clerical employees consisting of one Administrative Assistant – Tax, three Tax Specialists, all of whom shall be under the supervision and control of the Commissioner of Taxation.

(Ord. ____-2013. Passed ____-2013.)

ORDINANCE NO. 7 -2013

REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE CHAPTER 131 – DEPARTMENT OF LAW; AND DECLARING AN EMERGENCY

WHEREAS, due to several recent retirements, numerous personnel changes have been made and the Administrative Staff has reviewed Title Five – Administrative Code of the City of Sylvania Codified Ordinances, 1979, as amended, and has recommended that several changes be made to more accurately reflect the City’s current Administrative structure.

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

SECTION 1. That Section 131.01 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 amendments should be made 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, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

131.01

DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION;
CONSULTANT EXPENSE REIMBURSEMENT.

* * * * *

(c) The Department of Law shall have a Division of Prosecution comprised of one full-time prosecutor, one Secretary II and one Secretary who will be employed on a part-time basis, who shall serve under the direction of the Prosecutor. The prosecutor in the Division of Prosecution shall be primarily responsible for the prosecution of all City of Sylvania and State cases in Sylvania Municipal Court and the cases of all municipalities with whom the City of Sylvania has contracted to provide prosecutorial services, subject to the oversight of the Director of Law. The prosecutor shall be an attorney at law duly admitted to practice law in the State of Ohio. The prosecutor shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0(c) of Article IV of the Charter. The Director of Law may appoint, on a case by case basis, such Special Prosecutors as may be necessary when the prosecutor has a potential conflict of interest or there exist other legal grounds why the prosecutor should not prosecute a particular case. The Prosecutor shall be compensated in accordance with the provision made for them in the Position and Compensation Plan and/or in accordance with the compensation provided for them in an ordinance of Council and/or a separate agreement authorized by an ordinance of the Council. The Prosecutor shall submit reports to the Director of Law at such frequency, in such detail and covering such matters as the Director shall require.

* * * * *

(Ord. ____-2013. Passed ____-2013.)

ORDINANCE NO. 8 -2013

AUTHORIZING THE DONATION OF BICYCLES TO SYLVANIA AREA FAMILY SERVICES; DETERMINING SAID ITEMS TO BE OF NO FURTHER USE TO THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania Police Department has ten bicycles that have been found but not claimed and are of no further use to the City; and,

WHEREAS, Sylvania Area Family Services, has indicated a need for bicycles for the families it serves; and,

WHEREAS, the ten bicycles, set forth in a list on file with the Clerk of Council are of no further use to the City of Sylvania and should therefore be donated to Sylvania Area Family Services.

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

SECTION 1. That it is hereby determined that the City of Sylvania no longer needs the ten bicycles more further described on a list provided to the Clerk of Council and Director of Finance.

SECTION 2. That the Mayor and Director of Finance be, and they are hereby are, authorized to donate items named above which are of no further use to the City, to Sylvania Area Family Services.

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 bicycles named above are of no further use to the City of Sylvania and therefore they should be donated to Sylvania Area Family Services 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, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



9
The Danberry Co., Realtors

3242 Executive Pky., Suite 101, Toledo, Ohio 43606
Telephone: (419) 531-4431 • Fax: (419) 534-4824
www.danberry.com

January 7, 2013

Craig Stough, Mayor
James Moan, Esq
City Council of Sylvania
6500 Monroe St
Sylvania, OH 43560

RE: Request for approval
Ohio Liquor License transfer
7625 Sylvania Ave.

Via: Hand delivered this date

Dear Mssrs. Stough and Moan,

On behalf of our client, "Timbersone Partners, LLC" the owners of "Timberstone Shopping Center" at Sylvania Ave/King Rd, in the City of Sylvania, and a new prospective Tenant, we are requesting your consideration and guidance for the City Council to act in the affirmative in approving the transfer of the Tenants State of Ohio Liquor License to the address of a former restaurant space in the shopping center.

Please note that although the subject license is an existing license of the Applicant/Tenant to be transferred from the City of Toledo to the City of Sylvania, the subject address did have another operating license for almost ten years (as "Demetri's" and "Playmakers") until the prior tenant closed their business nearly three years ago and that license was forfeited back to the State with tax liens.

Recognizing that the City needs to be careful about over saturation of new businesses with liquor, perhaps you will view this application request as not being a new license/location to the City, but rather as a replacement license for the prior business.

You can imagine that we have had difficulty in maintaining occupancy in the shopping center for the owners over the past few years, and although the vacancy may appear low, the economics have changed drastically due to lower rents.

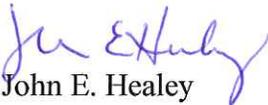
"We Make It Worry Free."

We have struggled with this particular space as it is set up as a bar/restaurant with the existing mechanicals, and we have had quite a bit of interest over the past few years, but all of those parties have made requirements for obtaining a liquor license. Now we have a prospect that does have their own license in escrow with the State.

Of course if you should approve the application for the transfer, the applicant will still be required to pass all of the State background reviews and requirements before a transfer can be finalized.

Please let us know if there is any further background information we can provide for you and thank you for your consideration of this request.

Very truly yours,
Danberry Commercial Realtors,


John E. Healey

Attachment

cc: John Pastrokos, Applicant
Dan LaValley, Esq, Timberstone Partners
Bob Gersten, Timberstone Partners



Ohio Department of Commerce - Division of Liquor Control
 6606 Tussing Road, P.O. Box 4005
 Reynoldsburg, Ohio 43068-9005
 http://www.com.ohio.gov/liqr

Office hours - 8:00am to 5:00pm
 For Questions call (614) 644-2496

TRANSFER EXEMPT PERMIT APPLICATION TO AN ECONOMIC DEVELOPMENT PROJECT

Ohio Revised Code 4303.29 allows for the transfer of location or the transfer of ownership and location of a C-1, C-2, D-1, D-2, D-3, or D-5 permit from a municipal corporation or the unincorporated area of a township to an economic development project located in another municipal corporation or the unincorporated area of another township in which no additional permits of that class may be issued to the applicant under the permit quota. However the transfer may occur only if the applicant notifies the municipal corporation or township to which the location of the permit will be transferred regarding the transfer and the municipal corporation or township acknowledges in Section B of this application OR in writing to the Division of Liquor Control, that the transfer will be to an economic development project. (Section B has been provided on this application as the statute now requires the municipal corporation or township to submit the acknowledgment at the time the application for the transfer is filed with the division). A permit may be transferred to a different owner at the same location, or to the same owner or a different owner at a different location in the same municipal corporation or in the unincorporated area of the same township, as long as the same or new location meets the economic development project criteria set forth in this section...

GENERAL INFORMATION

The applicant will be required to submit a transfer of ownership, location or transfer of ownership and location application along with the \$100.00 Processing Fee for the transfer of this permit. Please refer to the general instructions for filing either a transfer of ownership/location application and submit DLC Form 4120 (Ownership & Location) or DLC Form 4118 (Transfer of Location only).

PRINT OR TYPE ALL INFORMATION, EXCEPT SIGNATURES

Current Permit Holder (Sellers) - (Individual, Corp., LLC or Partnership) <p style="text-align: center;">Skiadas, Inc</p>		Buyers (s) - (Individual, Corp., LLC or Partnership) <p style="text-align: center;">Patrikos & Skiadas, LLC</p>	
Permit Certificate #: 8208426		DBA (doing business as): N/A	
Premises Address: 1540 Sylvania Ave Toledo, OH 43612		Proposed Premises Address: 7625-7627 Sylvania Ave Sylvania, OH 43560	
Township (If outside City Limits):	County: Lucas	Township (If outside City Limits):	County: Lucas
City: Toledo	State OH Zip Code: 43612	City: Sylvania	State OH Zip Code: 43560

CHECK Classes of Permit(s) Being Transferred:

- C-1
 C-2
 C-2X
 D-1
 D-2
 D-2X
 D-3
 D-3A
 D-5
 D-6

EOE/ADA SERVICE PROVIDER

FOR TTY USERS DIAL ORS 1-800-750-0750

SECTION A: (To be completed by the Applicant)

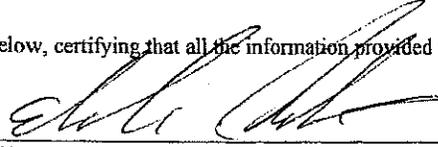
1. The total amount invested in this project is \$100,000.00
2. The total number of jobs that will be created by this economic development project is 40
3. Have you attached a projected earnings statement if this is a brand new business, or a profit and loss statement if this is an existing business? YES NO
 If NO, your application will be returned, as you MUST attach projected earnings or a Profit and loss statement pursuant to Ohio Revised Code 4303.29.
4. Is this a new structure or are you renovating an existing structure? YES NO
 If YES, you must submit architectural documents as to the plans of this project.
 If NO, explain on the line provided, (e.g., existing structure with no changes)
Existing structure with no outside changes
5. Existing or Estimated Tax Revenue generated by this project is:

(Type or print on the lines provided the type of tax & amount, i.e., Sales Tax, Property Tax, Unemployment Tax, etc.)	<u>\$208,000 ann payroll</u> \$
	<u>State withholdig6%</u> \$ <u>12,480.00</u>
	<u>Sales tax</u> \$ <u>50,625.00</u>
	\$ _____
	\$ _____

I, the applicant as indicated on the face of this application is signing below, certifying that all the information provided with this application is complete and accurate to the best of his/her knowledge.

Eleferias Pastrkas
 Print or Type Name

1-7-13
 Date


 Signature

owner
 Title

SECTION B: (The applicant MUST have this Section completed by the City, Village or Township Office in which this Economic Development Project (TRES) will be located. This MUST accompany the application).

Based upon the factors outlined above, the City/Village/Township of _____ hereby endorses
(City, Village or Township Name)

and acknowledges that this transfer will be to an economic development project.

Print or Type Name

Authorized Signature

Date

Title (e.g., Mayor, Clerk of City Council, Fiscal Officer or Law Director)

10a



January 18, 2013

To: The Mayor and Members of City Council

Re: ODOT Agreement No. 17512

Dear Mayor and Members of Council:

The City and Ohio Department of Transportation (ODOT) have had an agreement for several years regarding maintenance of US 23 within the City Limits. The agreement, in simple terms, states that ODOT will perform all maintenance and repairs on US 23. The City reimburses ODOT a flat fee annually that has increased each year based on the Consumer Price Index. This year's payment would be approximately \$32,000 based on the existing agreement.

If you recall, in 2010-2011, ODOT performed a fairly extensive repair/resurfacing project at and near the exit and entrance ramps of US 23. The City's share of that project alone would have been \$135,600 had the agreement not have been in place.

ODOT is also responsible for maintaining the sections of S.R. 181 (Alexis Road) and S.R. 51 (Monroe Street) within the township area. These sections are difficult for them to work into their snow and ice control duties due to the higher demand needs of the interstate system. They have asked us to maintain Alexis Road easterly to Flanders Road as well as Monroe Street easterly to Laskey Road. The City of Toledo has agreed to maintain the remaining area to its city limits. In exchange for these services, ODOT will agree to maintain our current reimbursement fee schedule with the 2013 fee being \$30,000.

Our commitment would be for snow and ice maintenance only. ODOT would continue to perform all other maintenance in those sections of Monroe Street and Alexis Road.

To: The Mayor and Members of City Council

Re: ODOT Agreement No. 17512

Page 2

It is the Service Department's recommendation that we enter into this agreement with ODOT and request approval to do so.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller". The signature is written in a cursive style and is positioned above a horizontal line.

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

**AGREEMENT
BETWEEN THE STATE OF OHIO,
DEPARTMENT OF TRANSPORTATION
AND THE CITY OF SYLVANIA**

An agreement by and between the State of Ohio, Department of Transportation, 1980 West Broad Street, Columbus, Ohio 43223, hereinafter referred to as the "STATE" and the City of Sylvania 6730 Monroe St. Sylvania, OH 43560, hereinafter referred to as the "CITY."

1. PURPOSE

- 1.1 Pursuant to Ohio Revised Code 5501.03(A)(3) and 5501.31, the Director of the Department of Transportation shall have general supervision of all roads comprising the State Highway System, including the removal of snow and ice thereof, and the Director may enter into such contracts necessary to fulfill such supervision and maintenance.
- 1.2 Pursuant to Ohio Revised Code Chapter 5521 the Director of Transportation, upon request from a City, may maintain or repair any section of the state highway within the limits of a city.
- 1.3 The STATE performs maintenance including snow and ice operations on its roadways for treatment during snow and ice operations.
- 1.4 The CITY performs similar functions of snow and ice removal within the city limits.
- 1.5 It is in the interest and safety of the traveling public the STATE will perform all maintenance and repair work including snow and ice removal operations on a portion of State Route US 23 and contiguous ramps within the City Corporation limits in Lucas County. The CITY will perform snow and ice removal operations on portions of State Route 184 and State Route 51.
- 1.6 The coordination between the STATE and the CITY serves to manage the public resources of each agency in an efficient manner.
- 1.7 The purpose of this agreement is to establish the respective responsibilities of the parties with regard to the maintenance and repair work including snow and ice removal operations on portions of State Route US 23 and snow and ice removal operations on State Route 184 and 51.
- 1.8 "Maintenance" shall include, but not be limited to: pothole patching, pavement repairs to include partial and limited full depth repair, shoulder restoration, pavement markings, flat sheet sign replacement and repair, mowing, herbicidal spraying, street sweeping, litter pick up, snow and ice removal and catch basin and guardrail repair.

2. OBLIGATIONS OF THE STATE

- 2.1 The STATE will perform all maintenance and repair work including snow and ice removal operations on both sides of State Route US 23 and contiguous ramps within the City of Sylvania's Corporation limits.
- 2.2 The STATE agrees to grant the CITY a permit to use and occupy the right-of-way in and abutting the section of State Routes 184 and 51 hereinafter described for the purpose of performing snow and ice removal operations.
- 2.3 The STATE shall periodically inspect and where appropriate, accept work performed by the CITY.
- 2.4 All charges submitted to the CITY for maintenance of State Route US 23 shall be true and reasonable and of standard industry charges.

3. OBLIGATIONS OF THE CITY

- 3.1 The City will perform all snow and ice removal operations on both sides of SR 184, Alexis Road, from Flanders Road west into the City of Sylvania limits and on both sides of SR 51, Monroe Street, from Laskey Road west into the City of Sylvania.
- 3.2 The CITY agrees to grant the STATE the right to use and occupy the right-of-way in and abutting the section of State Route US 23 hereinbefore described for the purpose of maintenance and repair as well as performing snow and ice removal operations.
- 3.3 The CITY agrees to pay ODOT upon receipt of the billing in the sum of \$30,000.00 for work performed on State Route US 23. Payment shall be made within thirty (30) days of receipt of the billing. Future annual billings shall be increased or decreased as determined by the Consumer Price Index.

4. TERM OF AGREEMENT

- 4.1 This agreement shall commence on December 17, 2012 and shall expire November 30, 2013.
- 4.2 Upon mutual written consent of the parties, this agreement can be renewed for one year periods at a time.
- 4.3 This agreement may be terminated by either party giving thirty (30) days written notice to the other party.

5. GENERAL PROVISIONS

- 5.1 This agreement shall be to the benefit of and be binding upon the respective parties herein, their successors and assigns.
- 5.2 Either party may, at any time during the term of the agreement, request amendments or modifications. Requests for amendments or modifications shall be in writing and shall

specify the requested changes and the justifications for such changes. Should the parties consent to modifications of the contract, then an amendment shall be drawn, approved and executed in the same manner as the original agreement.

- 5.3 This agreement shall be governed, construed and interpreted in accordance with the laws of the State of Ohio. To the extent that the STATE is a party to any litigation arising out of or relating in any way to this agreement or the performance there under, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.
- 5.4 The State of Ohio is self-insured.
- 5.5 The CITY shall provide its own worker's compensation coverage throughout the duration of the agreement and any extensions thereof. The STATE is hereby released from any and all liability for injury received by the CITY, its employees, agents or subcontractors while performing tasks, duties, work or responsibilities as set forth in this agreement. The CITY is hereby released from any and all liability for injury received by the STATE, its employees, agents or subcontractors while performing tasks, duties, work or responsibilities as set forth in this agreement.
- 5.6 The CITY agrees to promptly comply with all applicable state and federal laws regarding drug-free workplace. When applicable, the CITY shall make a good faith effort to ensure that all employees, while working on state property, will not purchase, transfer, use or possess illegal drugs or alcohol or abuse prescription drugs in any way. The STATE agrees to promptly comply with all applicable state and federal laws regarding drug-free workplace. When applicable, the STATE shall make a good faith effort to ensure that all employees, while working on state property, will not purchase, transfer, use or possess illegal drugs or alcohol or abuse prescription drugs in any way.
- 5.7 The STATE and CITY agree to make a good faith effort to resolve any disputes which may arise between them concerning interpretation of, or performance pursuant to, this agreement, with the exception of matters identified in this agreement requiring approval solely and finally by the STATE.
- 5.8 Ohio Ethics Law: The CITY, by signing this document, certifies: (1) it has reviewed and understands the Ohio Ethics law and conflict of interest laws as provided by Chapters 102 and 2921 of the Ohio Revised Code, and (2) will take no action inconsistent with those laws. The STATE, by signing this document, certifies: (1) it has reviewed and understands the Ohio Ethics law and conflict of interest laws as provided by Chapters 102 and 2921 of the Ohio Revised Code, and (2) will take no action inconsistent with laws.

6. NOTICE

- 6.1 Notices under this agreement shall be directed as follows:

The City of Sylvania
6730 Monroe St.
Sylvania, OH 43560

Ohio Department of Transportation
District 02
317 E. Poe Road
Bowling Green, OH 43402

7. **SIGNATURES**

7.1 Any person executing this agreement in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this agreement on such principal's behalf.

IN WITNESS THEREFORE, the parties hereunto have caused this agreement to be executed by officials thereunto duly authorized as of the day and year last written below.

CITY OF SYLVANIA

By: _____
Craig Stough, Mayor

Date: _____

By: _____
Toby Schroyer, Finance Director

Date: _____

STATE OF OHIO
Department of Transportation

By: _____
Jerry Wray, Director

Date: _____

ORDINANCE NO. 11 -2013**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE OF THE CITY OF SYLVANIA, OHIO, TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR SNOW AND ICE REMOVAL OF US 23, STATE ROUTE 184 AND STATE ROUTE 51; AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code Section 5501.03(A)(3) and 5501.31 provides the Director of the Department of Transportation shall have general supervision of all roads comprising the State Highway System, including the removal of snow and ice thereof, and the Director may enter into such contracts necessary to fulfill such supervision and maintenance; and,

WHEREAS, the State of Ohio performs maintenance including snow and ice operations on its roadways for treatment during snow and ice operations; and,

WHEREAS, the City of Sylvania performs similar functions of snow and ice removal within the city limits; and,

WHEREAS, in order to more efficiently utilize the public resources of each agency, the State of Ohio and the City of Sylvania agree that the City will perform snow and ice removal operations on both sides of State Route 184 and State Route 51 from Flanders Road west into the City of Sylvania limits and on both sides of State Route 51 from Laskey Road west into the City of Sylvania while the State of Ohio will perform all maintenance and repair work including snow and ice removal operations on both sides of State Route US 23 and contiguous ramps within the City of Sylvania's corporation limits; and,

WHEREAS, the Director of Public Service recommends that the Agreement, a copy of which is attached hereto as "Exhibit A" be approved.

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 between the State of Ohio, Department of Transportation and the City of Sylvania in the form and substance of said 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 City should authorize the Agreement for snow and ice removal 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, _____, 2013 as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



City of Sylvania

DIVISION OF TAXATION
ANGELA J. KUHN, COMMISSIONER

A

January 7, 2013

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

Dear Mayor Stough and Council Members:

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

	Deposits	Refunds	Balance
December 31, 2012	\$658,288.23	\$6,576.52	\$651,711.71
December 31, 2011	\$564,781.08	\$3,961.31	\$560,819.77
Monthly Difference	\$93,507.15	\$2,615.21	\$90,891.94
Year to Date 2012	\$8,879,229.56	\$173,744.28	\$8,705,485.28
Year to Date 2011	\$8,607,810.11	\$196,132.74	\$8,411,677.37
Yearly Difference	\$271,419.45	-\$22,388.46	\$293,807.91

Note: December totals have been reduced by 3 returned checks, totaling \$1303.00, that are reflected in Finance Dept. totals.

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

B



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
ROBERT H. OBERLY, ZONING ADMINISTRATOR

January 15, 2013

Sylvania Area Historical Society
Heritage Museum
5717 N. Main St.
Sylvania, OH 43560

Re: **Demolition Permit Application**
6633 Monroe S.T.F.D. # 1

Dear President:

This is to inform you the Sylvania Township Fire Department has applied for a permit to demolish building located at 6633 Monroe Street. The application was made on January 15, 2013. The permit may be issued 30 days after the application is made or 30 days after the structure is posted for demolition.

During the thirty-day period the owner of the property shall permit the Sylvania Historical Society, or a similar historic preservation organization, access to the structure to map, photograph, measure or otherwise preserve the history of said structure.

You may wish to contact Chief Kowalski @ 419-882-7676 Ex 1600 if the historical society wants to document the structure that is to be torn down. If you have any questions or need any additional information, please contact the zoning office at 419-885-8948.

Very truly yours,


Robert Oberly

- cc: Mayor Craig A. Stough
- James E. Moan
- Joyce Armstrong
- ✓ Sharon Bucher, Clerk of Council
- Dave France
- Kevin Aller
- Chief Kowalski



Bids sought for construction of new Sylvania fire station

BY KELLY McLENDON
BLADE STAFF WRITER



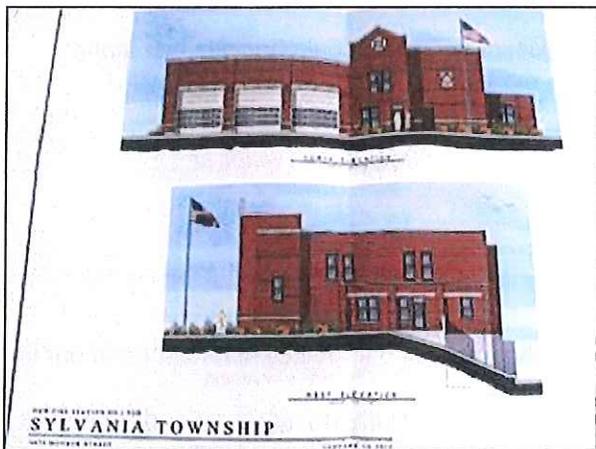
The new station will be built on the site of the existing Fire Station No. 1.

The latest plans for the Sylvania Township Fire Station No. 1 have been unveiled, and trustees have voted to go out for bid on construction of the new station.

The drawing, presented by Sylvania Township Fire Department Chief Jeffrey Kowalski and Joe Vetter from Vetter Design Group Toledo during this week's trustees meeting, shows the station still facing Monroe Street and located on the existing site of the station at 6633 Monroe St.

It is to have three truck bays, sleeping quarters, kitchen space, and a workout room.

The project includes demolition of the existing building, site paving, and construction of a new building.



Drawings for the new Fire Station No. 1, to be located in the same place of the existing station, at 6633 Monroe St.

Construction is to begin this spring, and is expected to be mostly finished by November.

Station No. 1 will be the last of three fire stations to be replaced as part of a capital campaign approved by voters in 2008 when a 1.25-mill general operating levy was given the okay. The township fire department provides service in both the township and the city of Sylvania.

Several changes had to be made to the newly proposed structure to accommodate the elevation on Monroe Street.

Chief Kowalski said a blind spot exists across the railroad tracks near the station. The current

station is three feet below the road, but the new building will be six inches higher than the street.

"...It will be safer for us when we exit the station," Chief Kowalski said, adding that, "we're pretty happy with the layout."

D.

Sylvania Municipal Planning Commission

Minutes of the regular meeting of January 16, 2013. Mr. Lindsley called the meeting to order.

Members present: Read Backus, Ken Marciniak, Thomas Lindsley, Mayor Craig Stough, (4) present. Mr. Robert Oberly and Mr. Kevin Aller present.

Mr. Marciniak moved, Dr. Backus seconded to approve the Minutes of the December 12, 2012, meeting as submitted. Vote being: (4) aye; (0) nay. Motion passed by a 4 to 1 vote.

Item 3 - Election of Officers:

A – Mr. Lindsley called for nominations. Mayor Stough moved, Dr. Backus seconded to elect Mr. Lindsley as chair of the Sylvania Municipal Planning Commission. Vote being: Stough, Backus, Marciniak, Lindsley (4) aye; (0) nay. Mr. Lindsley elected by a 4 to 0 vote.

B – Mayor Stough moved, Dr. Backus seconded to elect Mr. Marciniak as vice-chair of the Sylvania Municipal Planning Commission. Vote being: Lindsley, Stough, Backus, Marciniak (4) aye; (0) nay. Mr. Marciniak elected by a 4 to 0 vote.

Item 4 - Council Referral - Proposed Ordinance No. 2-2013, for review and recommendation, amending Section 1166.03 and Section 1166.07 of the sign code. The members reviewed the proposed sign code amendment that was submitted to the members of the Sylvania City Council by memorandum, dated January 4, 2013 by James E. Moan, Director of Law. After consideration and discussion among the members of the Planning Commission, the decision was made that further research and review was needed before making a recommendation to City Council. Review and recommendations on this item were postponed until the next Planning Commission meeting scheduled for February 13, 2013.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

Board of Architectural Review

Minutes of the regular meeting of January 16, 2013. Mr. Lindsley called the meeting to order.

Members present: Read Backus, Ken Marciniak, Thomas Lindsley, Mayor Craig Stough, (4) present. Mr. Robert Oberly and Mr. Kevin Aller present.

Mr. Marciniak moved, Dr. Backus seconded to approve the Minutes of the December 12, 2012, meeting as submitted. Vote being: (4) aye; (0) nay. Motion passed by a 4 to 1 vote.

Item 3 - Regulated Sign - app. no. 1-2013 requested by Harmon Sign for Vin Devers Mercedes-Benz, 5570 Monroe St., Sylvania. The new sign is an illuminated Mercedes Benz logo sign to be installed on the front of the building and is within the sign code requirements as shown in the pictures submitted with the application. Dr. Backus moved, Mr. Marciniak seconded to give a Certificate of Appropriateness for the new sign shown on the picture submitted with app. no. 1-2013 for Vin Devers Mercedes-Benz, 5570 Monroe Street. Vote being: Stough, Lindsley, Marciniak, Backus (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 - Regulated Sign - app. no. 2-2013 requested by Toledo Mobile Media for Alexandria Restaurant, 5834 Monroe St., Sylvania. The new sign is internally illuminated with LED lights and is within the sign code requirements. The sign will be installed on the front of the store. Mr. Marciniak moved, Dr. Backus seconded to give a Certificate of Appropriateness for the new sign as submitted in app. no. 2-2013 for Alexandria, 5834 Monroe Street. Vote being: Stough, Lindsley, Marciniak, Backus (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 5 - Regulated Sign - app. no. 3-2013 requested by Toledo Mobile Media for Kahuna Bay Tan, 6419 Monroe St., Sylvania. The application requests two signs. The first is a monument sign. They will be replacing the face on an existing monument sign. The second sign is a 4ft x 5ft sign that will be installed on the front of the building. The sign will be replacing a temporary sign that was installed for Canaan Construction Co. The signs shown in the pictures submitted with the application are within the sign code requirements. Dr. Backus moved, Mr. Marciniak seconded to give a Certificate of Appropriateness for the new signs as shown in pictures submitted with app. no. 3-2013 for Kahuna Bay Tan, 6419 Monroe Street. Vote being: Stough, Lindsley, Marciniak, Backus (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 6 - Regulated Sign - app. no. 4-2013 requested by Toledo Mobile Media for Canaan Construction, 6423 Monroe St., Sylvania. The application is for an 8ft by 4ft sign that will be installed on the front of the building. The sign is within the sign code requirements. Dr. Backus moved, Mr. Marciniak seconded to give a Certificate of Appropriateness for the new sign as