

**Agenda**  
**Sylvania City Council**  
**October 17, 2011 7:30 p.m.**

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Haynam.
3. Additions to the agenda.
4. Approval of the October 3 meeting minutes.
5. Proposed Resolution 11-2011, opposing state control of municipal income tax collection.
6. Proposed Resolution 12-2011, accepting the amounts and rates as determined by the Budget Commission.
7. Proposed Ordinance 88-2011, authorizing a one year collective bargaining agreement commencing January 1, 2012 with the Fraternal Order of Police Lodge No. 129 on behalf of the Patrolmen.
8. Proposed Ordinance 89-2011, authorizing a one year collective bargaining agreement commencing January 1, 2012 with the Sylvania Police Command Officers' Association on behalf of the Sergeants.
9. Proposed Ordinance 90-2011, authorizing a one year collective bargaining agreement commencing January 1, 2012 with the Sylvania Police Telecommunicators.
10. Proposed Ordinance 91-2011, authorizing a one year collective bargaining agreement commencing January 1, 2012 on behalf of the Sylvania Municipal Employees Association (SMEA), affiliated with District 8, American Federation of State, County and Municipal Employees, AFL-CIO.
11. Committee reports.
12. Committee referrals.

**Information**

- A. September bank reconciliation.
- B. Minutes of the October 12 Planning Commission meeting.
- C. 2010 Planning Commission meeting schedule.
- D. City of Sylvania Basic Financial Statements for the year ended December 31, 2010.

**Note: Employee & Community Relations Committee meets on October 21 at 8:00 a.m.**

Minutes of the Meeting of Council  
October 3, 2011

The Council of the City of Sylvania, Ohio met in regular session on Monday, October 3, 2011 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, Todd Milner, Mary J. Westphal (7); absent: (0).

Roll call: all present.

Mrs. Cappellini 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 amendments to the agenda:

Amendments to the agenda.

- 6. Withdraw this item.
- 8a. Finance Committee report and Ordinance Nos. 82-2011, 85-2011, 86-2011.
- 8b. Schedule an Employee & Community Relations Committee meeting.
- 10. Proposed Resolution 10-2011.
- 11. Proposed Ordinance 87-2011.
- 12. Discussion about a green yard waste drop-off site.

Mr. Haynam moved, Mrs. Cappellini 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.

Mr. Milner presented the September 19 minutes. Mr. Milner moved, Mrs. Westphal 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 September 19, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the Sept. 19 minutes.

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

Andy Roesner, Orvieto Dr., submitted a speed hump petition for one block of Orvieto between San Reno and Graystone Drives. He said that people frequently run stop signs, and recently, a vehicle drove around a stopped school bus that was releasing passengers. Safety Director Bill Sanford said there is currently street reconstruction in the neighborhood, and the area north of Orvieto is closed. He recommends waiting to do the traffic study when construction is complete. Mr. Roesner agreed. Police will patrol the area during peak driving times.

Orvieto speed hump petition.

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Since item 6 was withdrawn, Mayor Stough stated that Council will now consider agenda item 7.

Mayor Stough presented the letter from the Committee for Children requesting support of the 2011 Lucas County Children Services levy renewal effort. He noted that no one from the agency has personally contacted him with financial information, and the letter is a standard form letter. No action was taken.

Levy support request.

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

Mr. Milner reported that the Finance Committee met at 6:30 to review three ordinances, to discuss the county rate resolution, and to consider a request to issue conduit debt. The Finance Committee will meet on October 10 at 5:00 p.m. for further consideration of the rate resolution.

Finance Comm. report.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 82-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing an amendment to this City's agreement with the Village of Holland for conducting criminal prosecutions for which Holland is responsible under the Ohio Revised Code; and declaring an emergency." Mr. Milner moved, Mr. Haynam 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 82-2011, "...Holland ...prosecutions..."

Mr. Milner moved, Mrs. Westphal seconded, that Ordinance No. 82-2011 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. Mr. Haynam noted that services for township court cases are not reimbursed to the City.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 85-2011, 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 Economic Development Grant Agreement with Mobile Care Group; and declaring an emergency." Mr. Milner moved, Mr. Brown 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 85-2011, ..."enter into an Economic Development Grant...Mobile Care Group..."

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Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 85-2011 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.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 86-2011, 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 Economic Development Grant Agreement with Pups Paradise; and declaring an emergency." Mr. Milner 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, Milner (7) yeas; (0) nays. The motion carried. Ordinance 86-2011, "... Economic Development Grant...Pups Paradise..."

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 86-2011 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.

Mr. Luetke said the Employee & Community Relations Committee will meet on October 21 at 8:00 a.m. to review the criteria for a honorary designation of a street. Emplly & Comm Relations Comm.

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

Mr. Brown presented and read aloud by title only, proposed Resolution No. 10-2011, a written copy of same having been previously furnished to each member of Council, "A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to the Ohio Public Works Commission and to execute contracts as required; and declaring an emergency." Mr. Brown moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. Resolution 10-2011, "...prepare and submit.. application... OPWC..."

Mr. Brown moved, Mr. Milner seconded, that Resolution No. 10-2011 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

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

Service Director Kevin Aller's report on the River Trail Improvements Phase 1 contract amendment was placed on file. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 87-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance Ordinance 87-2011, "... amend-ment to JJR... proposal...actual

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to enter into an amendment to JJR, LLC's proposal authorized by Ordinance No. 101-2010 to address the actual work performed relative to the River Trail Improvements Phase 1 Project; appropriating funds therefore in an amount not to exceed \$1,255.45; and declaring an emergency." Mr. Haynam 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. work performed ..."

Mr. Haynam moved, Mr. Milner seconded, that Ordinance No. 87-2011 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 12.

Mrs. Cappellini asked about the feasibility of a green yard waste drop-off site for City residents. The Service Director said the Lucas County Solid Waste Division is going to reinstitute the countywide drop site, but it won't be until 2015. The public cannot take yard waste over the state line without a permit, and the City's compost pile is in Michigan. Mr. Milner moved, Mr. Luetke seconded, to refer the request to the Utilities & Environment Committee for consideration; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried. Yard waste drop-off site to Utilities & Environment Comm.

There were no further items for consideration. Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:30 p.m. Adjournment.

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Clerk of Council

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Mayor

**RESOLUTION NO. 11 -2011**

**A RESOLUTION OPPOSING STATE CONTROL OF MUNICIPAL INCOME TAX COLLECTION; AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Sylvania supports improvements to the current gateway system that allows centralized filing for businesses that pay taxes in multiple jurisdictions; and,

WHEREAS, during recent discussion regarding the State Biennial Budget Bill (HB 153) it was suggested that the State Department of Taxation take over the collection of municipal income taxes; and,

WHEREAS, although the final version of the Bill did not contain any provision for the State to take control of municipal income taxes, other legislation may be introduced pertaining to this matter; and,

WHEREAS, income tax is the largest source of revenue for most municipalities and any disruption or interference with the current collection process will be harmful to the financial operations; and,

WHEREAS, the prospect of State control of municipal income tax collection presents numerous administrative difficulties including, but not limited to: how the State will administer local tax ordinances; how retention of and access to tax records will be handled; the timing and frequency of distribution of collected revenues to municipalities; the reporting of tax collections to municipalities; collection of delinquent taxes and tracking those persons not filing taxes, and the impact of planned budget and staffing cuts on the Ohio Department of Taxation's ability to undertake and properly perform such significant new responsibilities; and,

WHEREAS, the State of Ohio is infringing on the Home Rule Rights of Municipalities to self-govern as stated in Article 18.07 of the Constitution of the State of Ohio.

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

**SECTION 1.** That this Council does hereby declare its strong opposition to any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio and urges its state legislators to reject and oppose any amendment to pending bills or introduction of new legislation that proposes to transfer collection and/or control of municipal income taxes to the State of Ohio Department of Taxation.

**SECTION 2.** That the Clerk of Council be and hereby is authorized and directed to send a certified copy of this Resolution to local representatives and appropriate officials determined by the Tax Commissioner.

**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 the City's opposition to state control of municipal income tax should be made known to our representatives and officials immediately. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:            Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2011, as an emergency measure.

ATTEST:

\_\_\_\_\_  
President of Council  
APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council  
APPROVED:

\_\_\_\_\_  
Director of Law

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

6

RESOLUTION NO. 12-2011

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY (CITY COUNCIL)**

REVISED CODE, SECS. 5705.34-5705.35

The Council of the **City of Sylvania**, Lucas County, Ohio, met in \_\_\_\_\_ session on the \_\_\_\_\_ day of 20\_\_\_\_, at the office of \_\_\_\_\_ with the following members present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mr. \_\_\_\_\_ moved the adoption of the following Resolution:

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

WHEREAS, It is now necessary and appropriate to reinstate the temporary "Tax Holiday" in the General Bond Retirement Fund, and

WHEREAS, this resolution is an annual determination of necessary tax levies and Council will continue to evaluate additional budget savings; therefore be it

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

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

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

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund (CHARTER)	210,000	838,000	2.00	0.50
General Bond Retirement Fund (Charter)	630,000			1.50
Police Pension	336,000	126,000	0.30	0.80
Park Fund				
Recreation Fund				
<b>TOTAL</b>	<b>1,176,000</b>	<b>964,000</b>	<b>2.30</b>	<b>2.80</b>

**SCHEDULE B**

**LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>		
Current Expense Levy authorized by voters on		
for not to exceed _____ years. , 20		
Current Expense Levy authorized by voters on		
for not to exceed _____ years. , 20		
<b>Total General Fund Outside 10 mill Limitation.</b>	<b>0.50</b>	<b>210,000</b>
<b>Park Fund: Levy authorized by voters on</b>		
for not to exceed _____ years.		
<b>Total Police Pension Fund Outside Mills</b>	<b>0.80</b>	<b>336,000</b>
<b>Total</b>	<b>1.30</b>	<b>546,000</b>

and be it further

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

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

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

Vote dispensing with the Second and Third Readings: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

\_\_\_\_\_ seconded the Resolution and the roll being called upon its adoption

the vote resulted as follows:

\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_

Adopted the \_\_\_\_\_ day of October, 2011, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ORDINANCE NO. 88 -2011**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A 1-YEAR COLLECTIVE BARGAINING AGREEMENT COMMENCING JANUARY 1, 2012, WITH THE FRATERNAL ORDER OF POLICE, LODGE NO. 129, ON BEHALF OF THE PATROLMEN; AND DECLARING AN EMERGENCY.**

WHEREAS, the eighth three (3) year Collective Bargaining Agreement with the Fraternal Order of Police, Lodge No. 129, on behalf of the patrolmen expires on December 31, 2011; and,

WHEREAS, the Fraternal Order of Police, Lodge No. 129, has been negotiating with this City on behalf of the patrolmen; and,

WHEREAS, as reported by the Director of Personnel, negotiations with the patrolmen have resulted in a settlement allowing wage increases of 1% for the year 2012 together with other terms all as set forth in a Collective Bargaining Agreement; and,

WHEREAS, the Collective Bargaining Agreement also provides for a one-time signing bonus of \$450; and,

WHEREAS, a timely Notice to Negotiate was received by the City from said Fraternal Order of Police, Lodge No. 129; and,

WHEREAS, the State Employment Relations Board assigned case number 11-MED-09-1241; and,

WHEREAS, the City, through its Director of Personnel, and the Collective Bargaining unit represented by the Fraternal Order of Police, Lodge No. 129, through the respective negotiating committee of such unit, have negotiated a Collective bargaining Agreement, a copy of which is now on file with the Clerk of this Council; and,

WHEREAS, the sergeants and telecommunicators are not included in this settlement or the said Collective Bargaining Agreement; and,



**ORDINANCE NO. 89 -2011****AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A 1-YEAR COLLECTIVE BARGAINING AGREEMENT COMMENCING JANUARY 1, 2012, WITH THE SYLVANIA POLICE COMMAND OFFICER'S ASSOCIATION ON BEHALF OF THE SERGEANTS; AND DECLARING AN EMERGENCY.**

WHEREAS, the Sylvania Police Command Officer's Association on September 6, 1996 filed with the State Employment Relations Board (SERB) a petition for representation election to represent the police sergeants, which petition was by SERB assigned case no. 96-REP-09-0176, and the City of Sylvania through its Director of Personnel/Treasurer filed with SERB in said case a Notice of Appearance on September 18, 1996; and,

WHEREAS, a Notice to Employees from the State Employment Relations Board (SERB) was given and then on November 12, 1996 the Sylvania Police Command Officer's Association filed with SERB a request for recognition together with the Association's Declaration and Certification of filing of showing of interest together with proof of service on the City of Sylvania; and,

WHEREAS, Fraternal Order of Police, Sylvania Lodge No. 129, which had three (3) years previously represented the police sergeants as their exclusive collective bargaining representative, on November 6, 1996 filed in said case a Disclaimer of Interest disclaiming its interest in representing the Sylvania Police Sergeants which the Sylvania Police Command Officer's Association has requested recognition to represent in said case no. 96-REP-09-0176; and;

WHEREAS, the request of the Sylvania Police Command Officer's Association was approved on or about January 9, 1997 to certify the request of the Sylvania Police Command

Officer's Association to be the exclusive collective bargaining representative for all of the regular full-time police sergeants; and,

WHEREAS, the fifth three (3) year Collective Bargaining Agreement with the Sylvania Police Command Officer's Association, on behalf of the sergeants, expires on December 31, 2011; and,

WHEREAS, a Notice to Negotiate was received by the City from the Sylvania Police Command Officer's Association; and,

WHEREAS, the SERB Relations Board assigned case number 11-MED-09-1240 to the Notice to Negotiate; and,

WHEREAS, the City of Sylvania, through its Director of Personnel, and the collective bargaining unit of police sergeants represented by the Sylvania Police Command Officer's Association, have negotiated a proposed Collective Bargaining Agreement, a copy of which is now on file with the Clerk of this Council; and,

WHEREAS, as reported by the Director of Personnel, negotiations with the police sergeants represented by the Sylvania Police Command Officer's Association, had resulted in a settlement allowing wage increases of 1% for the year 2012, together with other terms all as set forth in a proposed Collective Bargaining Agreement now on file with the Clerk of this Council as aforesaid; and,

WHEREAS, the Collective Bargaining Agreement also provides for a one-time signing bonus of \$450; and,

WHEREAS, the Chief of Police, Captain, Patrolmen, Chief Telecommunicator and Telecommunicators are not included in this settlement or the proposed Collective Bargaining Agreement; and,

WHEREAS, the Mayor and Director of Finance should be authorized to enter into the

proposed Collective Bargaining Agreement on behalf of this City with the Sylvania Police Command Officer's Association as the exclusive collective bargaining representative for the police sergeants.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, on behalf of this City, authorized and directed to enter into a Collective Bargaining Agreement in the form and substance of said agreement now on file with the Clerk of this Council for the year 2012 with the Sylvania Police Command Officer's Association representing all police sergeants, SERB case no. 11-MED-09-1240 and the Mayor and Director of Finance be, and they hereby are, authorized to make any incidental changes in the language of said proposed Collective Bargaining Agreement now on file with the Clerk of this Council, if the Director of Personnel approves said Collective Bargaining Agreement as modified as to content and, both the Collective Bargaining Agreement now on file with said Clerk and/or the agreement as modified and approved as to content by the Director of Personnel, are approved as to form by the Director of Law.

SECTION 2. That said Collective Bargaining Agreement authorized by Section 1. hereof shall be effective on and after January 1, 2012 in accordance with Article XXXVII thereof.

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 authorization for signing the proposed Collective Bargaining Agreement should be given forthwith to permit implementation of wage adjustments 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, \_\_\_\_\_, 2011, as an emergency measure.

ATTEST:

\_\_\_\_\_  
President of Council  
APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council  
APPROVED:

\_\_\_\_\_  
Director of Law

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ORDINANCE NO. 90 -2011**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A 1-YEAR COLLECTIVE BARGAINING AGREEMENT COMMENCING JANUARY 1, 2012 WITH THE SYLVANIA POLICE TELECOMMUNICATORS; AND DECLARING AN EMERGENCY.**

WHEREAS, the eighth three (3) year Collective Bargaining Agreement with the Fraternal Order of Police, Lodge No. 129, on behalf of the patrolmen, and the telecommunicators expires on December 31, 2011; and,

WHEREAS, the telecommunicators previously separated from the Fraternal Order of Police, Lodge No. 129 and formed their own committee; and,

WHEREAS, the City received notice from the Sylvania Police Telecommunicators that they wished to negotiate; and,

WHEREAS, the Sylvania Police Telecommunicators have been negotiating with this City on behalf of the telecommunicators; and,

WHEREAS, the City, through its Director of Personnel, and the collective bargaining unit of telecommunicators represented by the Sylvania Police Telecommunicators, have negotiated a Collective Bargaining Agreement, a copy of which is now on file with the Clerk of this Council; and,

WHEREAS, as reported by the Director of Personnel, negotiations with the telecommunicators have resulted in a settlement allowing wage increases of 1% for the year 2012 respectively together with other terms all as set forth in a Collective Bargaining Agreement; and,

WHEREAS, the Collective Bargaining Agreement also provides for a one-time signing bonus of \$450; and,

WHEREAS, the Mayor and Director of Finance should be authorized to enter into the Collective Bargaining Agreement on behalf of this City.

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

County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, on behalf of this City, authorized and directed to enter into a Collective Bargaining Agreement in the form and substance of said Agreement now on file with the Clerk of this Council for the year 2012 with the Sylvania Police Telecommunicators representing all telecommunicators, and the Mayor and Director of Finance be, and they hereby are, authorized to make any incidental changes in the language of said Collective Bargaining Agreement now on file with the Clerk of this Council if the Director of Personnel approves said Collective Bargaining Agreement as modified as to content and, both the Collective Bargaining Agreement now on file with said Clerk and/or the Agreement as modified and approved as to content by the Director of Personnel, are approved as to form by the Director of Law.

SECTION 2. That said Collective Bargaining Agreement authorized by Section 1. hereof shall be effective on and after January 1, 2012 in accordance with Article XXXVII thereof.

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 authorization for signing the Collective Bargaining Agreement should be given forthwith to permit implementation of wage adjustments 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, \_\_\_\_\_, 2011, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ORDINANCE NO. 91 -2011**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A 1-YEAR COLLECTIVE BARGAINING AGREEMENT COMMENCING JANUARY 1, 2012, 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.**

WHEREAS, the General Assembly of the State of Ohio, enacted new Sections 4117.01 to 4117.05, and enacted Sections 4117.06 to 4117.23 of the Revised Code of Ohio, thereby establishing Collective Bargaining procedures for Public Employers and Public Employees, effective October 6, 1983; and,

WHEREAS, the State Employment Relations Board (SERB) in June, 1984, certified the Sylvania Municipal Employees Association (SMEA), as the exclusive representative of all full-time laborers, public works servicemen, water maintenance workers, sewer maintenance workers, street maintenance workers, and construction inspectors in the City's Division of Streets, Vehicle Maintenance, Utilities, and Parks and Forestry, pursuant to Case No. 84-VR-05-1085; and,

WHEREAS, on September 4, 1986, the City of Sylvania Received Notice from SMEA that it had affiliated with District 2A, Transportation, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO, and would thereafter be known as Sylvania Municipal Employees Association, affiliated with District 2A, Transportation, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO; and,

WHEREAS, District 2A, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO decided to end its relationship with Sylvania Municipal Employees Association, AFL-CIO and voted to be with District 8, American Federation of State, County and Municipal Employees, AFL-CIO; and,

WHEREAS, the ninth 3 year Collective Bargaining Agreement with the Sylvania Municipal Employees Association expires on December 31, 2011; and,

WHEREAS, pursuant to said agreement, a timely notice to negotiate was received by the City from said Sylvania Municipal Employees Association, so affiliated; and,

WHEREAS, the State Employee's Relations Board assigned Case No. 11-MED-09-1349 to the Notice to Negotiate; and,

WHEREAS, the City, through its Director of Personnel, and said Union, through its Negotiating Committee, having negotiated a Collective Bargaining Agreement, a copy of which is now on file with the Clerk of this Council; and,

WHEREAS, as reported by the Director of Personnel, negotiations with the Sylvania Municipal Employees Association have resulted in a settlement allowing a wage increase of 1% for the year 2012 together with other terms all as set forth in a Collective Bargaining Agreement; and,

WHEREAS, the Collective Bargaining Agreement also provides for a one-time signing bonus of \$450; and,

WHEREAS, the Mayor and Director of Finance should be authorized to enter into the Collective Bargaining Agreement on behalf of this City.

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

**SECTION 1.** That the Mayor and Director of Finance be, and they hereby are, on behalf of this City, authorized and directed to enter into a Collective Bargaining Agreement in the form and substance of said Agreement now on file with the Clerk of this Council for the year 2012 with the Sylvania Municipal Employees Association, affiliated with District 8, American Federation of State, County and Municipal Employees, AFL-CIO, and the Mayor and Director of Finance be, and they hereby are authorized to make any incidental changes in the language of said Collective Bargaining Agreement now on file with the Clerk of this Council if the Director

of Personnel approves said Collective Bargaining Agreement as modified as to content and, both the Collective Bargaining Agreement now on file with said Clerk and/or the Agreement as modified and approved as to content by the Director of Personnel, are approved as to form by the Director of Law.

SECTION 2. That said Collective Bargaining Agreement authorized by Section 1. hereof shall be effective on and after January 1, 2012 in accordance with Article XXXV thereof.

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 authorization for signing the Collective Bargaining Agreement should be given forthwith to permit implementation of wage adjustments 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, \_\_\_\_\_, 2011, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**City of Sylvania**  
Bank Reconciliation  
September 2011

**A**

**CHECKBOOK BALANCE**

Ending balance for Aug 2011      \$ 28,154,081.03

Add: Monthly Receipts                      3,039,451.25

Subtotal                                      \$ 31,193,532.28

Less: Monthly Disbursements              3,746,812.50

Ending balance for Sep 2011      \$ 27,446,719.78

Less:

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

Star Ohio                                      (76,856.55)

Petty Cash (1)                                      (2,150.00)

Cemetery Savings                              (1,062.86)

Toledo Community Fund                      (26,618.11)

5/3rd Securities                              (17,658,986.74)

SJS Account                                      (5,175,627.62)

PNC MoneyMarket                              (1,023,734.02)

Key Bank Securities                              (1,004,781.23)

Sylvania Township Bonds                      (785,000.00)

\$      691,902.65

Less:

\$      691,902.65

(1)

Division of Public Service                      \$      150.00

Department of Finance                              200.00

Division of Water                                      400.00

Division of Police                                      200.00

Municipal Court                                      800.00

Division of Taxation                                      150.00

Division of Forestry                                      150.00

Division of Zoning                                      100.00

Petty Cash Balance      \$      2,150.00

**BANK BALANCE**

EOM 5/3rd Bank Balance                      \$ 1,810,359.37

Deposit in Transit                                      3,457.07

Subtotal                                      \$ 1,813,816.44

Less: Outstanding Checks (2)              1,121,913.79

Adjusted Bank Balance                      \$      691,902.65

(2)

Aug Outstanding Checks                      \$      518,049.32

Checks written this month                      1,787,195.37

Voided Ck # 59581                                      (25.00)

Subtotal                                      \$ 2,305,219.69

Checks Cleared                                      (1,183,305.90)

Sep Outstanding Checks                      \$ 1,121,913.79

  
\_\_\_\_\_  
Treasurer, City of Sylvania

B

Sylvania Municipal Planning Commission

Minutes of the regular meeting of October 12, 2011. Mr. Lindsley called the meeting to order.

Members present: Ken Marciniak, Thomas Lindsley, Mayor Craig Stough, (3) present. Read Backus (1) excused. Mr. Robert Oberly present.

Item 2a - Lot Split - app. no. 1-2011 requested by Sylvania Board of Education for property located at 3944 N. King Road, Sylvania.

Item 2b - Lot Split - app. no. 2-2011 requested by Sylvania Board of Education for property located at 3904 N. King Road, Sylvania.

Item 2c - Lot Split - app. no. 3-2011 requested by Sylvania Board of Education for property located at 3880 N. King Road, Sylvania.

Item 2d - Lot Split - app. no. 4-2011 requested by Sylvania Board of Education for property located at 3860 N. King Road, Sylvania.

Mr. Gregory Arnold present. The members agreed to discuss all four lot splits as a group. Mr. Arnold concurred. He stated that this request is identical to the 2008 lot split that was approved by the planning commission but the new deeds were not recorded to complete the process. They have drawn up the legal description for the remainders of the parcels to be combined with the Cougar Lane parcel to meet the requirement to have frontage on a dedicated right of way. The school board will proceed first with an auction of all four parcels. If they do not receive a bid that meets the appraised value they may then offer the parcels for sale on an individual basis. Concerns about the number of curb cuts onto King Road have been expressed, and the preferred number of curb cuts would be two with one opposite the driveway into Kroger's on the west side of King Road. They may also need to dedicate additional right of way along King Road from "Parcel B." There is a traffic light at Cougar Lane but it is on flasher part time. The service director will approve any plans for curb cuts and the additional right of way would be necessary when the property is developed. The frontage on the parcels is zoned B-1-B Modified Business and Office, 390 feet from the center of King Road, the remainder is zoned R-1 Single Family Residential. Mr. Marciniak moved, Mayor Stough seconded to grant Lot Split 1-2011 for 3944 King Road, Lot Split 2-2011 for 3904 King Road, Lot Split 3-2011 for 3880 King Road, and Lot Split 4-2011 for 3860 King Road as requested with the remained of the parcels being combined with the Cougar Lane parcel. Vote being: Stough, Marciniak, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary  
Municipal Planning Commission



C

# City Of Sylvania

MUNICIPAL PLANNING COMMISSION

October 5, 2011

To: The Members of the Municipal Planning Commission

Re: **Meeting Dates for 2012**

Dear Members:

Following is the schedule for the Board of Architectural Review and Sylvania Municipal Planning Commission Meetings for 2012.

All of the Meetings will be held in the Council Chambers of the Municipal Building, 6635 Maplewood Avenue, Wednesdays, at 5:30 p.m.

- January 11, 2012
- February 15, 2012
- March 14, 2012
- April 11, 2012
- May 16, 2012
- June 13, 2012
- July 11, 2012
- August 15, 2012
- September 12, 2012
- October 10, 2012
- November 14, 2012
- December 12, 2012

Thank you,

Barbara Taylor, Secretary  
Municipal Planning Commission

cc: Kevin G. Aller  
Laura Bigelow  
Mike Tansey

Robert Oberly  
Margaret Lintner  
Cathy Falardeau

George Eichenauer  
Steve Lafferty