

Minutes of the Meeting of Council
January 22, 2013

The Council of the City of Sylvania, Ohio met in regular session on January 22, 2013 at 7:30 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, Mary J. Westphal (6); absent: Todd Milner (1).

Roll call: all present.

Mrs. Westphal 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.

- 7f. Ordinance No. 9-2013.
- 7g. Ordinance No. 10-2013.
- 13. Discussion & Schedule of Public Hearing Re: Sign Code

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

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

Mrs. Westphal presented the January 7 minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of January 7, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

Approval of the January 7 minutes.

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

Sylvania Township Fire Chief Jeff Kowalski provided an update on the replacement of Fire Station #1. He stated the building is 8900 square feet will have three truck bays, kitchen and sleeping quarters. Bids to be awarded in March. While the new station is being constructed the department will be operating at 6676 Brint Rd., property owned by Lourdes University.

Fire Station #1 Update.

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

Mrs. Westphal moved, Mr. Haynam seconded to enter into Committee of the Whole Executive Session to discuss personnel matters at 7:51 p.m.; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini, (6) yeas; (0) nays. The motion carried.

C.O.W. Exec. Session... Personnel matters.

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Mrs. Westphal moved, Mrs. Husman seconded to return from Committee of the Whole Executive Session to regular session at 8:25 p.m.; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Mayor Stough added two items to the agenda due to the executive session:

7h. Ordinance No. 12-2013

7i. Ordinance No. 13-2013

Additions
to the agenda
due to exec.
Session.

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

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 3-2013, a written copy of same having been previously furnished to each member of Council, "Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 121- Mayor; and declaring an emergency." Mr. Luetke moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Ord. 3-2013
"Revising... Syl.
Codified
Ordinance...
Chapter 121"

Mr. Luetke moved, Mrs. Westphal seconded, that Ordinance 3-2013 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 4-2013, a written copy of same having been previously furnished to each member of Council, "Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 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." Mrs. Husman moved, Mr. Luetke, seconded that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Ord. 4-2013
"Revising... Syl.
Codified
Ordinance...
Chapter 125"

Mrs. Husman moved, Mrs. Westphal seconded, that Ordinance 4-2013 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Westphal, (6) yeas; (0) nays. The motion carried.

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Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 5-2013, a written copy of same having been previously furnished to each member of Council, “Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 127 – Department of Public Service; and declaring an emergency.” Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

Ord. 5-2013
“Revising... Syl.
Codified
Ordinance...
Chapter 127”

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance 5-2013 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini, (6) yeas; (0) nays. The motion carried.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 6-2013, a written copy of same having been previously furnished to each member of Council, “Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 129 – Department of Finance; by deleting Chapter 126-Department of Personnel; 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: Husman, Luetke, Westphal, Brown, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Ord. 6-2013
“Revising... Syl.
Codified
Ordinance...
Chapter 129”

Mr. Brown moved, Mrs. Westphal seconded, that Ordinance 6-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 7-2013, a written copy of same having been previously furnished to each member of Council, “Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 131 – Department of Law; and declaring an emergency.” Mrs. Cappellini moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Ord. 7-2013
“Revising... Syl.
Codified
Ordinance...
Chapter 131”

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance 7-2013 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

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Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 9-2013, a written copy of same having been previously furnished to each member of Council, "Providing for a one-time lump sum bonus of \$600 to be paid on the first full pay period of February, 2013 to all 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 a one-time lump sum bonus of \$300 to be paid on the first full pay period of February, 2013 to all 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); providing for a one-time lump sum payment of \$250 to all full-time non-union city employees whose positions are included in the list of Occupational Titles of Section 139.02(a) and some of the positions included in Section 139.03(d)(4); and declaring an emergency."

Ord. 9-2013
"One time lump
sum bonus....
non-union
employees...
Feb. 2013.."

Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Mr. Haynam moved, Mr. Brown seconded, that Ordinance 9-2013 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 10-2013, 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, wages and other service compensation adjustments to the Codified Ordinances of Sylvania, 1979, as amended, and other Ordinances; by granting a one percent (1%) pay increase to some of the appointed officials whose titles are listed in Section 139.03(d)(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 granting a one per cent (1%) pay increase to some of the employees in the Labor and Trades Supervision Group whose titles are listed in Codified Ordinance Section 139.03(d)(4); by amending certain other Sections in Chapter 139 to more accurately reflect the City's current Personnel and Policies therefore; and declaring an emergency. Mr. Luetke moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Westphal, (6) yeas; (0) nays. The motion carried.

Ord. 10-2013
"Making Certain
Position &
Compensation
Pay plan changes
..."

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Mr. Luetke moved, Mr. Haynam seconded, that Ordinance 10-2013 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 12-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into a 3-year Collective Bargaining Agreement commencing January 1, 2013, on behalf of the City of Sylvania Municipal Employees Association (SMEA), affiliated with District 8, American Federation of State, County and Municipal Employees, AFL-CIO; and declaring an emergency." Mrs. Husman moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini, (6) yeas; (0) nays. The motion carried.

Ord. #12-2013
"Authorizing
3 yr. contract
...with SMEA
...commencing
1/1/13..."

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance 12-2013 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 13-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into a 3-year Collective Bargaining Agreement commencing January 1, 2013, on behalf of the City of Sylvania Telecommunicators; and declaring an emergency." Mrs. Westphal moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini, (6) yeas; (0) nays. The motion carried.

Ord. #13-2013
"Authorizing
3 yr. contract
...Syl. Tele-
Communicators
....commencing
1/1/13..."

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance 13-2013 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

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

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 8-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the donation of Bicycles to Sylvania Area Family Services; and declaring an emergency." Mr. Brown moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Westphal, (6) yeas; (0) nays. The motion carried.

Ord. 8-2013
"Authorizing
donation....
bicycles to
SAFS"

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Mr. Brown moved, Mrs. Westphal seconded, that Ordinance 8-2013 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

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

Mayor Stough reported on the request to transfer the D-5 and D6 State of Ohio Liquor license from Skiadas, Inc. 1540 Sylvania Ave, Toledo, OH 43612 to Pastrokos & Skiadas, LLC, 7625-7627 Sylvania Ave., Sylvania, OH 43560. He stated he was not opposed to this transfer.

Ohio Liquor
Permit Transfer
7625-7627
Sylvania Ave.

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

The Service Director's report on the ODOT agreement for the maintenance of US 23, State Route 181 (Alexis Rd) and State Route 51 (Monroe St) was placed on file. Mrs. Westphal presented and read aloud by title only, proposed Ordinance 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." Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Ord. 11-2013
"Authorizing
ODOT
Agreement...
Maint. US 23,
etc."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance 11-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Mr. Haynam moved, Mr. Luetke seconded, to set the public hearing for the Sign Code Amendments for March 4, 2013 at 6:30p.m. provided the Planning Commission's recommendation is received, and to authorize the clerk to advertise for same; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Public Hearing
for Sign Code set
for March 4,
6:30p.m.

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

Mrs. Westphal moved, Mrs. Cappellini seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned 9:05p.m.

Adjournment.

Clerk of Council

Mayor

6a.



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

January 29, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Salt Storage Facility**

Dear Mr. Mayor and Council Members:

Attached please find Change Order No. 1 for the above-mentioned project. This change order reflects additional work performed on this project and results in a net increase of \$6,151.93 to the contract.

This increase was in the material and labor necessary to take care of elevation adjustments due to rock variation and existing very soft subgrade conditions that had to be excavated and replaced with aggregate and asphalt in order to provide a suitable base for the pavement surface course.

We would recommend that Change Order No. 1 for Midwest Contracting, Inc. in the amount of a net addition to the contract of \$6,151.93 be approved.

Sincerely,

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

Encl.

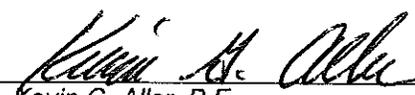
CITY OF SYLVANIA, OHIO
CHANGE ORDER No. 1

Project Ordinance No.: 31-12 Purchase Order No. 45432
 Contract: Salt Storage Facility

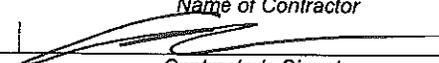
Date: February 4, 2013

Description of Change:

CDF III due to rock elevations	\$3,355.82
Additional Stone Backfill	\$ 721.36
Additional subgrade pavement	\$2,074.75

RECOMMENDED FOR APPROVAL BY:  1-30-13
 Kevin G. Aller, P.E. Date
 Public Service Director

Original Contract Amt	\$	178,800	00
Previous Changes (+ or --)			
This Change (+ or --)	\$	6,151	93
Adjusted Contract Amt	\$	184,951	93

REVIEWED BY: _____
 Name of Engineer
 DATE: _____
 Engineers Signature
 SUBMITTED BY: Midwest Contracting, Inc.
 Name of Contractor
 DATE: _____

 Contractor's Signature

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor Toby Schroyer, Finance Director
 Date Date

6b

ORDINANCE NO. 14 -2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 TO THIS CITY'S AGREEMENT WITH MIDWEST CONTRACTING, INC. FOR THE SALT STORAGE FACILITY PROJECT WHICH REFLECTS ADDITIONAL WORK PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$6,151.93; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 31-2012, passed May 7, 2012, accepted the bid of Midwest Contracting, Inc. for the Salt Storage Building Project, which bid was in the amount of One Hundred Seventy-Eight Thousand Eight Hundred and 60/100 Dollars (\$178,800.60); and,

WHEREAS, the Director of Public Service, by report dated January 29, 2013, has recommended the acceptance of Change Order No. 1 of Midwest Contracting, Inc. for said Salt Storage Building Project to reflect additional work performed on this project; and,

WHEREAS, the additional work was due to material and labor necessary for elevation adjustments due to rock variation and very soft subgrade conditions that had to be excavated and replaced with aggregate and asphalt to prove a suitable base for the pavement surface course; and,

WHEREAS, the additional work performed on the salt storage facility resulted in a net increase to the contract in the amount of Six Thousand One Hundred Fifty-One and 93/100 Dollars (\$6,151.93), for a total contract amount of \$184,952.53.

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

SECTION 1. That said change order increasing the contract amount by the sum of Six Thousand One Hundred Fifty-One and 93/100 Dollars (\$6,151.93), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7630-53611 – Salt Storage Facility Project**, the sum of Six Thousand One Hundred Fifty-One and 93/100 Dollars (\$6,151.93).

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 adjustments in the contract for said additional improvements should be approved immediately so as not to delay the project completion. 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.

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

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

7a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

January 29, 2013

To: The Mayor and Members of Sylvania City Council

Re: **2 MG Elevated Tank**

Dear Mr. Mayor and Council Members:

Attached please find Change Order No. 2 for the above-mentioned project. This change order reflects additional work to be performed on this project and results in a net increase of \$3,243.45 to the contract.

This increase is in response to requested changes to electrical service to both the elevated tank and salt storage building.

We would recommend that Change Order No. 2 for CB&I Constructors, Inc. in the amount of a net addition to the contract of \$3,243.45 be approved.

Sincerely,

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

Encl.

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 2

Project Ordinance No.: 1-2012 Purchase Order No. 44898

Contract: 2 MG Elevated Tank

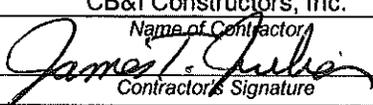
Date: January 23, 2013

Description of Change: This Change Order includes, but is not limited to, labor, material, coordination and supervision to provide the modifications to the electrical service entrance conduit, wire and appurtenances, related to providing electrical power to the Salt Storage Facility. The electrical service is generally from the existing utility transformer (near the restroom building) to the meter base at the Tower site. The Work shall be in accordance with the Specifications, Drawings, and Revised Drawings. The cost of the work is as detailed in the attached email letter from CB&I dated January 22, 2013 and summarized below:

Aelco	\$ 689.00
WF Johnston	\$2,000.00
CB&I	\$ 400.00
Sub total	\$3,089.00
Contractor fee 5%	\$ 154.45
Total	\$3,243.45

Contract time Extension of 9 days is also included for Change order No 1 and 2.

RECOMMENDED FOR APPROVAL BY:  1-23-13
 Kevin G. Aller, P.E. Date
 Public Service Director

Original Contract Amt	\$2,712,000	00	REVIEWED BY:	Jones & Henry Engineers, Ltd.
Previous Changes (+ or --)	\$39,308	85	DATE:	<u></u> Name of Engineer Engineers Signature
This Change (+ or --)	\$3,243	45	SUBMITTED BY:	CB&I Constructors, Inc.
Adjusted Contract Amt	\$2,754,552	30	DATE:	<u>1/23/13</u> <u></u> Name of Contractor Contractor's Signature

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor Date Scott S. Smith, Finance Director Date

7b

ORDINANCE NO. 15 -2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 2 TO THIS CITY'S AGREEMENT WITH CB&I CONSTRUCTORS, INC. FOR THE 2 MG ELEVATED WATER TANK PROJECT WHICH REFLECTS WORK TO BE PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$3,243.45; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1-2012, passed January 3, 2012, accepted the bid of CB&I Constructors, Inc. for the 2 MG Elevated Water Tank Project, which bid was in the amount of Two Million Seven Hundred Twelve Thousand Dollars (\$2,712,000.00); and,

WHEREAS, Ordinance No. 36-2012, passed June 18, 2012, authorized the Mayor and Director of Finance to approve Change Order No. 1 to this City's Agreement with CB&I Constructors, Inc. for the 2 MG Elevated Water Tank Project and increased the contract amount by \$39,308.85; and,

WHEREAS, the Director of Public Service, by report dated January 29, 2013, has recommended the acceptance of Change Order No. 2 of CB& I Constructors, Inc. for said 2 MG Elevated Water Tank Project to reflect additional work to be performed on this project; and,

WHEREAS the work to be performed is in response to requested changes to electrical service to both the elevated tank and salt storage building; and,

WHEREAS, the work to be performed on the electrical service entrance will result in a net increase to the contract in the amount of Three Thousand Two Hundred Forty-Three and 45/100 Dollars (\$3,243.45), for a total contract amount of \$2,754,552.30.

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

SECTION 1. That said change order increasing the contract amount by the sum of Three Thousand Two Hundred Forty-Three and 45/100 Dollars (\$3,243.45), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is hereby appropriated from the **WATER FUND** from funds therein not heretofore appropriated to **Account No. 701-7525-53002 – Water Tower Project**, the sum of Three Thousand Two Hundred Forty-Three and 45/100 Dollars (\$3,243.45).

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 adjustments in the contract for said additional improvements should be approved immediately so as not to delay the project completion. 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.

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

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

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City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

February 1, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Maplewood Marketplace Improvements**

Dear Mr. Mayor and Council Members:

During the course of this project it will be necessary to have the consulting services of an architect to provide review services for field change requests, material review and general construction related services. We have received a proposal from Architecture by Design, Inc. of Sylvania Township for such services in the amount of \$2,775.00.

We recommend approval to enter into an agreement in the amount of \$2,775.00 with Architecture by Design, Inc. for construction related consulting services.

Sincerely,

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

Encl.

Architecture

by

Design, Ltd.

January 25, 2013

Mr. Kevin Aller
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

Re: Construction Services
Maplewood Marketplace

Dear Kevin:

We thank you for this opportunity to provide this proposal for the construction services portion of the project. Our proposal is based on the scope as provided.

We propose to provide the following work:

- Meetings (6)
- Shop drawing review
- Pay request certification

Our fees for the above services for the scope as discussed will be \$2775.00 plus reimbursables such as plotting, printing, mileage, etc. The charges for any additional architectural/engineering work requested will be in writing and invoiced at an add of \$90.00/hr. for principal/project manager time and \$65.00/hr. for drafting. If the project cannot be completed; we will invoice only the hours used.

Payment schedule is as follows:

Monthly invoices; net 30 days

Payments that are 30 days overdue will be charged 1.5% interest each month that payment is past due. If referenced project is authorized by a company and it closes or files bankruptcy before contractual obligations are paid in full, the individual who has signed this proposal will be solely responsible for all costs associated with this contract. All work is property of architect. Any work not included may be added as noted above.

We are registered in the State of Ohio. Our certification number is 7938 and our registration expiration date is 12/31/2013.

Again, we thank you for this opportunity to work with you on this project. Please indicate acknowledgement and acceptance of this proposal by signing and dating below. Also, please return a copy to our office. If you have any questions, please feel free to contact our office.

Respectfully,
Architecture by Design, Ltd.



Dwight N. Gilliland, AIA, LEED AP
Architect/Managing Officer

Kevin Aller

Date

Cc: file (aller.marketplace.proposal2013)

ORDINANCE NO. 16 -2013

ACCEPTING THE PROPOSAL OF ARCHITECTURE BY DESIGN, LTD. FOR CONSTRUCTION RELATED CONSULTING SERVICES RELATIVE TO THE MAPLEWOOD MARKETPLACE IMPROVEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$2,775; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 71-2012, passed December 27, 2012, accepted the bid of Paul Avery Co., Inc. for the Maplewood Marketplace improvements and appropriated \$558,523 for same; and,

WHEREAS, while these improvements are being made, it will be necessary to have the consulting services of an architect to provide review services for field change requests, material review and general construction related services; and,

WHEREAS, the Director of Public Service has received a proposal from Architecture by Design, Ltd. to perform said construction related consulting services at a cost not to exceed \$2,775; and,

WHEREAS, the Director of Public Service, in a report dated February 1, 2013, has recommended acceptance of the proposal of Architecture by Design, Ltd. to perform construction related consulting services for the Maplewood Marketplace Improvement Project.

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

SECTION 1. That the proposal of Architecture by Design, Ltd. for providing construction related consulting services, including reviewing field change requests, material review and general construction related services at a cost to the City in the amount of Two Thousand Seven Hundred Seventy-Five Dollars (\$2,775.00), is hereby accepted.

SECTION 2. That the Director of Public Service shall promptly give notice Architecture by Design, Ltd. under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said construction related consulting services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7316-53562 – Maplewood**

Marketplace the sum of Two Thousand Seven Hundred Seventy-Five Dollars (\$2,775.00).

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the construction related consulting 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

8c.



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

February 1, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Maplewood Marketplace Improvements**

Dear Mr. Mayor and Council Members:

The construction of the Maplewood Marketplace Improvements project and its associated parking require the removal of the existing garage seemingly attached to the Marketplace building. We have received a proposal from PHC, Inc. of Sylvania Township to remove the garage in the amount of \$9,965.00.

We recommend contracting with PHC, Inc. in the amount of \$9,965.00 for the removal of the garage.

Please call if you have any questions.

Sincerely,

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

Encl.

PHC, Inc.

Construction, Management and
Engineering Services

3611 King Road
Toledo, OH 43617
(419) 842-0944
(419) 842-1011 Fax
Email: phccl@solarstop.net

September 10, 2012

City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

ATTN: Mr. Kevin Aller

Re: Sylvania Historical Village

Dear Kevin:

The following are quotes for work to be performed at the above referenced location. All work is per our discussions and site visit on September 7, 2012.

Concrete Parking

West Area = 32x18=576 S.F.

-Remove existing grass, add 3" of stone, grade and pour 6" of concrete.
All work to be completed for \$9.⁵⁰ / S.F. = \$5,472.⁰⁰

East Area = 45x15=675 S.F.

-Same work as above, @ \$9.⁵⁰ / S.F. = \$6,412.⁵⁰

North Area = 74x18=1,332 S.F.

-Same work as above, with tree removal @ \$9.⁵⁰ / S.F. = \$12,654.⁰⁰

Garage Demo

* -Remove the existing garage building. Utility shut-off and permits by others. Existing structure must not be connected to building to the south or west. Material to be hauled out in dumpsters, access through existing driveways between houses. No cost in for damage to existing concrete driveways or structural damage to houses.

Total cost for Demo = \$9,965.⁰⁰

-Remove existing concrete floor in garage building, add 3" of stone, grade and pour 6" of concrete for additional parking.

Total cost for 900 S.F. @ \$10.⁵⁰ / S.F. = **\$9,450.⁰⁰**

All concrete work is to be completed by November 30th.

If you have any questions regarding these quotes, please contact our office.

Sincerely,

Chris Leupp
PHC, Inc.

8d.

ORDINANCE NO. 17 -2013

ACCEPTING THE PROPOSAL OF PHC, INC. FOR GARAGE DEMOLITION RELATIVE TO THE MAPLEWOOD MARKET IMPROVEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$9,965; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 71-2012, passed December 27, 2012, accepted the bid of Paul Avery Co., Inc. for the Maplewood Marketplace improvements and appropriated \$558,523 for same; and,

WHEREAS, the construction of the improvements and its associated parking require the demolition and removal of the existing garage seemingly attached to the Marketplace building; and,

WHEREAS, the Director of Public Service has received a proposal from PHC, Inc. to demolish and remove the garage at a cost of \$9,965; and,

WHEREAS, the Director of Public Service, in a report dated February 1, 2013, has recommended acceptance of the proposal of PHC, Inc. for the removal of the garage structure seemingly attached to the Maplewood Marketplace.

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

SECTION 1. That the proposal of PHC, Inc. for the demolition and removal of the garage structure relative to the Maplewood Marketplace Improvement Project at a cost to the City of Nine Thousand Nine Hundred Sixty-Five Dollars (\$9,965.00), is hereby accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to PHC, Inc. under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said demolition and removal hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7316-53562 – Maplewood Marketplace** the sum of Nine Thousand Nine Hundred Sixty-Five Dollars (\$9,965.00).

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this

Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the demolition and removal of the garage structure so that the Maplewood Marketplace improvements can commence 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

9a.



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

February 1, 2013

To: The Mayor and Members of Sylvania City Council

Re: **River Trail Phase 1**

Dear Mr. Mayor and Council Members:

The Ohio EPA granted a Section 401 Water Quality Certification for the Sylvania River Trail for construction of a 1.3-mile trail from Main Street to Monroe Street east of US-23. The project as authorized included installation of stream bank stabilization measures, temporary stream crossings and drilled piers for permanent trail/bridge crossings of the stream, installation of a box culvert, use of construction mats, and cutting of trees to allow access. These actions must be mitigated per Ohio EOA Permit No. 103624.

Mitigation outlined in the permit included:

1. Preservation of 1.94 acres of riparian buffer along 1,734 linear feet of the Ottawa River in Harroun Park.
2. Enhancement of 0.70 acres of Category 3 wetland that is within the preservation area by controlling non-native species.
3. Seeding disturbed upland areas along the Ottawa River with native upland seed mix and seeding disturbed work areas within wetland boundaries with native forested floodplain seed mix.
4. Restoration of floodplain tolerant trees in areas where trees were cut.

Portions of this mitigation require yearly monitoring to gauge the progress and success of the mitigation, as well as compilation and submittal of monitoring reports to the regulating agency the summarize the findings.

SmithGroup JJR has submitted a proposal to provide the mitigation monitoring services. It is a multi-year-proposal with the first year cost being \$3,300.00.

To: The Mayor and Members of Sylvania City Council

Re: **River Trail Phase 1**

Page 2

It is our recommendation to enter into an agreement with SmithGroup JJR in the amount of \$3,300.00 for mitigation monitoring services this first year. Subsequent years will be considered on an annual basis.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller".

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

Encl.

SMITHGROUPJJR

April 2, 2012

Mr. Kevin Aller, Director
City of Sylvania
Department of Public Services
6730 Monroe Street
Sylvania, Ohio 43560-1948

Re: Mitigation Monitoring Services
Sylvania River Trail – Phase 1
Sylvania, Ohio

Dear Mr. Aller:

SmithGroupJJR is pleased to submit the following proposal to the City of Sylvania (hereinafter referred to as "CITY") for mitigation monitoring services to comply with the Ohio EPA permit for impacts due to construction of the Sylvania River Trail.

SCOPE OF SERVICES

Basic Services

The Ohio EPA granted a Section 401 Water Quality Certification for the Sylvania River Trail for construction of a 1.3-mile trail from Main Street to Monroe Street east of US-23. The project as authorized included installation of stream bank stabilization measures, temporary stream crossings and drilled piers for permanent trail/bridge crossings of the stream, installation of a box culvert, use of construction mats, and cutting of trees to allow access. These actions must be mitigated per Ohio EPA Permit No. 103624.

Mitigation outlined in the permit included:

1. Preservation of 1.94 acres of riparian buffer along 1,734 linear feet of the Ottawa River in Harroun Park.
2. Enhancement of 0.70 acres of Category 3 wetland that is within the preservation area by controlling non-native species.
3. Seeding disturbed upland areas along the Ottawa River with native upland seed mix and seeding disturbed work areas within wetland boundaries with native forested floodplain seed mix.
4. Restoration of floodplain tolerant trees in areas where trees were cut.

Portions of this mitigation require yearly monitoring to gauge the progress and success of the mitigation, as well as compilation and submittal of monitoring reports to the regulating agency that summarize the findings.

TASK 1: Mitigation Monitoring

SmithGroupJJR understands that they will follow the mitigation monitoring as outlined in the authorization for the 0.7 acre Category 3 enhancement wetland that is included in Phase 1 construction of the River Trail. Monitoring is to last five (5) years and will commence the first full growing season following completion of the site impacts; i.e., if construction is completed in 2012 the first year of monitoring with report submittal will take place in 2013 and last through 2017.

SMITHGROUPJJR

Mr. Kevin Aller
City of Sylvania
Proposal of Professional Services
Mitigation Monitoring Services
Sylvania River Trail – Phase 1
April 2, 2012
Page 2

SmithGroupJJR will perform the following tasks to comply with mitigation monitoring as outlined in the permit:

1. During the 5-year monitoring period, SmithGroupJJR will visit the site twice annually to verify the contractor is providing the specified maintenance required to meet the permit requirements for invasive species control. The actual visit dates will be determined based on the contractor's approved schedule. Following each site visit, a brief observation report will be issued documenting site observations and discussions.
2. Each year the amount of invasive species cover must be determined and reported for each growing season. At the end of the 5-year monitoring period, this area must have less than 5% areal cover of invasive or non-native species. Each year, an end of growing season inspection will be conducted to confirm that this target is being met by the contractor.
3. Compose and submit yearly monitoring reports to the Ohio EPA by December 31 of each monitoring year starting in 2013. The mitigation monitoring reports must contain a certain amount of information:
 - a. Current permittee information;
 - b. The monitoring year;
 - c. Summary of current mitigation status compared to previous year's, citing any trends;
 - d. A full copy of the project permit;
 - e. A list of all plant species installed in mitigation areas;
 - f. Photographs from strategically placed observation points that will be permanent for the duration of the 5-year monitoring period, as well as photographs from other "areas of interest" that may occur;
 - g. Monitoring data from the above list; and
 - h. Performance standards of the mitigation areas as outlined in the above list.

TASK 2: Agency Meeting

The permit requires the applicant to meet with the Ohio EPA representative onsite during the growing season following submittal of the third annual mitigation monitoring report. This meeting would occur during the fourth monitoring year, or 2016. SmithGroupJJR would act as the CITY's representative. The purpose of the meeting is for the Ohio EPA representative to determine if the mitigation project has been constructed and managed in accordance with the application and the terms and condition of the permit. SmithGroupJJR will issue a field report summarizing the meeting.

Extra Services

In addition to the above services, SmithGroupJJR would be pleased to provide Extra Services that are requested by the CITY. Labor and reimbursable expenses for services in addition to those described above shall be compensated in accordance with SmithGroupJJR's Standard Fee and Reimbursement Schedule for the actual hours worked and costs incurred by SmithGroupJJR. Extra Services may include, but are not limited to, the following:

SMITHGROUPJJR

Mr. Kevin Aller
City of Sylvania
Proposal of Professional Services
Mitigation Monitoring Services
Sylvania River Trail – Phase 1
April 2, 2012
Page 3

Providing a plan to modify the mitigation areas if they are not able to function as specified in the permit.

Additional work efforts related to any further changes in project scope including meetings, reports, graphics, etc. not otherwise provided herein.

Additional meetings or site visits required by the regulatory agencies not otherwise provided herein.

SCHEDULE

Monitoring would commence the year following completion of the project and compensatory mitigation and last five (5) years.

COMPENSATION

Basic Services

Monitoring shall be broken down into each of the five (5) years because according to the permit, the Ohio EPA may reduce or increase the number of years for which monitoring is required based on the effectiveness of the mitigation. The CITY shall compensate SmithGroupJJR for the SERVICES and in accordance with the Conditions of this Agreement for an hourly not-to-exceed fee as follows:

Task 1: Mitigation Monitoring

Year 2013	\$3,300
Year 2014	\$3,500
Year 2015	\$3,700
Year 2016	\$3,900
Year 2017	\$4,100

Task 2: Agency Meeting

Year 2016	\$ 900
-----------------	--------

Reimbursable Expenses

Reimbursable expenses are excluded from SmithGroupJJR's basic compensation as described, and the CITY shall, in addition to payment for the Basic Services, reimburse SmithGroupJJR for these expenditures made in the interest of the project. Such reimbursable expenses include, but are not limited to, those items noted in the attached Standard Fee and Reimbursement Schedule. The total reimbursable costs to perform the SERVICES shall not exceed \$1,100 (one thousand one hundred dollars) and SmithGroupJJR will not exceed this amount without prior approval by CITY.

Total Fee for Mitigation Monitoring \$20,500

SMITHGROUPJJR

Mr. Kevin Aller
City of Sylvania
Proposal of Professional Services
Mitigation Monitoring Services
Sylvania River Trail -- Phase 1
April 2, 2012
Page 4

The information contained in the above SCOPE OF SERVICES is proprietary and shall not be disclosed to any parties outside of the CITY's staff, or be duplicated, used, or disclosed in whole or part for any purpose other than to evaluate the proposal. Should the proposal be accepted, the CITY shall have the right to duplicate, use, or disclose the information to the extent provided through a written agreement with SmithGroupJJR.

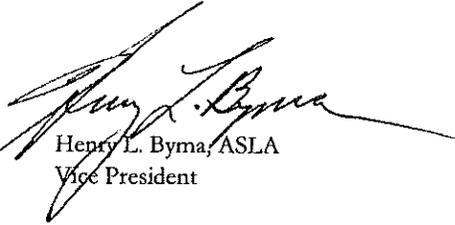
All work will be performed in accordance with the current agreement between SmithGroupJJR and the CITY and will be amended to include the work as outlined above. Your signature below indicates your acceptance of the above SCOPE OF SERVICES..

Thank you for contacting SmithGroupJJR. We look forward to working with you on this project.

Sincerely,



Emily S. McKinnon
Associate



Henry L. Byma, ASLA
Vice President

p:\50193\001\admin\proposals\12-0402_sylvania_monitoring.docx

Enclosures: Standard Fee and Reimbursement Schedule

AUTHORIZED CLIENT REPRESENTATIVE: CITY OF SYLVANIA

BY: _____ TITLE: _____

PRINTED

SIGNATURE: _____ DATE: _____

SMITHGROUPJJR

STANDARD FEE AND REIMBURSEMENT SCHEDULE

SmithGroup JJR, LLC

Ann Arbor, Michigan

July 01, 2011

PROFESSIONAL AND TECHNICAL STAFF

Principal/ Level 4	\$200.00/hour
Principal/ Level 3	\$180.00/hour
Principal/ Level 2	\$160.00/hour
Principal/ Level 1	\$145.00/hour
Professional Staff/ Level 10	\$145.00/hour
Professional Staff/ Level 9	\$130.00/hour
Professional Staff/ Level 8	\$120.00/hour
Professional Staff/ Level 7	\$110.00/hour
Professional Staff/ Level 6	\$100.00/hour
Professional Staff/ Level 5	\$90.00/hour
Professional Staff/ Level 4	\$85.00/hour
Professional Staff/ Level 3	\$80.00/hour
Professional Staff/ Level 2	\$75.00/hour
Professional Staff/ Level 1	\$70.00/hour
Technical Staff/ Level 2	\$70.00/hour
Technical Staff/ Level 1	\$60.00/hour

These billing rates are subject to semi-annual review and revision.

A surcharge of fifty percent (50%) will be added to hourly rates for expert witness testimony and/or for participation at hearings, depositions, etc.

REIMBURSABLE EXPENSES

Mileage	\$0.555/mile
Travel and Subsistence	Cost
FedEx, Postage, etc.	Cost
Copies (8-1/2" x 11")	\$0.10/copy
Color Copies (8-1/2" x 11")	Cost + 10%
Color Copies (11" x 17")	Cost + 10%
Plotting	Cost + 10%
Reproduction and Printing	Cost + 10%
Materials	Cost + 10%
Equipment Rental	Cost
Subcontract Services	Cost + 10%

INVOICES

Progress invoices shall be issued monthly and payment is due upon receipt. Balances remaining unpaid after thirty (30) days are subject to a monthly finance charge of 1% (12% annually) until paid.

9b.

ORDINANCE NO. 18 -2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF SMITHGROUP JJR TO PROVIDE WETLAND MITIGATION MONITORING RELATIVE TO THE RIVER TRAIL PROJECT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$3,300; AND DECLARING AN EMERGENCY.

WHEREAS, construction of the River Trail – Phase I Project has been completed; and,

WHEREAS, prior to the construction of Phase I of the River Trail, the City of Sylvania was required to obtain a Section 401 Water Quality Certification from the Ohio EPA; and,

WHEREAS, the construction of River Trail – Phase I included installation of stream bank stabilization measures, temporary stream crossings and drilled piers for permanent trail/bridge crossings of the stream, installation of a box culvert, use of construction mats, and cutting trees to allow access; and,

WHEREAS, pursuant to the City’s Section 401 Permit, these actions are required to be mitigated; and,

WHEREAS, portions of the mitigation outlined in the permit require annual monitoring for five years to gauge the progress and success of the mitigation as well as preparation of monitoring reports to the Ohio Environmental Protection Agency; and,

WHEREAS, the Director of Public Service has received a proposal from SmithGroup JJR (formerly JJR, LLC) dated February 1, 2013 to provide the mitigation monitoring services at a cost for the first year of \$3,300; and,

WHEREAS, although the proposal submitted is a multi-year proposal, it is the recommendation of the Director of Public Service that subsequent years be considered on an annual basis; and,

WHEREAS, the proposal includes compliance with the mitigation monitoring as required by the Ohio EPA and includes the preparation and submission of annual reports to the Ohio EPA at a cost of Three Thousand Three Hundred Dollars (\$3,300.00); and,

WHEREAS, the Director of Public Service, in a report dated February 1, 2013, has recommended acceptance of the proposal of SmithGroup JJR to provide mitigation monitoring for the River Trail at a cost of \$3,300.

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 the Director of Finance be, and they hereby are, authorized to sign the proposal of SmithGroup JJR on behalf of this City, thereby indicating such approval and acceptance said proposal for mitigation monitoring for the River Trail Project.

SECTION 2. That to provide funds for said services hereby authorized, there is hereby allocated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore allocated to **Account No. 401-7750-53585 – River Trail Project**, an amount not to exceed Three Thousand Three Hundred Dollars (\$3,300.00).

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the proposal of SmithGroup JJR should be approved at the earliest possible time to ensure compliance with the requirements of the Ohio Environmental Protection Agency. 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
APPROVED:

Director of Law

Mayor

Date



DIVISION OF POLICE
WILLIAM H. RHODUS, CHIEF

February 4, 2013

To: The Mayor and Members of the City Council

Re: 2012 Law Enforcement Trust Fund Report
2012 Drug Law Enforcement Fund Report
2012 Federal Equitable Sharing Fund
2012 Property Seized/Forfeited Report

Pursuant to Section 2933.43 of the Ohio Revised Code I am submitting this report verifying that the property and revenue received and expended complies with Ohio Revised Code Section 2923.43, division policy, and resolutions 11-90 and 12-90.

Law Enforcement Trust Fund - Resolution 11-90 (account - 225)

<u>Revenue</u>	<u>Expenditures</u>	<u>2012 Ending Balance</u>
\$26,561 balance from 2011	\$-0- training	\$24,775.76
\$3,001.66 property/cash seizures	\$2,997.50 equipment	
\$-0- other miscellaneous	\$-0- investigations	
	\$1,790.00 other miscellaneous	

Drug Law Enforcement Fund - Resolution 12-90 (account - 226)

<u>Revenue</u>	<u>Expenditures</u>	<u>2012 Ending Balance</u>
\$16,701.25 balance from 2011	\$-0- training	\$17,023.43
\$2,541.75 Sylvania Court mandatory fines	\$-0- equipment	
\$175.00 Common Pleas Court mandatory fines	\$-0- investigations	
\$-0- other miscellaneous	\$2,394.57 other miscellaneous	

Federal Equitable Sharing Fund (account - 229)

<u>Revenue</u>	<u>Expenditures</u>	<u>2012 Ending Balance</u>
\$69,284.17 balance from 2011	\$-0- training	\$73,093.79
\$28,628.62 Federal (DEA) seizures	\$-0- equipment	
\$181.00 interest posted	\$-0- investigations	
\$-0- other	\$25,000 [2013 – police vehicle]	

Seized/Forfeited Property in 2012

Seized Property

\$3,378.76 add up all forfeited \$ or bond back property

\$2,228.99 add up all \$ seized this year

\$720.00 add up all returned cash

Disposition/Proceeds

\$3,001.66 Forfeit to PD account 225

\$1,910.23 Pending disposition

-0- Seized money returned to owner

\$377.10 Forfeit to Lucas County Prosecutor Trust Fund

Disposition

Non-cash Seizures

-0-

There were no other revenues, expenditures, or seizures during this reporting period.

Respectfully submitted,



William H. Rhodus
Chief of Police

B

Sylvania Compost & Recycling LLC.

8061 W. Sylvania Ave.

Sylvania, OH 43560

419-842-8061

Dear Sirs,

I am writing you to formally notify you of our intent to register and operate a Class 3 composting facility in Lucas County at the address of 8061 W. Sylvania Ave. Sylvania, OH 43560. We are eager to get started accepting yard waste from homeowners, contractors and municipalities in and around the adjacent areas of Northwest Ohio. We intend to be fully staffed and open to the public (7) seven days a week with special access for any municipal contracts.

We intend to operate under the rules and regulations stated in the Ohio Administrative Code (OAC) Rules 3745-560-300 through 3745-560-02. It is our goal to hold safety and overall appearance of the facility to very high standards. We want the public's composting experience to be safe, enjoyable, and affordable.

Thank you in advance for you cooperation and support. Please feel free to call with any questions or concerns.

Thank You,

Adam Duncan



1-22-13

C



City of Sylvania

DIVISION OF TAXATION
ANGELA J. KUHN, COMMISSIONER

February 1, 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
January 31, 2013	\$841,169.06	\$9,080.60	\$832,088.46
January 31, 2012	\$795,065.63	\$5,691.68	\$789,373.95
Monthly Difference	\$46,103.43	\$3,388.92	\$42,714.51
Year to Date 2013	\$841,169.06	\$9,080.60	\$832,088.46
Year to Date 2012	\$795,065.63	\$5,691.68	\$789,373.95
Yearly Difference	\$46,103.43	\$3,388.92	\$42,714.51

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director