

Sylvania City Council
December 16, 2013

7:30 p.m. Council Meeting
Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Milner.
3. Additions to the agenda.
4. Approval of the meeting minutes of December 2, 2013.
5. Presentation to commend Sylvania Southview High School's Mock Trial Team on its' 2013 Empire City Invitational Work Championship.
6. Memorandum from Director of Law, James Moan regarding review of Sylvania Codified Ordinances addressing the feral cat issue.
7. Service Director's report on Villas at Palisades Asphalt Surface Course.
8. Proposed Ordinance 21-2013, Adopting a statement, indicating what services will be provided to the area proposed to be annexed to the City of Sylvania.
9. Proposed Ordinance 94-2013, Authorizing an agreement between the City of Sylvania and the Board of Lucas County Commissioners for the Suburban Court Services Program.
10. Proposed Ordinance 95-2013, Determining the Video Service Provider Fee to be paid by a Video Service Provider offering video service in the city pursuant to a video service authorization.
11. Proposed Ordinance 96-2013, To make certain adjustments to account allocations within the fund appropriations for the fiscal year ending December 31, 2013.
12. Second Reading: Proposed Ordinance 93-2013, Authorizing to enter into an offer to purchase a portion of property located at 6719 and 6725 Maplewood Avenue, Sylvania, Ohio 43560.
13. Notice of Stock Transfer of the liquor permit held by Andersons, Inc., dba The Andersons, 7638 W. Sylvania Ave., Sylvania, OH 43560.

14. Committee reports.
15. Committee referrals.

Information

- A. Lucas County Commissioner's letter regarding Annexation Petition 2013-6.
- B. November 2013 Bank Statement.
- C. Letter from Sylvania Area Family Services.

Minutes of the Meeting of Council
December 2, 2013

The Council of the City of Sylvania, Ohio met in regular session on December 2, 2013 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Mike Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary Westphal (7) present;

Roll call: All present.

Mr. Luetke 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.

- 16. Proposed Ordinance 93-2013, Purchase of property.
- 17. Set Public Hearing on zoning change for CVS Pharmacy, Sylvania & King Rds.
 - B. November 2013 Income Tax Report.

Mrs. Westphal moved, Mr. Haynam seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented the November 18 minutes as corrected. 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 November 18, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the November 18 minutes.

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

Mayor Stough noted that the Southview High School's Mock Trial Team was not present to be presented with Resolution No. 20-2013.

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

Mrs. Francis Camerote, 4607 Vicksburg spoke on the feral cat issue. She requested council pass legislation to address the health and odor issue as a result of neighbors feeding feral cats. Administration will research the current codes regarding harboring animals that do damage to neighbors properties.

Feral Cat Issue.

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

Service Director Aller provided information regarding Erie Street Bridge No. 122 Replacement project. Mr. Milner presented and read aloud by title only, proposed Ordinance 86-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 1 (Final) to this City's Agreement with Vernon Nagel, Inc. for the Erie Street Bridge No. 122 Replacement Project which reflects final bid quantity adjustments and additional work performed on this project; increasing the contract amount by \$45,261.51; appropriating funds therefore; and declaring an emergency." Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance
86-2013,
"Authorizing
Erie St. Bridge
Change Order #1
(Final)...
increasing
contract by
\$45,261.51..."

Mr. Milner moved, Mrs. Westphal seconded, that Ordinance 86-2013 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

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

Service Director Aller provided information regarding River Trail Phase 2 Project. Mr. Luetke presented and read aloud by title only, proposed Ordinance 87-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of JJR, LLC to provide preliminary engineering for the River Trail Phase 2 project; appropriating funds therefore in an amount not to exceed \$17,000; and declaring an emergency." Mr. Luetke moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance 87-
2013, "...accept
proposal of JJR,
LLC...prelim.
engineering
...River Trail
Phase 2...."

Mr. Luetke moved, Mr. Haynam seconded, that Ordinance 87-2013 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

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Mr. Brown presented and read aloud by title only, proposed Ordinance 91-2013, a written copy of same having been previously furnished to each member of Council, "Amending the Codified Ordinances of Sylvania, 1979, as amended, by increasing water service charges per one thousand gallons (1,000) from four and 50/100 dollars (\$4.50) to five and 96/100 dollars (\$5.96) for city users and from five and 63/100 dollars (\$5.63) to seven and 45/100 dollars (\$7.45) for non-city users commencing January 1, 2014; from five and 96/100 dollars (\$5.96) to six and 47/100 dollars (\$6.47) for city users and from seven and 45/100 dollars (\$7.45) to eight and 08/100 dollars (\$8.08) for non-city users commencing January 1, 2015; from six and 47/100 dollars (\$6.47) to seven and 05/100 dollars (\$7.04) for city users and from eight and 08/100 dollars (\$8.08) to eight and 80/100 dollars (\$8.80) for non-city users commencing January 1, 2016; and declaring an emergency." Mr. Brown moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance
91-2013,
"...increasing
water service
charges ..."

Mr. Brown moved, Mr. Milner seconded, that Ordinance 91-2013 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Westphal, Milner, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

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

Service Director Aller provided information regarding water tap fee increase. Mr. Brown presented and read aloud by title only, proposed Ordinance 92-2013, a written copy of same having been previously furnished to each member of Council, "Amending Section 921.06(c) of the codified Ordinance of Sylvania, 1979, as amended, by increasing the water tapping fee for a standard one inch tap from \$900 to \$1,200; and declaring an emergency." Mr. Brown moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance 92-
2013,
"Amending
Section 921.06(c)
....increase water
tap fees..."

Mr. Brown moved, Mr. Husman seconded, that Ordinance 92-2013 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

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Mrs. Westphal presented and read aloud by title only, proposed Ordinance 88-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with the Board of County Commissioners of Lucas County, Ohio, for after hours animal control services by the Dog Warden of Lucas County, Ohio; and declaring an emergency." Mrs. Westphal moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried.

Ordinance 88-2013,
"..agreement with
Lu Co Comm.
....Dog
Warden...."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance 88-2013 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mr. Luetke presented and read aloud by title only, proposed Ordinance 89-2013, a written copy of same having been previously furnished to each member of Council, "Making certain position and compensation pay plan changes, making certain salary, wage and other service compensation adjustments to the Codified Ordinances of Sylvania, 1979, as amended, and other Ordinances; by granting pay increases to some of the appointed officials whose titles are listed in Section 139.03(e) (3), with all the increase provided herein for the Treasurer and Director of Finance being allocated to the Director of Finance and with the increase provided herein for the Director of Public Safety being allocated to the Director of Public Service; by amending Section 139.02(a) to change the class grade of Administrative Assistant to the Mayor from 15 to 16; to change the class grades of Human Resource Specialist and Clerk of Council from 18 to 21; to change the class grade of Tax Specialist from 13 to 14; by granting a one percent (1%) pay increase to all non-union city employees and court employees whose positions are included in the list of Occupational Titles of Section 139.02(a) of the Codified Ordinances of Sylvania which increase is reflected in the annual wage rate Schedule 4 of Section 139.10(D) of the Sylvania Codified Ordinances; by amending Sylvania Codified Ordinance Section 121.02 to create the new part-time position of "Special Counsel" and setting the salary for the Special Counsel at \$54,000 annually commencing January 1, 2014; by granting pay increases for some of the employees in the Labor and Trades Supervision Group; and declaring an emergency." Mr. Luetke moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Ordinance
89-2013,
"...making
certain position
and
compensation
pay plan
changes..."

Mr. Luetke moved, Mrs. Westphal seconded, that Ordinance 89-2013 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated Council will now consider agenda item 13.

Mr. Luetke presented and read aloud by title only, proposed Ordinance 90-2013, a written copy of same having been previously furnished to each member of Council, "Providing for one-time lump sum bonuses to be paid on the first full pay of February, 2014 to some of the full-time, non-union city employees and court employees whose positions are included in the list of Occupational Titles of Section 139.02(a) and 139.03(d)(3) and (4); providing for one-time lump sum bonuses to be paid on the first full pay period of February, 2014 to some of part-time, non-union city and court employees whose positions are included in the list of Occupational Titles of Section 139.02(a) and 139.03(d)(3) and (4); and declaring an emergency." Mr. Luetke moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance
90-2013,
"Providing for
one-time lump
sum bonuses...."

Mr. Luetke moved, Ms. Husman seconded, that Ordinance 90-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated Council will now consider agenda item 16.

Proposed Ordinance 93-2013 was reviewed by Mr. Moan. Mrs. Cappellini discussed the downtown parking study completed two years ago. Mr. Kevin Armstrong, 6742 Maplewood stated he is not in support of the additional parking. Ms. Melissa Dubiel, 6745 Maplewood would like to have other city properties investigated for additional parking. Mr. Haynam proposed a first reading to allow for public awareness.

Mrs. Husman presented and read aloud by title only, gave the first reading of Ordinance 93-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an officer to purchase a portion of the property located at 6719 and 6725 Maplewood Avenue, Sylvania, Lucas County, Ohio 43560, owned by Ruth Liaros, Trustee for the amount of \$30,000; providing funds for said purchase; authorizing the payment of the purchase price."

First Reading
Ordinance 93-
2013,
"...purchase
property 6719 &
6725
Maplewood..."

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Mayor Stough stated Council will now consider agenda item 17.

Mr. Haynam moved, Mrs. Westphal seconded to set the public hearing for ZA-5-2013, 7510 W. Sylvania Ave., (NW Corner of Sylvania & King), change use from M-2 Heavy Industrial to B-2 General Business for January 21, 2014 at 7:00 p.m. and to direct the clerk to advertise the same; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried

P.H. set for ZA-5-2013, 1/21/14 at 7:00 p.m.

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

Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned 8:51 p.m.

Adjournment.

Clerk of Council

Mayor



DEPARTMENT OF LAW
JAMES E. MOAN, DIRECTOR

Robert A. Pyzik, Chief Prosecutor
Michelle A. Wagner, Prosecutor

MEMORANDUM

TO: Craig A. Stough, Mayor
Members of Sylvania City Council
FROM: James E. Moan, Director of Law
RE: Chapter 505
DATE: December 12, 2013

We have conducted a review of our existing Sylvania Codified Ordinances and I am enclosing the relevant Code Sections that could be applicable to address the feral cat issue. A review of other local municipality's ordinances was also conducted. Those ordinances to provide any additional suggestions to address this issue.

CHAPTER 505
Animals and Fowl

505.01	Dogs and other animals running at large.	505.07	Cruelty to animals generally.
505.02	Impounding and disposition; records.	505.071	Cruelty to companion animals.
505.03	Annual registration of dogs; tags required.	505.08	Nuisance conditions prohibited.
505.031	Cats; tags required.	505.09	Noisy animals or fowl.
505.04	Abandoning animals.	505.10	Rabies immunization required.
505.05	Killing or injuring animals.	505.11	Defecation removal required.
505.06	Poisoning animals.	505.12	Hunting prohibited.
505.061	Trespassing animals.	505.13	Coloring rabbits or baby poultry; sale or display of poultry.
		505.14	Horses.
		505.99	Penalty.

CROSS REFERENCES

See sectional histories for similar State law
 Owner or keeper liable for damages - see Ohio R.C. 951.10
 Dog registration - see Ohio R.C. 955.01
 Discharging firearms prohibited - see GEN. OFF. 549.11

505.01 DOGS AND OTHER ANIMALS RUNNING AT LARGE.

(a) No person being the owner or having charge of cattle, sheep, geese, ducks, turkeys, chickens or other fowl or animals shall permit them to run at large upon any public place, or upon any unenclosed lands, or upon the premises of another.

(b) No person being the owner of or having charge of any dog, whether wearing a registration tag or not, shall permit it to run at large upon any public place or upon the premises of another. No owner, keeper or harbored of any female dog shall permit such dog to go beyond the premises of such owner or keeper at any time such dog is in heat, unless such dog is properly in leash. The owner or keeper of every dog shall at all times keep such dog either confined upon the premises of the owner or keeper, or firmly secured by means of a collar and chain or other device so that it shall be kept under reasonable control of some person.

(c) The running at large of any such animal in or upon any of the places mentioned in this section is prima-facie evidence that it is running at large in violation of this section. (ORC 951.02)

(d) Whoever violates this section is guilty of a minor misdemeanor. (ORC 955.99(A))

505.02 IMPOUNDING AND DISPOSITION; RECORDS.

(a) A police officer or animal warden may impound every animal or dog found in violation of Section 505.01. If the dog is not wearing a valid registration tag and the owner is not otherwise reasonably determined, notice shall be posted in the pound or animal shelter both describing the dog and place where seized and advising the unknown owner that unless the dog is redeemed within three days, it may thereafter be sold or destroyed according to law. If the dog is wearing a valid registration tag or the identity of the owner, keeper or harbinger is otherwise reasonably determined, notice shall be given by certified mail to such owner, keeper or harbinger that the dog has been impounded and unless redeemed within fourteen days of the date of notice, it may thereafter be sold or destroyed according to law. Any dog seized and impounded may be redeemed by its owner, keeper or harbinger at any time prior to the applicable redemption period upon payment of all lawful costs assessed against the animal and upon providing the dog with a valid registration tag if it has none.

(b) A record of all dogs impounded, the disposition of the same, the owner's name and address where known, and a statement of any costs assessed against the dogs shall be kept by any poundkeeper.

505.03 ANNUAL REGISTRATION OF DOGS; TAGS REQUIRED.

(a) Except for guide dogs registered under Ohio R.C. 955.011 and dogs kept by an institution or organization for teaching and research purposes under Ohio R.C. 955.16, no person shall own, keep or harbor a dog more than three months of age without annually registering such dog with the County Auditor. Failure of any dog at any time to wear a valid registration tag shall be prima-facie evidence of lack of registration and subject such dog to impounding and disposition as provided by Ohio R.C. 955.16.

(b) Whoever violates this section is guilty of a minor misdemeanor.

505.031 CATS; TAGS REQUIRED.

(a) Whenever a cat belonging to a City resident is outside the dwelling of its owner, it shall wear an identification tag, which shall be affixed to a collar or similar device.

(b) The identification tag required by subsection (a) hereof shall have clearly inscribed thereon the name, address and telephone number of the owner of the cat.

(c) No owner of a cat shall fail to require the cat to wear, whenever the cat is outside the dwelling of such owner, the identification tag required by subsection (a) hereof. A cat's failure, at such time, to wear the required identification tag shall be prima-facie evidence of lack of such tag.

(d) Whoever violates this section is guilty of a minor misdemeanor.
(Ord. 78-92. Passed 8-17-92.)

505.04 ABANDONING ANIMALS.

(a) No owner or keeper of a dog, cat or other domestic animal shall abandon such animal. (ORC 959.01)

(b) Whoever violates this section is guilty of a misdemeanor of the second degree on a first offense and a misdemeanor of the first degree on each subsequent offense.
(ORC 959.99)

505.05 KILLING OR INJURING ANIMALS.

(a) No person shall maliciously, or willfully, and without the consent of the owner, kill or injure a farm animal, dog, cat or other domestic animal that is the property of another. This section does not apply to a licensed veterinarian acting in an official capacity, or to trespassing animals as set forth in Ohio R.C. 959.04.
(ORC 959.02)

(b) Except as otherwise provided herein, whoever violates this section is guilty of a misdemeanor of the second degree. If the value of the animal killed or the injury done amounts to three hundred dollars (\$300.00) or more, such person is guilty of a misdemeanor of the first degree. (ORC 959.99)

505.06 POISONING ANIMALS.

(a) No person shall maliciously, or willfully and without the consent of the owner, administer poison, except a licensed veterinarian acting in such capacity, to a farm animal, dog, cat, poultry or other domestic animal that is the property of another; and no person shall, willfully and without the consent of the owner, place any poisoned food where it may be easily found and eaten by any of such animals, either upon his own lands or the lands of another. This section does not apply to trespassing animals as set forth in Ohio R.C. 959.04.
(ORC 959.03)

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree.
(ORC 959.99)

- (4) If a court has reason to believe that a person who is convicted of or pleads guilty to a violation of this section suffers from a mental or emotional disorder that contributed to the violation, the court may impose as a community control sanction or as a condition of probation a requirement that the offender undergo psychological evaluation or counseling. The court shall order the offender to pay the costs of the evaluation or counseling. (ORC 959.99)

505.08 NUISANCE CONDITIONS PROHIBITED.

(a) No person shall keep or harbor any animal or fowl in the Municipality so as to create noxious, or offensive odors or unsanitary conditions which are a menace to the health, comfort or safety of the public.

(b) Whoever violates this section is guilty of a minor misdemeanor.

505.09 NOISY ANIMALS OR FOWL.

(a) As used in this section:

- (1) "Animals" means any and all types of animals both domesticated and wild, male and female, singular and plural.
- (2) "Fowl" means any and all fowl, domesticated and wild, male and female, singular and plural.

(b) No person shall keep or harbor any animals or fowl which howl or bark or emit audible sounds which are unreasonably loud or disturbing and which are of such character, intensity and duration as to disturb the peace and quiet of reasonable persons of common sensibilities.

(c) Whoever violates any provision of this section is guilty of a minor misdemeanor. (Ord. 66-91. Passed 7-15-91.)



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

December 6, 2013

To: The Mayor and Members of City Council

Re: Villas at Palisades Asphalt Surface Course

Dear Mayor and Council Members:

This project was begun in February 2008. All infrastructure improvements were completed with the exception of the surface course of asphalt. The developer did not finish the project and ultimately went out of business.

It is our recommendation that the City moves forward to install the surface course of asphalt in an effort to eliminate wear and exposure to the intermediate course of asphalt. It is further our recommendation that the cost of this project be assessed to the benefitting properties. Construction plans, specifications, and the estimate of cost for the project have been filed with the Clerk of Council.

The estimated cost of the improvement project is \$28,300.00 with the City required to pay for 2% of the project cost (\$566). The remaining amount to be assessed to the benefitted property owners will be \$27,734.00. The assessment for each of the 32 parcels in the development is estimated to be \$866.69.

We would recommend that a Resolution of Necessity be approved in order to proceed with the project.

Please call if you have any questions.

Sincerely,

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

12/6/2013

VILLAS OF PALISADES ASPHALT SURFACE COURSE
ESTIMATE OF COST

Construction	\$23,000
Engineering + Inspection	3,300
Legal Fees	1,000
Advertising	<u>1,000</u>
Estimated Project Cost	\$28,300

Total Benefitted Parcels = 32

2% City Share: $2\% \times \$28,300 = \566

Project Cost to be assessed: $\$28,300 - \$566 = \$27,734$

Cost per Benefitted Parcel: $\$27,734 \div 32 = \866.69 per parcel

RESOLUTION NO. 21 -2013**ADOPTING A STATEMENT, PURSUANT TO REVISED CODE OF OHIO 709.03 (D), INDICATING WHAT SERVICES WILL BE PROVIDED TO THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF SYLVANIA BY PETITION FOR ANNEXATION FILED WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.**

WHEREAS, on November 26, 2013, this Council received notice from James E. Moan that he was the authorized agent for the petitioners of the territory sought to be annexed by the City of Sylvania to the City of Sylvania filed with the Board of Commissioners of Lucas County, Ohio on November 4, 2013; and,

WHEREAS, pursuant to the Revised Code of Section 709.03 (D) this Council is required to adopt a statement indicating what services, if any, the City of Sylvania will provide to the territory proposed for annexation upon annexation.

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

SECTION 1. That upon annexation to the City of Sylvania the territory proposed to be annexed by said annexation petition will be provided, by the City of Sylvania, with the following services:

- a. Domestic garbage, trash and refuse generated on the premises of each residential property will be removed and disposed of once a week;
- b. Police protection will be furnished by the City of Sylvania;
- c. Street shade trees will be sprayed, trimmed, planted, removed and their leaves and branches disposed of as a part of the City tree program;
- d. Green yard waste pickup will be provided for residential property on a bi-weekly basis during the months of March through November;
- e. Curbside recycling will be provided bi-weekly for single-family residential units;
- f. Storm drainage facilities will be regularly and routinely cleaned and cleared;
- g. The minimum sanitary sewer system value and capital connection charge for future connections will be reduced from \$940 to a charge of \$430 or less;

- h. The maximum sanitary sewer system value and capital connection charge for future connections will be reduced from \$202,100 to a charge of \$92,450;
- i. The territory described in the petition is within the Sylvania Water and Sewer District;
- j. Snow plowing will be provided for public streets;
- k. Street sweeping will be provided for public streets;
- l. Site plan, preliminary and final plat review and approvals will be provided.
- m. The above services will be provided within six months after the date of the granting of the annexation petition.
- n. If a street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem, the municipal corporation to which annexation is proposed has agreed as a condition of the annexation to assume the maintenance of that street or highway or to otherwise correct the problem. As used in this section, "street" or "highway" has the same meaning as in section 4511.01 of the Revised Code.
- o. If the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the legislative authority of the municipal corporation will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

SECTION 2. That the Clerk of this Council shall file with the Board of Commissioners of Lucas County, Ohio a certified copy of this Resolution and shall also provide petitioners with a certified copy of this Resolution.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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 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.

SECTION 5. 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 and for the further reason that this Resolution should be effective immediately so that it will be effect and served upon the Board of Commissioners of Lucas County, Ohio. 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,

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

ORDINANCE NO. 94 - 2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SYLVANIA BETWEEN THE CITY OF SYLVANIA AND THE BOARD OF LUCAS COUNTY COMMISSIONERS FOR THE SUBURBAN COURT SERVICES PROGRAM; AGREEING TO PARTICIPATE IN FUNDING A PORTION OF THE LOCAL SHARE FOR SUBURBAN COURTS' SERVICES; APPROPRIATING \$25,000 THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 169-97 approved the application by the Suburban Court Services to the Victims of Crime Assistance (hereinafter "VOCA") grant and authorized the City of Sylvania to share one-third of the 25% match required by the grant; and,

WHEREAS, said Ordinance authorized the expenditure of up to \$12,622.00 for Sylvania=s local share of this grant; and,

WHEREAS, Ordinance No. 56-99, passed May 17, 1999, approved the Suburban Court Services grant application for federal funds under the Victims of Crime Act ("VOCA") through the office of the Ohio Attorney General's Office and agreed to participate in funding a portion of the local share up to \$15,056.34 for Sylvania's share of this grant; and,

WHEREAS, by Ordinance No. 17-2001, passed February 20, 2001, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services which portion of funding increased to \$36,568.14 for the year 2001 due to the expiration of funding through the Byrne Memorial Grant and also included a three percent per year increase over the duration of the Agreement through September 30, 2003; and,

WHEREAS, by Ordinance No. 25-2004, passed March 15, 2004, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2003 through September 30, 2004 in the amount of \$38,795.14; and,

WHEREAS, by Ordinance No. 94-2004, passed November 15, 2004, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2004 through September 30, 2005 in the amount of \$38,795.14; and,

WHEREAS, by Ordinance No. 97-2006, passed October 2, 2006, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2006 through September 30, 2007 in the amount of \$9,635.00, which price decrease was a result of the City now providing office space and supplies; and,

WHEREAS, by Ordinance No. 33-2008, passed April 7, 2008, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2007 through September 30, 2008 in the amount of \$25,000; and,

WHEREAS, by Ordinance No. 63-2009, passed June 15, 2009, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2008 through September 30, 2009 in the amount of \$25,000; and,

WHEREAS, by Ordinance No. 27-2010, passed April 5, 2010, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2009 through September 30, 2010 in the amount of \$25,000; and,

WHEREAS, by Ordinance No. 31-2011, passed April 18, 2011, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2010 through September 30, 2011 in the amount of \$25,000; and,

WHEREAS, by Ordinance No. 16-2012, passed February 6, 2012, the City of Sylvania agreed to participate in a portion of the local share of funding of Suburban Court Services from October 1, 2012 through September 30, 2013 in the amount of \$25,000; and,

WHEREAS, the City of Sylvania has received a request for funding Suburban Court

Services in the amount of \$25,000.00 for October 1, 2013 through September 30, 2014.

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

SECTION 1. That City of Sylvania hereby agrees to participate in funding a portion of the local share in an amount of not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for the year 2014.

SECTION 2. That the Mayor and Director of Finance be, and they hereby are, authorized to evidence such approval and agreement by signing such documents as may be necessary and the Clerk of this Council is hereby authorized and directed to certify a copy of this Ordinance and provide such certified copy to Judge Ramey.

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **GENERAL FUND** from funds therein not heretofore appropriated to **Account No. 110-7740-51295 - LCCPC Board Services** the total sum of Twenty-Five Thousand Dollars (\$25,000.00).

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 funding for Suburban Court Services 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 the Charter.

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

Passed, _____, 2013, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

AGREEMENT BETWEEN THE CITY OF SYLVANIA AND THE BOARD OF LUCAS COUNTY COMMISSIONERS FOR THE SUBURBAN COURT SERVICES PROGRAM

This agreement executed this ____ day of _____, 2013 by an between the City of Sylvania, Ohio, a charter municipal corporation organized under the laws of the State of Ohio and the Board of Lucas County Commissioners (Lucas County), a political subdivision of the State of Ohio.

WHEREAS, since 1997 the parties have participated in the Suburban Court Services Program which provides victim advocacy services to victims and witnesses of misdemeanor crimes in the participating courts; and,

WHEREAS, all parties desire to continue the Suburban Court Services Program;

NOW, THEREFORE, the parties to this contract agree to the following terms and conditions:

1. The Board of Lucas County Commissioners shall administer the program through the Lucas County Prosecutor=s Office.
2. Subject to the provisions of paragraph 5, the term of the Suburban Court Services Program shall be from October 1, 2013 through September 30, 2014, coinciding with the funding from the Victims of Crime Act.
3. The City of Sylvania shall pay the Board of Lucas County Commissioners the sum of \$25,000.00 to be used as matching dollars for the VOCA grant and for the use of the services of the program during the contract period.
4. The matching dollars needed are to coincide with a federal funding period which is October 1, 2013 through September 30, 2014.
5. Lucas County may cancel or modify this agreement, without prior notification, if there is a termination or change in the amount of funding from the Victims of Crime Act. Lucas County may cancel the agreement, after having given the other parties 60 days written notice. The municipality may terminate its participation in this agreement, after having given the other parties 60 days written notice.

IN WITNESS WHEREOF, this contract has been executed by the parties as of the day and year first written above. This contract contains two (2) pages.

LUCAS COUNTY BOARD OF COMMISSIONERS

Date _____

Commissioner Contrada

Commissioner Wozniak

Commissioner Gerken

CITY OF SYLVANIA

Date _____

Mayor

Approved as to form:

Finance Director

Law Director

Judge of the Municipal Court

ORDINANCE NO. 95 - 2013**DETERMINING THE VIDEO SERVICE PROVIDER FEE TO BE PAID BY A VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE CITY PURSUANT TO A VIDEO SERVICE AUTHORIZATION; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE; AND DECLARING AN EMERGENCY.**

WHEREAS, the General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code to provide a statewide “uniform regulatory framework” for the provision of cable television and/or other video service, which will substantially reduce the City of Sylvania’s traditional franchising authority to regulate cable and/or video service offered in the City using facilities located in the City’s public rights-of-way; and,

WHEREAS, pursuant to Ohio Revised Code Section 1332.23, any new video service provider intending to provide video service to subscribers in the City must apply for and obtain a video service authorization from the Director of the Ohio Department of Commerce; and,

WHEREAS, O.R.C. Section 1332.23 also permits a cable operator with an effective franchise agreement to terminate its franchise with the City, at its option, by applying for a state-issued video service authorization when a competitive video service provider either gives notice that it will begin providing service to subscribers in the City or actually begins providing service to subscribers in the City, or if the FCC determines that the cable operator is subject to “effective competition” in the City pursuant to 47 CFR 76.907; and,

WHEREAS, under O.R.C. Section 1332.32, a video service provider that is providing service to subscribers in the City pursuant to a state issued video service authorization must pay the City a video service provider fee (“VSP Fee”) based on a percentage of the provider’s “gross revenues” derived from providing video service in the Village, not to exceed five percent (5%) of such revenues; and,

WHEREAS, O.R.C. Section 1332.32 requires that the percentage of gross revenues on which VSP Fees are paid must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect, or, if there is no effective franchise agreement which franchise fees are payable for a given calendar quarter, the VSP Fee shall be zero percent (0%) of gross revenues, unless the City determines by Ordinance that the VSP Fee will be a percentage of gross revenues not to exceed three percent (3%) of gross revenues; and,

WHEREAS, O.R.C. Section 1332.32(c)(2) further requires the City to provide all video service providers offering service in the City with notice of the VSP Fee requirements within ten (10) days of receiving notice from the video service provider that it will begin offering service in the City, or the video service provider is not required to pay the VSP Fee to the City; and,

WHEREAS, O.R.C. Section 1332.32(B)(2)(g) provides that the VSP Fee is paid on a base of gross revenues consisting of revenues received from subscribers only, unless the City specifically determines, by Ordinance uniformly applicable to all video service providers, that advertising revenues also be included in the base of gross revenues on which the VSP Fee is paid; and,

WHEREAS, in order to minimize the negative financial impact on the City it is the intent of this Council that the Video Service Provider Fee shall be as equivalent as possible to the franchise fees required by the City's franchise with Time Warner; and,

WHEREAS, in order to provide timely notice to a video service provider of the VSP Fee, it is necessary for this Council to determine now that the percentage of gross revenues on which the VSP Fee will be paid is three percent (3%) and that advertising revenues shall be included in the base of gross revenues on which the VSP Fee is paid, and to authorize the Director of Public

Service to provide notice of the VSP Fee to a video service provider within ten (10) days of the City receiving notice that a video service provider will begin providing service 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. Subject to Ohio Revised Code Section 1332.32 taking effect, in accordance with the requirements of R.C. 1332.32, all video service providers providing video service in the City pursuant to a video service authorization obtained from the Director of the Ohio Department of Commerce shall pay Video Service Provider Fees (“VSP Fees”) in the amount of three percent (3%) of gross revenues received from providing video service in the City, which gross revenues base shall include advertising revenues. The VSP Fee shall be paid quarterly, not sooner than forty-five (45) days nor later than sixty (60) days after the end of each calendar quarter.

SECTION 2. That, no later than ten (10) days from receipt of notice from a video service provider that it will begin providing video service in the City pursuant to a state-issued video service authorization, the Director of Public Service is authorized and directed to provide such video service provider with notice of the VSP Fee as determined by this Council above, which notice may be given by overnight (return receipt) or certified mail or other manner of delivery no later than ten (10) days from receipt of the video service provider’s notice.

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 in order to ensure that the City continues to receive appropriate fees from persons providing video and/or cable service in the City using the City’s rights-of-way. 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

11

ORDINANCE # 96-2013

TO MAKE CERTAIN ADJUSTMENTS TO ACCOUNT ALLOCATIONS
WITHIN THE FUND APPROPRIATIONS FOR THE FISCAL YEAR
ENDING DECEMBER 31, 2013; AND DECLARING AN EMERGENCY.

WHEREAS, City Council duly passed Ordinance No. 66-2012 on December 17, 2012, providing for the annual appropriations for fiscal year 2013, and,

WHEREAS, it is necessary to adjust the 2013 annual appropriation ordinance, by making certain additional appropriations and deductions from previous appropriations, in order to meet the present conditions and to keep appropriations within the anticipated receipts for the year 2013; and,

WHEREAS, attached hereto is "Exhibit A" entitled Adjusted 2013 Budget - Summary of Expenditure Estimates which exhibit identifies by a four-digit department code number and name each account in a Fund identified by a three-digit code and name to which an appropriation adjustment within each Fund is made by this ordinance; and,

WHEREAS, attached hereto is "Exhibit B" entitled Adjusted 2013 Budget – Summary of Revenue Estimates referred to herein as estimated additional resources.

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

SECTION 1. That the 2013 annual appropriation ordinance, be adjusted as reflected in Exhibits A and B attached hereto and made a part hereof.

SECTION 2. That there be and is hereby appropriated to and is hereby withdrawn from accounts of the GENERAL FUND listed in Exhibit A the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 3. That there be and is hereby appropriated to and is hereby withdrawn from accounts of the STREET C M & R FUND listed in Exhibit A the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 4. That there be and is hereby appropriated to and is hereby withdrawn from the account of the INDIGENT DRIVER ALCOHOL TREATMENT FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net the sum of \$49,000. There is a sufficient balance in the Fund available for appropriation.

SECTION 5. That there be and is hereby appropriated to and is hereby withdrawn from the account of the INDIGENT SUPPORT FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net the sum of \$15,300. There is a sufficient balance in the Fund available for appropriation.

SECTION 6. That there be and is hereby appropriated to and is hereby withdrawn from the account of the G.O. DEBT SERVICE FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 7. That there be and is hereby appropriated to and is hereby withdrawn from accounts of the CAPITAL IMPROVEMENT FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 8. That there be and is hereby appropriated to and is hereby withdrawn from accounts of the COURT CAPITAL IMPROVEMENT FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 9. That there be and is hereby appropriated to and is hereby withdrawn from accounts of the STREET LIGHTING ASSESSMENT FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 10. That there be and is hereby appropriated to and is hereby withdrawn from accounts of the S.A. DITCHES & DRAINS FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 11. That there be and is hereby appropriated to and is hereby withdrawn from the accounts of the WATER FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 12. That there be and is hereby appropriated to and is hereby withdrawn from the accounts of the SEWER FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 13. That there be and is hereby appropriated to and is hereby withdrawn from the accounts of the INFORMATION TECHNOLOGY FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$0.

SECTION 14. That there be and is hereby appropriated to and is hereby withdrawn from the accounts of the POLICE PENSION –CURRENT FUND listed in Exhibit A and the amounts as indicated for each account with the total amount being changed by the net sum of \$58,000. There is a sufficient balance in the Fund available for appropriation.

SECTION 15. That there be and is hereby appropriated to and is hereby withdrawn from accounts of the INCOME TAX FUND listed in Exhibit A the amounts as indicated in for each account with the total amount being changed by the net sum of \$0.

SECTION 16. That there be and is hereby appropriated to and is hereby withdrawn from accounts in the ESCROW FUND listed in Exhibit A the amounts as indicated in for each account with the total amount being changed by the net sum of \$12,382.33. There is a sufficient balance in the Fund available for appropriation.

SECTION 17. It is hereby found and determined that all formal actions of the 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 action, were in meetings open to the public, in compliance with all requirements including Section 121.22 of the Ohio Revised Code.

SECTION 18. 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 19. 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 immediate provision should be made for the enactment of additional appropriations for the payment of current expenditures for the calendar year of 2013. 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.

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

President of Council

APPROVED AS TO FORM:

Director of Law

Exhibit "A"
Adjusted 2013 Budget
Summary of Expenditure Estimates

Dept.	Name	Personal Services	Contract Services	Materials & Supplies	Capital Outlay	Transfers	Totals
110	General Fund						
7110	Police Law Enforcement	-81,000	-10,500	-5,000			-96,500
7115	Fire Prevention & Insp.	19,000	-10,000				9,000
7125	Police/Fire Communications	-11,000	-9,000	-1,900			-21,900
7140	Safety Admin.Support	1,900		1,300			3,200
7210	Correctional Programs		-1,300				-1,300
7215	Cemetery	-6,000	-200				-6,200
7220	Pymt.Co.Board of Health		-4,000				-4,000
7235	Sylvania Comm. Serv.	200					200
7310	Parks & Forestry	73,000	-11,000	-7,000			55,000
7320	Community Programs		10,000				10,000
7325	Syl. Tam O'Shanter	3,000					3,000
7415	Zoning Board of Appeals	2,100	-1,700	-400			0
7425	Mowing-Private Property		-1,500				-1,500
7515	Garbage.& Refuse Collection	-5,000	12,500	1,500			9,000
7620	Street Cleaning	-11,000	-6,000	-3,000			-20,000
7710	Mayor's Office	6,000	3,000	11,000			20,000
7715	Finance Administration	42,000	32,000				74,000
7720	Treasurer's Office	-84,000					-84,000
7725	Legal Administration	14,000	-5,500				8,500
7726	Prosecutors' Office	1,500	15,000	500			17,000
7730	Service Administration	31,000	-2,000	2,000			31,000
7735	Legislation		11,700	-700			11,000
7740	Municipal Court	-4,000	-4,000	-500			-8,500
7750	Lands & Buildings		-10,000	10,000			0
7765	Elections		-7,000				-7,000
8000	Transfers						0
	Totals	-8,300	500	7,800	0	0	0

Exhibit "A"
Adjusted 2013 Budget
Summary of Expenditure Estimates

Dept. Code	Name	Personal Services	Contract. Services	Materials & Supplies	Capital	Debt Service	Transfers	Totals
=====								
222	Street C M & R							
=====								
7611	Street C M & R	21,000	1,000	-9,000	-13,000			0
=====								
227	Ind. Driver Alcohol Treatment							
=====								
7611	State Highway Maint		49,000					49,000
=====								
231	Indigent Support Fund							
=====								
7440	Domestic/Theft - ISFC		15,300					15,300
=====								
331	G.O. Debt Service							
=====								
7910	Debt Service		7,000			-7,000		0
=====								
401	Capital Improvement Fund							
=====								
7110	Police				61,000			61,000
7310	Historical Village- Maplewood Marketplace				4,000			4,000
7610	Streets				-9,000			-9,000
7630	Snow & Ice Removal				9,000			9,000
7750	Lands & Buildings		14,000		97,000			111,000
8000	Transfers				-176,000			-176,000
	Totals			14,000	-14,000			0
=====								
405	Court Capital Improvement Fund							
=====								
7440	Court Capital Outlay		-300	300				0
=====								
502	Street Lighting Assessment Fund							
=====								
7130	Street Lighting Assessme	-10,000	10,000					0
=====								
503	S.A. Ditches & Drains							
=====								
7510	Ditches & Drains	43,000	-43,000					0
=====								
701	Water Fund							
=====								
7525	Water Distribution			-7,000	7,000			0
	Totals			-7,000	7,000			0
=====								
702	Sewer Fund							
=====								
7540	Sewer Collection		235,000		-235,000			0
	Totals		235,000		-235,000			0

Exhibit "A"
Adjusted 2013 Budget
Summary of Expenditure Estimates

Dept. Code	Name	Personal Services	Contract Services	Materials & Supplies	Capital	Debt Service	Transfers	Totals
=====								
709	Information Technology							
=====								
8020	Information Technology		1,500	-16,500	15000			0
	Totals	0	1,500	-16,500	15,000			0
=====								
801	Police Pension							
=====								
7135	Police Pension - Current	58,000						58,000
=====								
804	Income Tax							
=====								
7760	Income Tax	3,000	-3,000					0
=====								
808	Escrow Fund							
=====								
8040	Escrow Fund			12,382.33				12,382.33

Exhibit "B"
Adjusted 2013 Revenue Estimates
Summary of Revenue Estimates

No changes

ORDINANCE NO. 93 -2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN OFFER TO PURCHASE A PORTION OF THE PROPERTY LOCATED AT 6719 AND 6725 MAPLEWOOD AVENUE, SYLVANIA, LUCAS COUNTY, OHIO, 43560, OWNED BY RUTH LIAROS, TRUSTEE FOR THE AMOUNT OF \$30,000; PROVIDING FUNDS FOR SAID PURCHASE; AUTHORIZING THE PAYMENT OF THE PURCHASE PRICE; AND DECLARING AN EMERGENCY.

WHEREAS, the City desires to acquire a portion of the property located at 6719 and 6725 Maplewood Avenue, Sylvania, Ohio; and,

WHEREAS, the acquisition of this property would provide additional parking for the downtown and would also provide possible future economic development and enhancement of the downtown; and,

WHEREAS, a copy of the proposed Purchase Agreement is attached hereto as "Exhibit A."

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 are hereby authorized to sign on behalf of the City, the Purchase Agreement now on file with the Clerk of this Council and hereby approves the acts of the Mayor and Director of Finance in making said offer to purchase on behalf of this City.

SECTION 2. That, to provide funds for said property purchase, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND**, from funds therein not heretofore appropriated, to **Account No. 401-7750-53102, Land Improvements**, the sum of Thirty Thousand Dollars (\$30,000.00).

SECTION 3. That the Mayor and Director of Finance be, and they hereby are, authorized and directed to draw their warrant or warrants against said Account to which appropriation has hereinabove been made, to the full amount of said appropriation, upon request of the Director of Law and in accordance with such request.

SECTION 4. That the appropriate officials of this City be, and they hereby are, authorized and directed to proceed to close said real estate purchase transaction and to do any and all things necessary or incidental thereto and to sign any and all documents incidental to the closing of said real estate purchase including the acceptance of delivery of the executed deed or

deeds, subject to all of the terms of said purchase agreement, and all of which shall be done under the supervision of the Director of Law.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11 and 12, of the Charter of this City.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should proceed with the purchase of this property forthwith. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2013, as an emergency measure.

ATTEST:

President of Council

Clerk of Council
APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

PURCHASE AGREEMENT

This Purchase Agreement ("Agreement") is entered into by and between the City of Sylvania, an Ohio municipal corporation with offices at 6730 Monroe Street, Sylvania, Ohio 43560 ("Buyer"), and Ruth C. Liaros, Trustee, ("Seller") as of the date of the last signature to this Agreement ("Acceptance Date").

RECITALS:

A. Seller is the owner of realty located at 6719 and 6725 Maplewood Ave. (Parcel Nos. 82-02021 and 82-02011) and in the City of Sylvania, Lucas County, Ohio, as shown on the legal description attached hereto as Exhibit A ("Legal Description"), including all improvements, rights, easements, rights of way, licenses, privileges and appurtenances belonging or attaching thereto (collectively, "Property").

B. Seller desires to sell and convey, and Buyer desires to purchase and acquire a portion of the Property as shown on the attached Exhibit B, upon and subject to the terms and conditions hereinafter set forth.

NOW, THEREFORE, for good and valuable considerations, the parties agree as follows:

1. Purchase and Sale. Buyer agrees to purchase and acquire from Seller, and Seller agrees to sell and convey to Buyer, the Property.

2. Purchase Price and Payment. The purchase price of the Property ("Purchase Price") shall be \$27,500.00, payable as follows:

- RCL \$ 30,000.00*
- (a) Not later than three (3) business days after the Acceptance Date, Buyer shall pay and deliver the sum of \$1,000 to the Title Company (as hereinafter defined) as an earnest money escrow deposit ("Deposit") to be credited toward the Purchase Price at the Closing (as hereinafter defined).
 - (b) At the Closing, Buyer shall pay the sum of \$26,500 in cash or immediately available funds (subject to the credits, prorations and adjustments under this Agreement).

3. Evidence of Title. As evidence of title, Seller shall secure and deliver to Buyer, not later than fourteen (14) days after the Acceptance Date, a commitment ("Commitment") for the issuance to Buyer of an owner's policy of title insurance issued by Lawyers Title Insurance Corporation/Louisville Title Agency for N. W. Ohio, Inc. ("Title Company") in the full amount of the Purchase Price. The Commitment shall show Seller to hold fee simple title to the Property free and clear from all liens, defects, encumbrances, assessments, reservations and restrictions except for (a) zoning ordinances, (b) real estate taxes and installments of assessments which are due and payable on or after the date of Closing, (c) easements and restrictions of record which will not materially hinder or interfere with Buyer's intended use of the Property as a parking lot ("Intended Use"), and (d) any mortgages to be fully satisfied and released of record on or before the date of Closing. Items (a) through (c), as referred to in the preceding sentence, shall hereinafter collectively be referred to as the "Permitted Exceptions."

4. Real Estate Taxes. Current real estate taxes and installments of assessments shall be computed and prorated between Seller and Buyer as of the date of Closing in accordance with the Lucas County, Ohio custom (i.e., the due and payable method). Any past due or delinquent real estate taxes and installments of assessments shall be paid by Seller on or before the Closing Date.

5. Seller's Representations and Warranties. Seller represents, warrants and agrees, as of the Acceptance Date and the Closing Date, as follows:

- (a) Seller has marketable record fee simple title to the Property.
- (b) Seller has not received notice of, nor to the best of Seller's knowledge is there any violation of or noncompliance with (i) any laws, orders, rules, regulations, ordinances or codes of any kind or nature relating to the Property or the ownership or occupation thereof; (ii) any covenants, conditions, restrictions or agreements affecting or relating to the ownership, use or occupancy of the Property; (iii) any order, writ, regulation or decree relating to any such matter; and no condition exists which, with the giving of notice or passage of time, or both, would constitute a violation of, or non-compliance with, any such matters.
- (c) There are no pending or, to the best of Seller's knowledge, threatened or contemplated condemnation or similar proceedings affecting or relating to the Property or any portion thereof.
- (d) Seller has not received notice of, nor does Seller have any knowledge of, any proposed or actual assessments against the Property relating to utilities, sewers, roadways or other improvements.

6. Buyer's Contingencies. Buyer's obligations under this Agreement shall, at Buyer's option, be subject to and conditioned upon the happening of the following (collectively, "Contingencies"):

- (a) The application and granting of a Lot Split Approval by the Sylvania Municipal Planning Commission.

In the event that any one or more of the above contingencies are not satisfied on or before that date occurring sixty (60) days after the Acceptance Date ("Contingency Date"), Buyer shall have the option of either (i) canceling and terminating this Agreement by giving written notice to Seller not later than the Contingency Date, or (ii) waiving said unsatisfied conditions and proceeding toward the Closing in accordance with the other provisions of this Agreement. Upon any such cancellation and termination by Buyer, neither party shall have any further liability to the other party hereunder and the Deposit shall be immediately returned to Buyer.

Reck
Cement
7. Buyer's Representations and Warranties. Buyer will install a car turn-around ~~asphalt~~ pad at the southern lot line of the remaining property at Buyer's expense at such time Buyer should elect to construct the proposed parking expansion. This item survives the

closing date and will become enforceable by Seller at such time as Buyer constructs the proposed parking lot. The subsequent maintenance and upkeep of the car turn around asphalt pad is the responsibility of Seller. asphalt
cement RCL

8. Interim Operation. Subsequent to the Acceptance Date, Buyer and its employees, agents, representatives and contractors shall have the right to enter the Property at all reasonable times to conduct inspections, tests and studies. In this regard, Buyer agrees that it will indemnify and hold Seller harmless against all losses, liabilities, costs and/or expenses (including court costs and reasonable attorney fees) which Seller might incur as a result of said activities on the Property by Buyer and its employees, agents, representatives and contractors.

9. Closing. The closing ("Closing") shall be held through the escrow services of the Title Company, on or before that date occurring thirty (30) days after the satisfaction of all of the Contingencies, at a time and place agreed upon by the parties. At the closing, (a) Seller shall convey to Buyer or its designee marketable fee simple title to the Property by delivery of a transferable and recordable warranty deed ("Deed") with fiduciary covenants, subject only to Permitted Exceptions; (b) Seller shall deliver to Buyer and the Title Company such customary closing affidavits as may be reasonably required by the Title Company or Buyer; and (c) Seller shall cooperate with Buyer in causing the Title Company to issue to Buyer an owner's title policy ("Title Policy") in the amount of the Purchase Price, insuring that Buyer is the fee simple owner of exceptions for unfiled mechanic's liens, unrecorded easements, rights of parties in possession or other standard or pre-printed exceptions.

10. Possession. Full and complete possession of the Property shall be delivered to Buyer by Seller at Closing. At such time of delivery of possession, the Property shall be in same general condition as on the date of this Agreement.

11. Costs. Seller shall pay its agreed upon portion of real estate taxes and installments of assessments. Buyer shall pay all applicable transfer taxes and conveyance fees, its agreed upon portion of real estate taxes and installments of assessments, the cost of the Commitment and the Title Policy, and the cost of any escrow fees charged by the Title Company.

12. Risk of Loss. All risk of loss, destruction or damage to the Property prior to completion of the Closing shall be borne by Seller.

13. Real Estate Brokers. Each of the parties represents and warrants to the other that it has not engaged or consulted with any real estate broker, agent or salesperson.

14. Notices. Any notice, demand, approval or other communication ("Notices") hereunder shall be in writing and shall be deemed to have been given or delivered (a) upon receipt, when delivered personally, or (b) two days after deposit in the United States certified mail, return receipt requested and postage prepaid, or (c) one day after deposit with a nationally recognized overnight courier, return receipt requested and delivery charges prepaid.

All Notices shall be addressed to Seller or Buyer, as the case may be, at their respective addresses first set forth above, or to such other address(es) as either party may previously have specified by like notice.

15. Miscellaneous. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. No representations, warranties or covenants pertaining to this Agreement or the Property have been made by, or shall be binding upon, either Seller or Buyer, except as expressly stated herein. All covenants, agreements, representations and obligations of the parties hereunder shall survive the Closing and not be merged by execution and delivery of the Deed. The headings contained herein are for convenience of reference only, and are not to be used in interpreting this Agreement. This Agreement shall be construed and enforced pursuant to the laws of the State of Ohio. No amendments or variations of the terms and conditions of this Agreement shall be valid unless the same are in writing and signed by both parties hereto. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one document. Time is of the essence of this Agreement. Under this Agreement, any time periods or deadlines ending or occurring on a Saturday, Sunday or national holiday shall be automatically extended to the next regular business day. Upon execution and delivery of this Agreement by Buyer to Seller, this Agreement shall constitute an offer by Buyer to purchase the Property that will terminate at 12:00 p.m. on _____, 2013, except that Buyer may revoke such offer at any time before such offer is accepted.

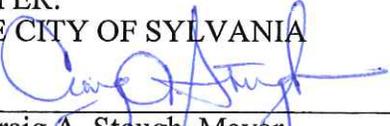
16. THIS AGREEMENT IS EXPRESSLY CONTINGENT UPON FORMAL APPROVAL BY SYLVANIA CITY COUNCIL ON OR BEFORE DECEMBER 16, 2013. FAILURE TO OBTAIN SAID APPROVAL BY DECEMBER 16, 2013 RENDERS THIS AGREEMENT VOID.

IN WITNESS WHEREOF, this Agreement has been executed by Seller and Buyer as of the dates set forth below.

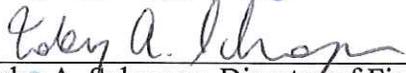
BUYER:

THE CITY OF SYLVANIA

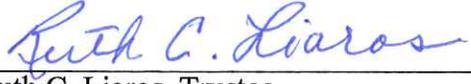
by


Craig A. Stough, Mayor

by


Toby A. Schroyer, Director of Finance

SELLER


Ruth C. Liaros, Trustee

APPROVED AS TO FORM:


James E. Moan, Director of Law

Dated: 12/3, 2013

Dated: _____, 2013

**EXHIBIT A
LOT SPLIT
DESCRIPTION OF 0.083 ACRES**

Located in the northeast corner of Section 9, Town 9 South, Range 6 East, City of Sylvania, Lucas County, State of Ohio and being part of a 0.410 acre tract of land conveyed to Ruth C. Liaros, by deed recorded in Instrument Number 20071218-0074639 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Commencing at a 2" iron pipe found at the Southeast corner of Lot 1 of Parkers Subdivision in the City of Sylvania, Lucas County, Ohio;

Thence on the southerly prolongation of the south line of Parkers Subdivision in an easterly direction South 89°51'14" East a distance of 26.93' to a point on the west line of a parcel of land as conveyed to Ruth C. Liaros by deed recorded in Instrument Number 20071218-0074639 in the Deed Records of the Lucas County Recorder's Office, said point also being 0.05' northerly of a ¾" iron bar found and also being the **TRUE POINT OF BEGINNING**;

Thence on the said existing west property line in a northerly direction North 00°02'32" East a distance of 48.00' to an iron pin set;

Thence in a northeasterly direction North 69°28'37" East a distance of 65.16' to an iron pin set on the east property line of said parcel;

Thence on the east property line in a southerly direction South 00°00'55" West a distance of 71.00' to an iron pin set, said iron pin set being on the south property line of said parcel;

Thence on the said existing south property line in a westerly direction North 89°51'14" West a distance of 61.04' to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.083 acres of land, more or less, and is subject to all legal highways and easements of record.

Bearings used hereon are based on an assumed meridian and are for the express purpose of showing angular measurement.

The above described area is contained within Lucas County Auditor's tax district parcel number 82-02011.

This description is based on a field survey conducted by Lewandowski Engineers in November 2013 under the direction and supervision of Matthew D. Lewandowski, Registered Surveyor 7476 of the State of Ohio.

All iron pins set referenced herein are ½ inch diameter x 30 inch long galvanized steel pipes with plastic caps with the company name of Lewandowski Engineers and PLS No. 7476.

This description was prepared by Matthew D. Lewandowski, Registered Surveyor 7476 of the State of Ohio.

Matthew D. Lewandowski
Registered Surveyor of Ohio: No. 7476

Date

**EXHIBIT A
LOT SPLIT
DESCRIPTION OF 0.079 ACRES**

Located in the northeast corner of Section 9, Town 9 South, Range 6 East, City of Sylvania, Lucas County, State of Ohio and being part of a 0.250 acre tract of land conveyed to Ruth C. Liaros, by deed recorded in Instrument Number 20071218-0074639 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Commencing at a 2" iron pipe found at the Southeast corner of Lot 1 of Parkers Subdivision in the City of Sylvania, Lucas County, Ohio;

Thence on the southerly prolongation of the south line of Parkers Subdivision in an easterly direction South 89°51'14" East a distance of 26.93' to a point on the west line of a parcel of land as conveyed to Ruth C. Liaros by deed recorded in Instrument Number 20071218-0074639 in the Deed Records of the Lucas County Recorder's Office, said point also being 0.05' northerly of a ¾" iron bar found;

Thence continuing on the southerly prolongation of the south line of Parkers Subdivision in an easterly direction South 89°51'14" East a distance of 61.04' to an iron pin set on the west line of a parcel of land as conveyed to Ruth C. Liaros by deed recorded in Instrument Number 20071218-0074639 in the Deed Records of the Lucas County Recorder's Office and also being the **TRUE POINT OF BEGINNING**;

Thence on the said existing west property line in a northerly direction North 00°00'55" East a distance of 71.00' to an iron pin set;

Thence in a northeasterly direction North 76°19'00" East a distance of 46.02' to an iron pin set on the east property line of said parcel;

Thence on the east property line in a southerly direction South 00°00'55" West a distance of 82.00' to an iron pin set on the south property line of said parcel, said iron pin set also being 2.35' northerly of a 3/8" iron bar found;

Thence on the said existing south property line in a westerly direction North 89°51'14" West a distance of 44.71' to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.079 acres of land, more or less, and is subject to all legal highways and easements of record.

Bearings used hereon are based on an assumed meridian and are for the express purpose of showing angular measurement.

The above described area is contained within Lucas County Auditor's tax district parcel number 82-02021.

This description is based on a field survey conducted by Lewandowski Engineers in November 2013 under the direction and supervision of Matthew D. Lewandowski, Registered Surveyor 7476 of the State of Ohio.

All iron pins set referenced herein are ½ inch diameter x 30 inch long galvanized steel pipes with plastic caps with the company name of Lewandowski Engineers and PLS No. 7476.

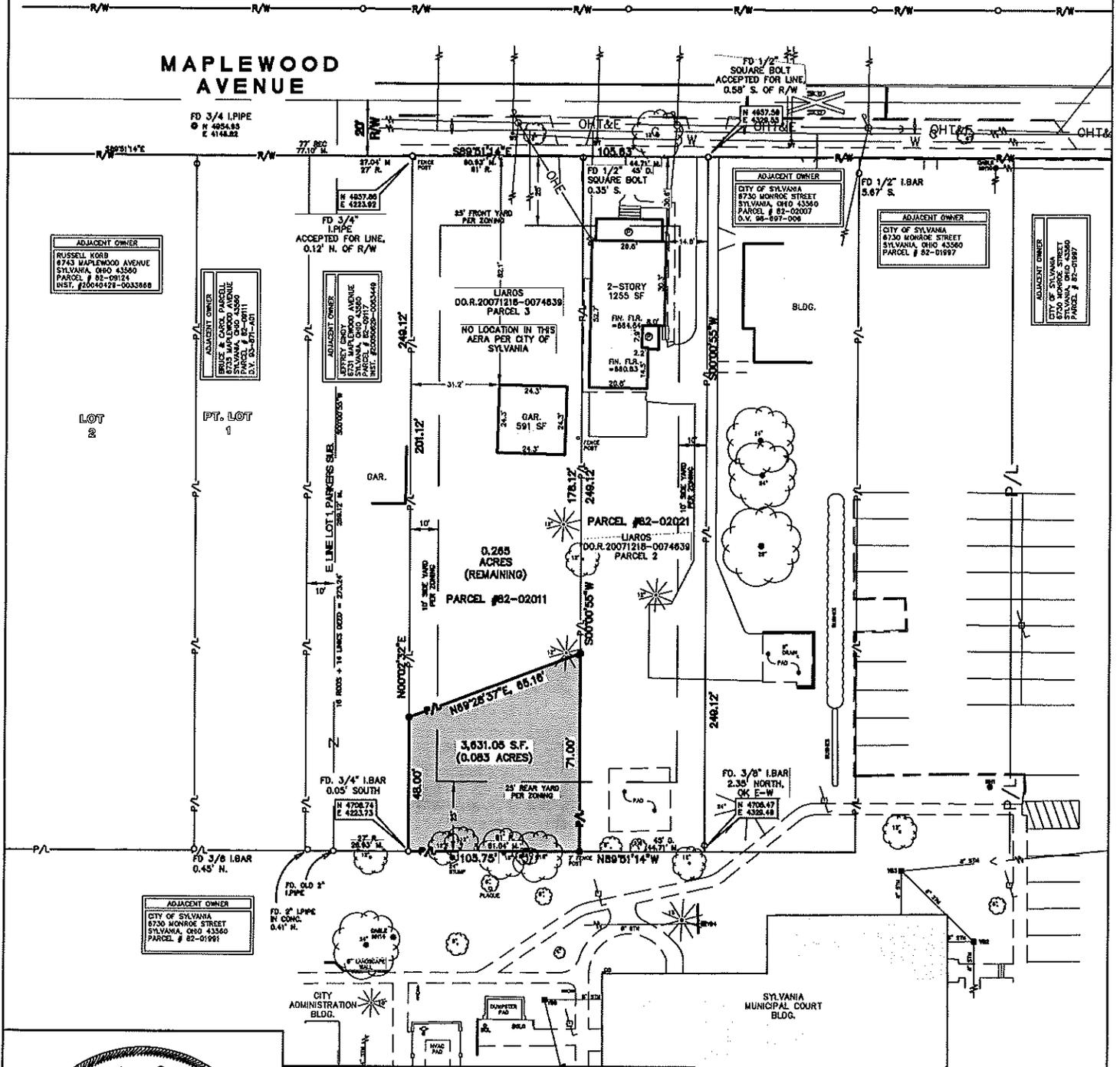
This description was prepared by Matthew D. Lewandowski, Registered Surveyor 7476 of the State of Ohio.

Matthew D. Lewandowski
Registered Surveyor of Ohio: No. 7476

Date

PART OF THE NE 1/4, SEC. 9, T9S, R6E, CITY OF SYLVANIA, LUCAS COUNTY, OHIO

MAPLEWOOD AVENUE



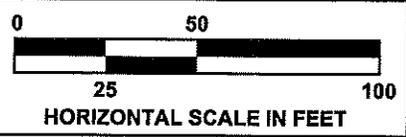
BASIS OF BEARINGS:
THE BASIS OF BEARINGS USED HEREON ARE BASED ON AN ASSUMED MERIDIAN AND ARE FOR THE EXPRESS PURPOSE OF SHOWING ANGULAR MEASUREMENT.

CERTIFICATION:
I HEREBY CERTIFY THAT THE FOREGOING WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES. I ALSO CERTIFY THAT THE MONUMENTS HAVE BEEN LOCATED AND ARE SET AS INDICATED. ONLY THOSE EASEMENTS SPECIFICALLY BROUGHT TO MY ATTENTION SHALL BE SHOWN HEREIN.

MATTHEW D. LEWANDOWSKI, P.S.
STATE OF OHIO REGISTERED LAND SURVEYOR #7476

IRON PIN SET (1/4 INCH DIAMETER X 30 INCH LONG GALVANIZED STEEL PIPE WITH PLASTIC CAP WITH COMPANY NAME OF LEWANDOWSKI ENGINEERS AND PLS NO. 7476)

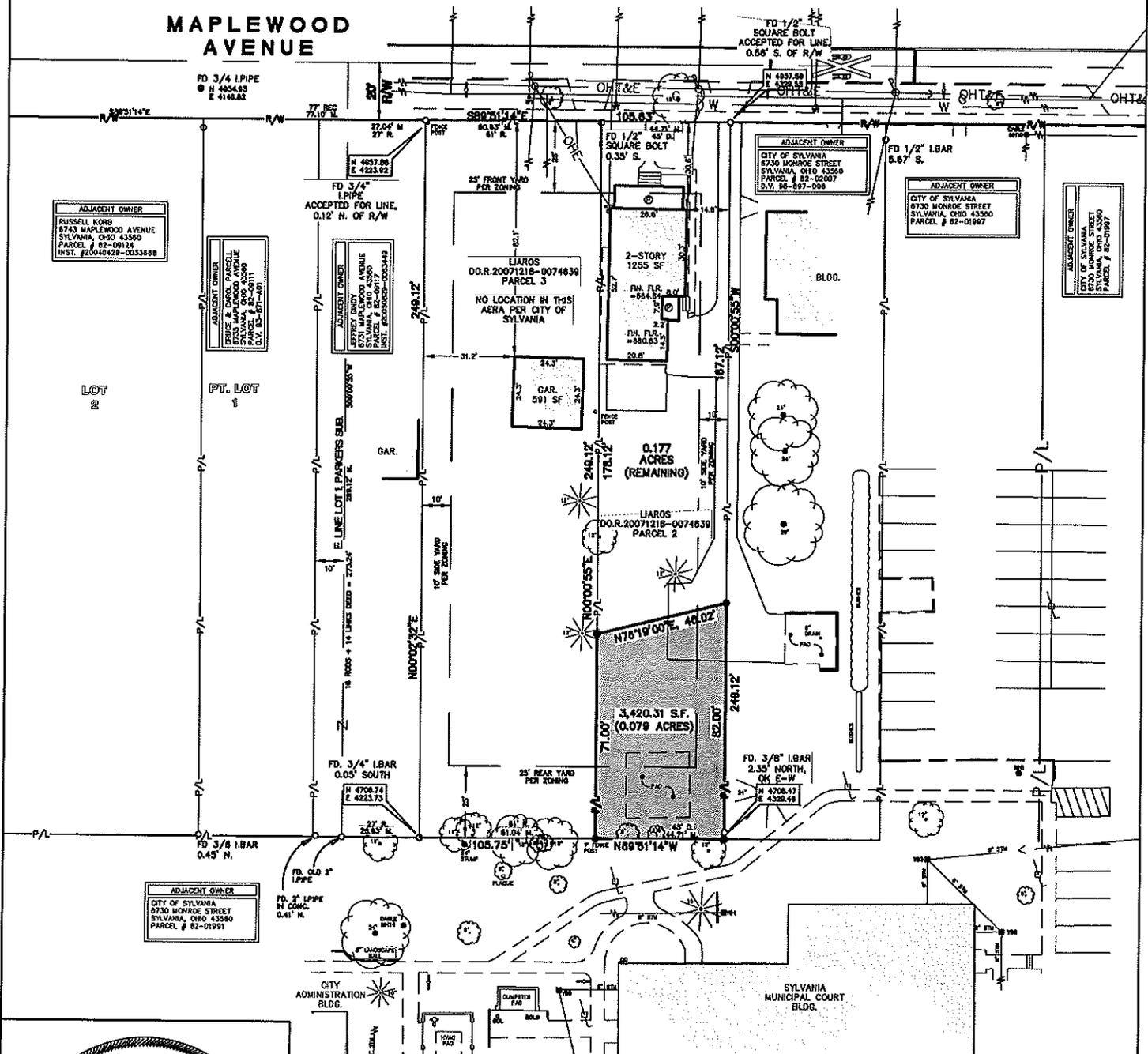
EXHIBIT: B
DRAWN BY: JES
DATE: 11/25/2013



DEPARTMENT OF PUBLIC SERVICE
LOT SPLIT OF 0.410 ACRES
6725 MAPLEWOOD AVENUE
LUCAS COUNTY TDP #82-02011

PART OF THE NE 1/4, SEC. 9, T9S, R6E, CITY OF SYLVANIA, LUCAS COUNTY, OHIO

MAPLEWOOD AVENUE



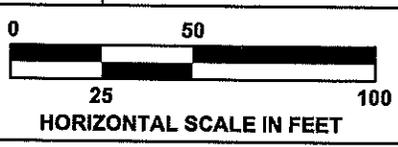
BASIS OF BEARINGS:
 THE BASIS OF BEARINGS USED HEREON ARE BASED ON AN ASSUMED MERIDIAN AND ARE FOR THE EXPRESS PURPOSE OF SHOWING ANGULAR MEASUREMENT.

CERTIFICATION:
 I HEREBY CERTIFY THAT THE FOREGOING WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES. I ALSO CERTIFY THAT THE MONUMENTS HAVE BEEN LOCATED AND ARE SET AS INDICATED. ONLY THOSE EASEMENTS SPECIFICALLY BROUGHT TO MY ATTENTION SHALL BE SHOWN HEREIN.

MATTHEW D. LEWANDOWSKI, P.S.
 STATE OF OHIO REGISTERED LAND SURVEYOR #7476

IRON PIN SET 1/2 INCH DIAMETER X 30 INCH LONG GALVANIZED STEEL PIPE WITH PLASTIC CAP WITH COMPANY NAME OF LEWANDOWSKI ENGINEERS AND PLS NO. 7476)

EXHIBIT: B
 DRAWN BY: JES
 DATE: 11/25/2013



DEPARTMENT OF PUBLIC SERVICE
 LOT SPLIT OF 0.250 ACRES
 6719 MAPLEWOOD AVENUE
 LUCAS COUNTY TDP #82-02021

13

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

TO

01959650055 PERMIT NUMBER		N TYPE	ANDERSONS INC DBA THE ANDERSONS 7638 W SYLVANIA AV SYLVANIA OHIO 43560	
ISSUE DATE				
06 27 2011 FILING DATE				
D1 PERMIT CLASSES				
48 TAX DISTRICT	077	A	242169 RECEIPT NO.	

FROM 11/29/2013

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 11/29/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/30/2013

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 N 0195965-0055

(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

PERMIT NUMBER (CORPORATION) 0195965
 ANDERSONS INC
 480 W SUSSEL DR
 PO BOX 119
 MAUMEE OHIO 43537

F.T.I. NUMBER 34-1562374
 STATUS (ACTIVE OR INACTIVE) ACTIVE
 SHARES OUTSTANDING .00
 ACTIVE DATE
 INACTIVE DATE

EXCEPTION CODE TEXT 4 STOCK LISTED ON EXCHANGE

STOCK TRANSFER CODE TEXT AND DATE

-5252	NARAN BURCHINOW	.00	01/26/06	ACTIVE	SECRETARY
-6473	BEVERLY MCBRIDE	.00	01/26/06	INACTIVE	SECRETARY
-1255	RICHARD R GEORGE	.00	08/17/12	INACTIVE	
-0204	DANIEL T ANDERSON	.00		ACTIVE	VICE PRES
-3975	NICHOLAS C. CONRAD	.00	02/04/10	ACTIVE	
-6553	MICHAEL ANDERSON	.00		ACTIVE	PRESIDENT
-6332	GARY SMITH	.00		INACTIVE	TREASURER
-5750	JOHN J GRANATO	.00	08/17/12	ACTIVE	VICE PRES



**Board of County
Commissioners**
Carol Contrada
President
Tina Skeldon Wozniak
Pete Gerken

Jody L. Balogh
Clerk of the Board

December 6, 2013

Ms. Sharon Bucher
Clerk of Council
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

Re: Annexation Petition 2013-6
Portion of Sylvania Township to the City of Sylvania (1.295± Acres)

Dear Ms. Bucher:

Enclosed is a copy of Resolution No. 13-1014, accepting the filing of the above-referenced annexation petition. The hearing date for this annexation is tentatively set for Tuesday, January 28, 2014, at 1:30 p.m., One Government Center, First Floor, Commissioners' Chambers, Toledo, Ohio.

If you need additional information, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Jody L. Balogh".

Jody L. Balogh, Clerk

/jlb
enc.

Date: December 3, 2013

Resolution No. 13-1014

Title: Accepting the Filing of Annexation Petition No. 2013-6, Portion of Sylvania Township to the City of Sylvania (Parcel 78-11974 – 1.295 acres)

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Summary/Background: There was filed with this Board on November 22, 2013, a petition for the annexation by a majority of the owners of approximately 1.295 acres of land, more or less, of real estate in Sylvania Township to the City of Sylvania by James A. Moan, Esq., agent for the petitioners. The petitioners requested that the territory be annexed pursuant to the annexation procedures contained in R.C. 709.02

Budget Impact: N/A

Statutory Authority/ORC: 709.02

Commissioner Skeldon Wozniak offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. This Board acknowledges receipt of the petition, with a deposit of \$150.00 to be placed into account 8040-8035-418160. The clerk of this Board is directed to enter said petition upon the journal of this Board.

Section 2. This Board's December 3, 2013, meeting is the first available regular session of the Board since the filing of the petition.

Section 3. This Board hereby sets the hearing date of **January 28, 2014, at 1:30 p.m.**, in the Commissioners' Hearing Room, First Floor, One Government Center, Toledo, Ohio.

Section 4. The petition, legal description and map are hereby referred to the Lucas County Engineer to determine that there is an accurate legal description of the perimeter of the territory proposed to be annexed, and a map or plat of the territory.

Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

Section 6. This resolution shall be in full force and effect from and immediately upon its adoption.

December 3, 2013

**Accepting the Filing of Annexation Petition No. 2013-6, Portion of Sylvania Township to the
City of Sylvania (Parcel 78-11974 – 1.295 acres)**

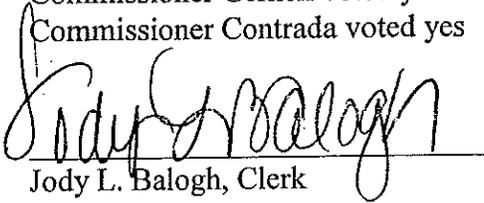
Page 2

Action Taken:

Commissioner Skeldon Wozniak voted yes

Commissioner Gerken voted yes

Commissioner Contrada voted yes

A handwritten signature in black ink, appearing to read "Jody L. Balogh", is written over a horizontal line. The signature is cursive and somewhat stylized.

Jody L. Balogh, Clerk

City of Sylvania

Bank Reconciliation

November 2013

CHECKBOOK BALANCE

Ending balance for Oct 2013 \$ 22,358,015.29

Add: Monthly Receipts 1,882,483.35

Subtotal \$ 24,240,498.64

Less: Monthly Disbursements 3,396,722.43

Ending balance for Nov 2013 \$ 20,843,776.21

Less:

Certificates of Deposit \$ (1,000,000.00)

Star Ohio (76,949.58)

Petty Cash (1) (2,050.00)

Cemetery Savings (1,062.86)

Toledo Community Fund (29,236.45)

PNC MoneyMarket (1,027,539.23)

Key Bank Securities (1,007,731.07)

5/3rd Securities (10,655,883.24)

SJS Account (5,225,706.47)

Sylvania Township Bonds (680,000.00)

\$ 1,137,617.31

Less:

P/R transfer adj (1,000.00)

\$ 1,136,617.31

(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 \$ 1,158,690.01

Dep in Transit

Subtotal \$ 1,158,690.01

Less: Outstanding Checks (2) 22,072.70

Adjusted Bank Balance \$ 1,136,617.31

(2)

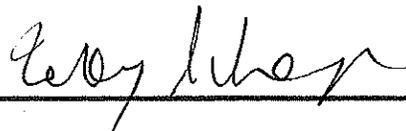
Oct Outstanding Checks \$ 5,100.38

Checks written this month 757,229.85

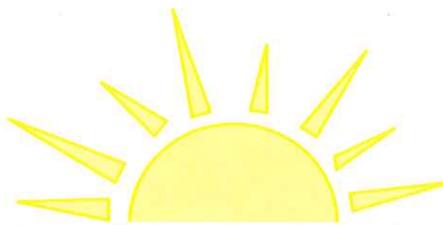
Subtotal \$ 762,330.23

Checks Cleared (740,257.53)

Nov Outstanding Checks \$ 22,072.70



Toby Schroyer
Director of Finance, City of Sylvania



Sylvania Area Family Services

"Strengthening Sylvania One Family at a Time"

C

**2013
Board of Directors**

Gary Fitzpatrick
Chairman

Dr. Kevin Knierim
Vice-Chairman

Linda Velandra
Treasurer

Sr. Ann Carmen Barone
Secretary

Mike Brown

Dr. Milo Danzeisen

Bill Eickholt

Dr. Phil Kallile

Chief Robert Boehme

Sgt. Justin Music

Tom Ramsdell

Jennifer Sweich Esq.

STAFF

**Executive Director
Jason Robertson**

**Youth Program Director
Danielle Kisch**

**Diversion Coordinator
Bob Kolasinski**

**Social Services Coordinator
Dottie Van Drieson**

December 10, 2013

Mayor Craig Stough
Sylvania City Council
6730 Monroe St.
Sylvania, OH 43560

Dear Mayor Stough,

Thank you very much for your support of SAFS 2014. On behalf of our Staff, Board of Directors, volunteers and the families we serve, we wish you a Happy Holiday.

Sincerely,

Jason Robertson
Executive Director



Thank you Sylvania
City!

Sylvania Area Family Services, Inc. is a 501 (c) (3) organization. Contributions are 100% tax deductible within the limits of the law. The donor did not receive any goods or services in exchange, in whole or part, for the above contribution.