

Sylvania City Council
Tuesday, September 6, 2011

**7:15 p.m. Public Hearing - proposed Ordinance 64-2011, amending Chapter 1105 -
Board of Appeals**

7:30 p.m. Council Meeting
Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mayor Stough.
3. Additions to the agenda.
4. Approval of the August 15 meeting minutes.
5. Report on the 7:15 public hearing.
6. Art Holtfreter will submit a petition opposing the Erie Street location of Fire Station # 1.
7. River Trail Improvements Phase 1;
 - a. Service Director's report on the bids received; and,
 - b. proposed Ordinance 76-2011, accepting the bid of Hank's Plumbing & Heating in the amount of \$1,295,819.50.
8. Highland Meadows and Griffith Park West;
 - a. Service Director's report on the change order; and,
 - b. proposed Ordinance 77-2011, approving Change Order No. 1 increasing the contract amount by \$28,681.41.
9. Annual assessing ordinances;
 - a. proposed Ordinance 78-2011, assessing a special tax for street lighting.
 - b. proposed Ordinance 79-2011, assessing a special tax for ditch maintenance, etc.
 - c. proposed Ordinance 80-2011, assessing a special tax for tree maintenance, etc.
10. Authorization to offer items from the Streets and Police Divisions for auction on GovDeals.com.
11. Job Creation and Retention Program application from Mobile Care Group/Mobile Care Physicians of Ohio; for referral to the Finance Committee.
12. Committee reports.
13. Committee referrals.

Information

- A. Notice of September 19 Committee-of-the-Whole and Economic Development sub-Committee meetings.
- B. August cash report from the Division of Taxation.

7:15
Pub Hear

ORDINANCE NO. 64 -2011

**AMENDING CHAPTER 1105 – BOARD OF APPEALS OF THE
SYLVANIA CODIFIED ORDINANCES BY AMENDING SECTION
1105.07 – VARIANCES; AND DECLARING AN EMERGENCY.**

WHEREAS, in continuing the review of the Zoning Code, the Director of Law has recommended that Chapter 1105 – Board of Appeals, Section 1105.07 – Variances, be amended as set forth on the attached “Exhibit A”; and,

WHEREAS, at the June 20, 2011 meeting of Sylvania City Council, this matter was referred to the Sylvania Municipal Planning Commission for its review and recommendation; and,

WHEREAS, the Sylvania Municipal Planning Commission, at its July 13, 2011 meeting, considered this matter and thereafter recommended that the proposed changes to Section 1105.07 be approved.

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

SECTION 1. That Section 1105.07 – Variances, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this ordinance must be immediately effective to provide for the

change to the Board of Appeals and to make necessary changes to the Codified Ordinances. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2011, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

Minutes of the Meeting of Council
August 15, 2011

The Council of the City of Sylvania, Ohio met in regular session on Monday, August 15, 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, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (6); absent: Doug Haynam (1), excused by Mayor Stough.

Roll call: Haynam absent, excused by Mayor Stough.

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.

- 8. Utilities & Environment Committee report.
- 10a. Economic Development sub-Committee report.
- 12. Proposed Ordinance 75-2011.
- 13. Service Director's update on the status of the railroad repairs.
- 14. Sylvania Historical Village event.
- 15. SCAT first annual golf scramble.

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

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

Mr. Milner presented the July 18 minutes. Mr. Milner moved, Mr. Luetke seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of July 18, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Approval of the July 18 minutes.

Mr. Milner presented the August 1 special meeting minutes. Mr. Milner moved, Mrs. Husman seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the special meeting of August 1, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Approval of the August 1 minutes.

Mayor Stough stated that Council will now consider agenda item 5

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Mr. Milner reported on the 6:30 public hearing for SUP-2-2011. He noted that there was a good turnout from residents, mostly from north of the site of the elevated water tank at 8425 Sylvania-Metamora Road. They are against placement of the tank at that location, and asked Council to consider other places. Residents have no issue with the salt storage building. Council members did tour the area prior to the meeting, and noted that there may be some other suitable sites to the west. The residents who received written notice of the public hearing will also receive written notice of any subsequent meetings on the issue. Mr. Milner moved, Mrs. Westphal seconded, to refer the issue to the Committee-of-the-Whole which will meet on September 19, 2011 at 5:30 p.m. in Council Chambers; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; (0) nays. The motion carried.

Public hearing report on SUP-2-2011, elevated water tank and salt storage building.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 70-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Jones and Henry Engineers, Ltd., for additional professional surveying and engineering design for the water tower construction project; appropriating funds therefore in an amount not to exceed \$14,800; and declaring an emergency." Mr. Brown moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Ordinance 70-2011, "...proposal of Jones and Henry Engineers... additional...water tower construction..."

Mr. Brown moved, Mr. Milner seconded, that Ordinance No. 70-2011 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried.

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

Service Director Kevin Aller's reports on change order nos. 16 and 17 for the Alexis Road (SR 184) project were placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 71-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 16 to this City's agreement with Gerken Paving, Inc., for the SR 184 (Alexis Road) Improvement Project which reflects the actual repairs performed on the project; increasing the City's portion of the contract amount by \$15,018.02; and declaring an emergency." Mr. Milner moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

Ordinance 71-2011, "...approve Change Order No. 16...Alexis Road..."

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Mr. Milner moved, Mrs. Westphal seconded, that Ordinance No. 71-2011 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 72-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 17 to this City's agreement with Gerken Paving, Inc., for the SR 184 (Alexis Road) Improvement Project which reflects contractor remobilization costs on this project; increasing the City's portion of the contract amount by \$4,500.00; 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: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Ordinance 72-2011, "...approve Change Order No. 17...Alexis Road..."

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 72-2011 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 73-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance of the City of Sylvania, Ohio, to enter into a Police Mutual Aid Pact with certain municipal corporations and townships, township police districts, county sheriffs, park districts in Lucas County, Wood County, and those adjacent to Lucas County and public hospital agencies and non-profit hospital agencies; and declaring an emergency." Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Ordinance 73-2011, ...Police Mutual Aid Pact ..."

Mrs. Westphal moved, Mr. Milner seconded, that Ordinance No. 73-2011 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried.

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

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Mr. Brown reported that street light assessments were one of the topics discussed at the August 10 Utilities & Environment Committee meeting. The Administration put together a profile of past assessments which show that current assessments are lower than in 1999, and street lighting assessments were not charged for two years because there was adequate money in the account. Currently more funds are needed to break even. The recommended increase is minimum, and after additional consideration of the Whiteway (special downtown and Monroe Street lighting) charges, it was determined that the rate should be \$1.10 per parcel front foot. The committee also reviewed the condition of the Monroe Street lights. Some are down, and some need repairs. Since this is an immediate concern, they recommend that \$100,000 from capital improvements be used to repair and replace these poles.

Resolution 8-2011(a),
“Declaring the necessity of lighting the streets...”

Mr. Brown presented and read aloud by title only, proposed Resolution No. 8-2011(a), a written copy of same having been previously furnished to each member of Council, “Declaring the necessity of lighting the streets in the City of Sylvania, Ohio; determining the manner of providing street lighting and the basis for the property owner’s share of the cost and annual assessment; and declaring an emergency.” Mr. Brown moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

Mr. Brown moved, Mrs. Westphal seconded, that Resolution No. 8-2011(a) be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mr. Luetke seconded, to direct the Administration to look into using capital improvement funds to repair and or replace certain Monroe Street light poles; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Funds to repair or replace light poles.

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

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 74-2011, a written copy of same having been previously furnished to each member of Council, “Authorizing Flower Hospital to affix banners to utility poles along Monroe Street and Harroun Road; authorizing the Director of Public Service to indicate such approval on behalf of the City of Sylvania; and declaring an emergency.” Mrs. Cappellini moved, Mrs. Westphal seconded, that Council

Ordinance 74-2011, “...Flower Hospital to affix banners...”

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

Mrs. Cappellini moved, Mr. Luetke seconded, that Ordinance No. 74-2011 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Husman, Luetke (6) yeas; (0) nays. The motion carried.

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

Mr. Luetke reported that on August 15 the Economic Development sub-Committee reviewed marketing materials, received an update on the downtown planning grant, and heard on update on the underground wiring. The committee will meet on September 19 at 6:30 p.m. for a review on phasing in the underground wiring program.

Economic
Development
sub-Committee.

There were no committee referrals and Mayor Stough stated that Council will now consider agenda item 12.

Mayor Stough reported that the following Ordinance is required for the City to remain in compliance, and for National Flood Insurance to remain in effect in the City. He recommended referring it to the Planning Commission for their review. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 75-2011, a written copy of same having been previously furnished to each member of Council, "Amending Chapter 1149 of the Planning and Zoning Code of the Codified Ordinances of the Sylvania, 1979, as amended, by amending Section 1149-01 - Definitions; by amending Section 1149.02 - Lands to which this Ordinance applies; by amending Section 1149.03 - Compliance; by amending Section 1149.08 - Warning and Disclaimer of Liability; by amending Section 1149.09 - Local Floodplain Administrator; by amending Section 1149.10 - Inspections; by amending Section 1149.14 - Flood Plain Development Permit Required; Fees; by amending Section 1149.15 - Application for Permit; by amending Section 1149.16 - Review of Applications; by amending Section 1149.23 - Revocation of Permit; by amending Section 1149.31 - Appeals for Variance; by amending Section 1149.99 - Penalty; by addition Section 1149.001 - General Provisions; by adding Section 1149.151 - Exemption from Filing a Development Permit; by adding Section 1149.152 - Post Construction Certifications Required; by adding Section 1149.221 - Map Maintenance Activities; by adding Section 1149.222 - Data Use and Flood Map Interpretation; by adding Section 1149.35 - Substantial Damage Determinations; by adding

Ordinance 75-
2011, "Amend-
ing Chapter 1149
...Floodplain..."

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Section 1149.36 - Use and Development Standards for Flood Hazard Reduction; and by repealing Section 1149.25 - Variances; 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: Westphal, Brown, Cappellini, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mrs. Husman seconded, that Ordinance No. 75-2011 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mr. Luetke seconded, to refer Ordinance No. 75-2011 to the Planning Commission for review; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 13.

There was a brief discussion on the further deteriorating condition of the Monroe Street railroad tracks. The Service Director’s calls to the railroad are not getting returned. The Law Director will contact them citing safety issues. Monroe Street tracks.

Mayor Stough stated that Council will now consider agenda item 14.

Mrs. Westphal reported on the October Friends of Freedom event scheduled at the Sylvania Historical Village and encouraged Council members to participate. Friends of Freedom.

Mayor Stough stated that Council will now consider agenda item 15.

Mrs. Husman announced the inaugural golf outing to benefit S.C.A.T. on September 9 at Bedford Hills Golf Club. SCAT golf outing.

Sylvania Township Trustee Kevin Haddad asked for the City’s cooperation in getting Fire Station No. 1 built. Mayor Stough advised that the Township has not submitted a petition for a special use permit, which is a requirement for the project. Fire Station No. 1.

There were no further items for consideration. Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:25 p.m. Adjournment.

Clerk of Council

Mayor



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City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 29, 2011

To: The Mayor and Members of Sylvania City Council

Re: **River Trail Improvements Phase I**

Dear Mr. Mayor and Council Members:

Bids were opened on the above-mentioned project on Thursday, August 25, 2011. The list of bidders and their adjusted bid is as follows:

Hank's Plumbing and Heating Co.	\$1,295,819.50
Anderzack-Pitzen Construction, Inc.	\$2,019,280.00

The estimated cost was \$1,308,113.

We would recommend that the bid of Hank's Plumbing & Heating Co., 2000 The Bluffs, Toledo, Ohio 43615 in the amount of \$1,295,819.50 be accepted and that they be awarded the contract for the River Trail Improvements - Phase I.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service
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ORDINANCE NO. 76 -2011

ACCEPTING THE BID OF HANK’S PLUMBING AND HEATING CO. AND AWARDING THE CONTRACT FOR THE RIVER TRAIL IMPROVEMENTS PHASE I PROJECT TO SAME; AUTHORIZING THE EXPENDITURE FOR THE IMPROVEMENTS IN THE AMOUNT OF \$1,295,819.50; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, plans for the River Trail Improvements Phase I Project have been completed and are now on file with the Clerk of this Council; and,

WHEREAS, the Clerk of Council was authorized to advertise for bids at the May 16, 2011 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on August 25, 2011, and thereafter, the Director of Public Service, by report dated August 29, 2011, stated that the total estimate for the River Trail Improvements Phase I Project was \$1,308,113 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Hank’s Plumbing and Heating Co.	\$1,295,819.50
Anderzack-Pitzen Construction, Inc.	2,019,280.00

WHEREAS, the two (2) bids offered by the above bidders meet all of the City’s specifications and the Director of Public Service, by report dated August 29, 2011, has recommended acceptance of the low bid of Hank’s Plumbing and Heating Co. and that the contract for the River Trail Improvements Phase I Project be awarded to same.

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

SECTION 1. That the bid of Hank’s Plumbing and Heating Co., 2000 The Bluffs, Toledo, OH 43615, for said River Trail Improvements Phase I Project, in the amount of One Million Two Hundred Ninety-Five Thousand Eight Hundred Nineteen and 50/100 Dollars (\$1,295,819.50), is hereby determined to be the best bid received and the same is hereby accepted.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to execute a contract with the bidder named in Section 1 above for the furnishing of such labor and materials in accordance with said bid.

SECTION 3. That to provide funds for said improvement project hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7750-53585 – River Trail Project**, the total sum of One Million Two Hundred Ninety-Five Thousand Eight Hundred Nineteen and 50/100 Dollars (\$1,295,819.50).

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 bid of Hank's Plumbing and Heating Co. should be accepted immediately so as to provide for the River Trail Phase I Improvements 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



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City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 31, 2011

To: The Mayor and Members of Sylvania City Council

Re: **Highland Meadows and Griffith Park West**

Dear Mr. Mayor and Council Members:

Attached please find Change Order No. 1 for the above-mentioned project. This change order reflects the as-built materials used and work performed and non-performed on this project and results in a net increase of \$28,681.41 to the contract.

Most of the increase was for additional tree removal, topsoil and seeding/mulching, the use of high-early strength concrete due to weather restraints, and several waterline conflicts. Savings were realized due to reduced rock excavation, less footage for reconnecting sanitary sewer laterals, and less undercut of roadway due to better sub-base conditions than anticipated.

We would recommend that Change Order No. 1 for E.R. Zeiler Excavating, Inc. in the amount of a net addition to the contract of \$28,681.41 be approved.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

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Enc.

CITY OF SYLVANIA

AUTHORIZATION FOR CHANGE IN WORK

Highland Meadows
NAME OF PROJECT: & Griffith Park West

CHANGE ORDER NO.: 1

CONTRACTOR: E.R. Zeiler Excavating, Inc.

DATE: August 31, 2011

ADDRESS: 125 Substation Road, Temperance, MI 48182

DESCRIPTION OF CHANGE:

Net Additions to Contract

\$28,681.41

CHANGE IN TIME OF COMPLETION _____ TO _____

RECOMMENDED Kevin G. Allen Heid DATE 8/31/11
DIRECTOR OF PUBLIC SERVICE

ACCEPTED FOR E.R. Zeiler Excavating, Inc.
CONTRACTOR

BY Joseph M. Gryn DATE 8/31/11

APPROVED BY CITY OF SYLVANIA

BY _____ DATE _____
MAYOR

BY _____ DATE _____
DIRECTOR OF FINANCE

CHANGE ORDER NO. # 1

PROJECT: Highland Meadows & Griffith Park West
 CONTRACTOR: E.R. Zeiler Excav., Inc.

CONTRACT AWARD PRICE: \$2,456,749.45

AUTHORIZED CHANGES
 ADJUSTED CONTRACT PRICE

Ref. Item No. No.	Description	Estimated Quantity	Unit Price	WORK PERFORMED TO DATE		Additions/ Deductions
				No. of Units	Amount Earned to Date	
ROADWAY						
1	201 Clearing & Grubbing	1	\$5,000.00	1	\$5,000.00	\$0.00
2	201 Tree Removed, 18"	15 EA	\$850.00	63	\$53,550.00	\$40,800.00
3	201 Tree Removed, 30"	1 EA	\$1,250.00	9	\$11,250.00	\$10,000.00
4	202 Catch Basin Removed	24 EA	\$225.00	25	\$5,625.00	\$225.00
5	202 Manhole Removed	4 EA	\$325.00	4	\$1,300.00	\$0.00
6	202 Pipe Removed, 24" and under	1,433 FT	\$7.85	1,557.25	\$12,224.41	\$975.36
7	202 Pipe Removed, over 24"	420 FT	\$8.00	420	\$3,360.00	\$0.00
8	202 Brick Walk Removed	39 SF	\$10.00	37.9	\$379.00	(\$11.00)
9	202 Concrete Pavement Removed	12,774 SY	\$7.00	13,274.84	\$92,923.88	\$3,505.88
10	202 Concrete Driveways Removed	1,101 SY	\$12.00	1,227.61	\$14,731.32	\$1,519.32
11	202 Fence Removed	93 FT	\$10.00	58	\$580.00	(\$350.00)
12	203 Excavation	5,836 CY	\$13.00	5,771.58	\$75,030.54	(\$837.46)
13	203 Embankment	741 CY	\$12.00	0	\$0.00	(\$8,892.00)
14	204 Subgrade Compaction, as per plan	13,758 SY	\$0.85	14,057.65	\$11,949.00	\$254.70
15	204 Subgrade Compaction (Driveways)	2,459-SY	\$1.15	2,897.34	\$3,331.94	\$504.09
16	207 Permieter Filter Fabric Fence	10,580 FT	\$1.40	0	\$0.00	(\$14,812.00)
17	254 Pavement Planing	370 SY	\$4.50	139.5	\$627.75	(\$1,037.25)
18	503 Rock Excavation	1,072 CY	\$150.00	613.83	\$92,074.50	(\$68,725.50)
19	604 Monument Assembly, Type B	25 EA	\$500.00	25	\$12,500.00	\$0.00
20	607 Fence, Type - Chainlink	93 FT	\$15.00	0	\$0.00	(\$1,395.00)
21	630 Removal of Ground Mounted Sign & Storage, as per plan	6 EA	\$50.00	6	\$300.00	\$0.00

CHANGE ORDER NO. # 1

PROJECT: Highland Meadows & Griffith Park West
 CONTRACTOR: E.R. Zeiler Excav., Inc.

CONTRACT AWARD PRICE: \$2,456,749.45

AUTHORIZED CHANGES
 ADJUSTED CONTRACT PRICE

Ref. Item No. No.	Description	Estimated Quantity	Unit Price	WORK PERFORMED TO DATE		Additions/ Deductions
				No. of Units	Amount Earned to Date	
ROADWAY - Cont'd.						
22	630 Removal of Ground Mounted Sign & Reerection	35 EA	\$150.00	32	\$4,800.00	(\$450.00)
23	630 Removal of Ground Mounted Support & Disposal	33 EA	\$50.00	0	\$0.00	(\$1,650.00)
24	630 Ground Mounted Support, No. 3 Post	415 FT	\$5.00	0	\$0.00	(\$2,075.00)
25	630 Street Name Sign Support, No. 3 Post	24 FT	\$5.00	0	\$0.00	(\$120.00)
26	Spec. Inlet Prot. Unit, as per plan	34 EA	\$100.00	20	\$2,000.00	(\$1,400.00)
27	Spec. Remove & Replace Landscaping	8 EA	\$150.00	8	\$1,200.00	\$0.00
28	Spec. Remove & Replace Lightpole	1 EA	\$1,500.00	0	\$0.00	(\$1,500.00)
EROSION CONTROL						
29	653 2" Topsoil Furnished & Placed	328 CY	\$65.00	1,011.73	\$65,762.45	\$44,442.45
30	659 Commercial Fertilizer	0.82 Ton	\$1,000.00	1.1	\$1,100.00	\$280.00
31	659 Water	32 MGal	\$35.00	27	\$945.00	(\$175.00)
32	659 Seeding and Mulching	5,909 SY	\$1.00	18,211.18	\$18,211.18	\$12,302.18
DRAINAGE						
33	602 Concrete Masonry	3 CY	\$150.00	2.16	\$324.00	(\$126.00)
34	603 6" Conduit for Storm Laterals	2,477 FT	\$35.00	2,416	\$84,560.00	(\$2,135.00)
35	603 8" Conduit, Type B, 706.02	979 FT	\$32.00	1,010	\$32,320.00	\$992.00
36	603 12" Conduit, Type B, 706.02	301 FT	\$37.00	329	\$12,173.00	\$1,036.00
37	603 15" Conduit, Type B, 706.02	388 FT	\$43.00	388	\$16,684.00	\$0.00
38	603 18" Conduit, Type B, 706.03	175 FT	\$43.00	198	\$8,514.00	\$989.00
39	603 21" Conduit, Type B, 706.03	441 FT	\$50.00	549	\$27,450.00	\$5,400.00
39A	603 24" Conduit, Type B, 706.03	0 FT	\$60.00	8.5	\$510.00	\$510.00
40	603 27" Conduit, Type B, 706.03	769 FT	\$70.00	769	\$53,830.00	\$0.00

CHANGE ORDER NO. # 1

PROJECT: Highland Meadows & Griffith Park West

CONTRACTOR: E.R. Zeiler Excav., Inc.

CONTRACT AWARD PRICE: \$2,456,749.45

AUTHORIZED CHANGES

ADJUSTED CONTRACT PRICE

Ref. Item No. No.	Description	Estimated Quantity	Unit Price	WORK PERFORMED TO DATE		Additions/ Deductions
				No. of Units	Amount Earned to Date	
DRAINAGE - Cont'd.						
41	603 30" Conduit, Type B, 706.02	1,212 FT	\$90.00	1,212	\$109,080.00	\$0.00
42	603 36" Conduit, Type C, 706.02	202 FT	\$88.00	210	\$18,480.00	\$704.00
43	603 42" Conduit, Type C, 706.02	389 FT	\$125.00	389	\$48,625.00	\$0.00
44	603 48" Conduit, Type B, 706.02	420 FT	\$160.00	422	\$67,520.00	\$320.00
45	604 Type A-1 Catch Basin	14 EA	\$1,100.00	14	\$15,400.00	\$0.00
46	604 Type A-2 Catch Basin	8 EA	\$1,475.00	8	\$11,800.00	\$0.00
47	604 Type A-1 Catch Basin, as per plan	1 EA	\$2,200.00	1	\$2,200.00	\$0.00
48	604 Type A-2 Catch Basin, as per plan	3 EA	\$2,600.00	3	\$7,800.00	\$0.00
49	604 Type 2-2B Catch Basin	3 EA	\$1,000.00	3	\$3,000.00	\$0.00
50	604 Type 2-5 Catch Basin	5 EA	\$2,000.00	5	\$10,000.00	\$0.00
51	604 Manhole, No. 3	11 EA	\$1,050.00	11	\$11,550.00	\$0.00
52	604 Manhole, No. 3, as per plan	9 EA	\$2,000.00	10	\$20,000.00	\$2,000.00
53	604 Inspection Well "As Directed by the Engineer"	4 EA	\$850.00	0	\$0.00	(\$3,400.00)
54	605 6" Shallow Pipe Underdrains with Filter Wrap	8,312 FT	\$6.50	8,351	\$54,281.50	\$253.50
55	603 12" Conduit, Directional Drill, 707.43 or 707.45	415 FT	\$100.00	400	\$40,000.00	(\$1,500.00)
PAVEMENT						
56	304 Aggregate Base	200 CY	\$33.50	0	\$0.00	(\$6,700.00)
57	304 10" Aggregate Base (No Undercut)	1,499 CY	\$28.70	1,348.98	\$38,715.73	(\$4,305.57)
58	304 6" Aggregate Base (Driveways)	222 CY	\$34.00	188.58	\$6,411.72	(\$1,136.28)
59	304 6" Aggregate Base (Undercut- Tensar)	1,157 CY	\$30.00	1,291.34	\$38,740.20	\$4,030.20

CHANGE ORDER NO. # 1

PROJECT: Highland Meadows & Griffith Park West
CONTRACTOR: E.R. Zeiler Excav., Inc.

CONTRACT AWARD PRICE: \$2,456,749.45

AUTHORIZED CHANGES
ADJUSTED CONTRACT PRICE

Ref. Item No. No.	Description	Estimated Quantity	Unit Price	WORK PERFORMED TO DATE		Additions/ Deductions
				No. of Units	Amount Earned to Date	
PAVEMENT - Cont'd.						
60	304 6" Aggregate Base (Undercut-Triax)	318 CY	\$30.00	453.34	\$13,600.20	\$4,060.20
61	304 10" Aggregate Base (Undercut-Triax)	1,398 CY	\$28.70	1,396.63	\$40,083.28	(\$39.32)
62	407 Tack Coat	617 Gal	\$2.25	1,607.90	\$3,617.78	\$2,229.53
63	408 Prime Coat	4940 Gal	\$2.25	0	\$0.00	(\$11,115.00)
64	408 Prime Coat (Driveways)	531 Gal	\$2.50	0	\$0.00	(\$1,327.50)
65	410 Traffic Compacted Surface, Type B	800 CY	\$50.00	399	\$19,950.00	(\$20,050.00)
66	412 Asphalt Concret (1997 Specs.) (Driveways)	75 CY	\$262.00	0	\$0.00	(\$19,650.00)
67	448 Asphalt Concr. Intermed. Course, Type 2, PG64-22	857 CY	\$118.00	1,042.67	\$123,035.06	\$21,909.06
68	448 Asphalt Concrete Surface Course, Type 1, PG64-22	530 CY	\$128.00	609.31	\$77,991.68	\$10,151.68
69	452 6" Non-Reinforced Concr. Pavement (Driveways)	1,133 SY	\$29.85	240.89	\$7,190.57	(\$26,629.48)
69A	452 6" Non-Reinforced Concr. Pavement (Driveways) (HES)	0 SY	\$32.90	1,528.88	\$50,300.15	\$50,300.15
70	608 Walkway Misc: Brick Pavers	39 SF	\$12.00	0	\$0.00	(\$468.00)
71	609 Curb, Type A	9,410 FT	\$7.40	258.5	\$1,912.90	(\$67,721.10)
71A	609 Curb, Type A (HES)	0 FT	\$8.30	8,510	\$70,633.00	\$70,633.00
72	Spec. Asphalt Rejuvenating Agent	12,703 SY	\$0.85	10,901	\$9,265.85	(\$1,531.70)
73	Spec. Tensar TX5 Reinforcement	6,938 SY	\$3.50	7,747.91	\$27,117.69	\$2,834.69
74	Spec. Triax TX7 Reinforcement	6,938 SY	\$5.50	7,747.91	\$42,613.51	\$4,454.51
WATER WORK						
75	202 Line Valve Box Removed	6 EA	\$300.00	6	\$1,800.00	\$0.00
76	638 4" Gate Valve and Valve Box	1 EA	\$500.00	1	\$500.00	\$0.00
77	638 8" Gate Valve and Valve Box	11 EA	\$900.00	11	\$9,900.00	\$0.00

CHANGE ORDER NO. # 1

PROJECT: Highland Meadows & Griffith Park West
CONTRACTOR: E.R. Zeiler Excav., Inc.

CONTRACT AWARD PRICE: \$2,456,749.45

AUTHORIZED CHANGES
ADJUSTED CONTRACT PRICE

Ref. Item No. No.	Description	Estimated Quantity	Unit Price	WORK PERFORMED TO DATE		Additions/ Deductions
				No. of Units	Amount Earned to Date	
WATER WORK - Cont'd.						
78	638 4" Cutting-In Sleeve	1 EA	\$500.00	0	\$0.00	(\$500.00)
79	638 6 x 6" Tapping Sleeve, Valve, and Valve Box	1 EA	\$2,500.00	1	\$2,500.00	\$0.00
80	638 12 x 8" Tapping Sleeve, Valve, and Valve Box	1 EA	\$3,500.00	1	\$3,500.00	\$0.00
81	638 Long Water Service	37 EA	\$1,000.00	8	\$8,000.00	(\$29,000.00)
82	638 Short Water Service	36 EA	\$795.00	63	\$50,085.00	\$21,465.00
83	638 Fire Hydrant Assembly Removed	7 EA	\$250.00	7	\$1,750.00	\$0.00
84	638 4" Water Main Ductile Iron Pipe, ANSI Class 54	3 FT	\$300.00	7.5	\$2,250.00	\$1,350.00
85	638 8" Water Main Ductile Iron Pipe, ANSI Class 54	3,669 FT	\$42.00	3,542	\$148,764.00	(\$5,334.00)
86	638 12" Water Main Ductile Iron Pipe, ANSI Class 54	58 FT	\$120.00	58	\$6,960.00	\$0.00
87	638 Standard Fire Hydrant Assembly	10 EA	\$3,500.00	10	\$35,000.00	\$0.00
88	638 End of Line Fire Hydrant Assembly	1 EA	\$3,700.00	1	\$3,700.00	\$0.00
SANITARY						
89	202 Manhole Removed	18 EA	\$300.00	18	\$5,400.00	\$0.00
90	202 Pipe Removed, 24" and under	4,137 FT	\$8.00	5,374.91	\$42,999.28	\$9,903.28
91	603 8" Conduit, Type B, SDR 35	4,275 FT	\$69.00	4,459	\$307,671.00	\$12,696.00
92	603 6" PVC SDR 35 Sanitary Sewer Lateral	1,997 FT	\$45.00	915.91	\$41,215.95	(\$48,649.05)
93	604 Manhole, Type 3	18 EA	\$1,500.00	18	\$27,000.00	\$0.00

CHANGE ORDER NO. # 1

PROJECT: Highland Meadows & Griffith Park West
CONTRACTOR: E.R. Zeiler Excav., Inc.

CONTRACT AWARD PRICE: \$2,456,749.45

AUTHORIZED CHANGES
ADJUSTED CONTRACT PRICE

Ref. Item No. No.	Description	Estimated Quantity	Unit Price	WORK PERFORMED TO DATE		Additions/ Deductions
				No. of Units	Amount Earned to Date	
MAINTENANCE OF TRAFFIC						
94	614 Maintaining Traffic	1	\$6,000.00	1	\$6,000.00	\$0.00
95	623 Constr. Layout Stakes, as per plan	1	\$17,000.00	1	\$17,000.00	\$0.00
96	624 Mobilization	1	\$5,000.00	1	\$5,000.00	\$0.00
Contract Amount Completed					\$2,445,032.01	(\$11,717.44)
ADDITIONAL WORK						
1	Ex. 21" Conduit Tie-In	Lump	\$2,115.92	1	\$2,115.92	
2	Ex. 6" WL Conflict	Lump	\$1,929.00	1	\$1,929.00	
3	Ex. 6" WL Conflict	Lump	\$1,739.65	1	\$1,739.65	
4	Excavate 6" WL Break	Lump	\$294.00	1	\$294.00	
5	Work Around Trees	Lump	\$2,393.78	1	\$2,393.78	
6	Ex. 6" WL Conflict	Lump	\$3,133.60	1	\$3,133.60	
7	Gregory WL Conflict	Lump	\$6,238.13	1	\$6,238.13	
8	Tap for 5949 Gillingham	Lump	\$1,973.12	1	\$1,973.12	
9	18" Conduit Tie-In	Lump	\$2,883.82	1	\$2,883.82	
10	Ex. 6" WL Conflict	Lump	\$3,006.43	1	\$3,006.43	
11	WL Conflict	Lump	\$2,451.26	1	\$2,451.26	
12	Ex. 8" Tie-In	Lump	\$3,942.76	1	\$3,942.76	
13	Exc. Water Services	Lump	\$317.75	1	\$317.75	
14	Saw Cut/Cold Patch	Lump	\$2,696.89	1	\$2,696.89	
15	Exc. Curb Stop	Lump	\$635.50	1	\$635.50	
16	Ex. 8" Tie-In	Lump	\$4,647.25	1	\$4,647.25	
Additional Work Subtotal						\$40,398.86
Total Amount Completed to Date					\$2,485,430.87	
Original Contract					\$2,456,749.46	
Change Order No. 1						\$28,681.41

Kevin G. Aller /td
Kevin G. Aller, Director of Public Service

8/30/11
Date

88

ORDINANCE NO. 77 -2011

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 TO THIS CITY'S AGREEMENT WITH E.R. ZEILER EXCAVATING, INC. FOR THE HIGHLAND MEADOWS AND GRIFFITH PARK WEST IMPROVEMENT PROJECT WHICH REFLECTS THE AS-BUILT MATERIALS USED AND ACTUAL MATERIALS USED AND WORK PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$28,681.41; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 58-2010, passed June 29, 2010, accepted the bid of E.R. Zeiler Excavating, Inc. for the Highland Meadows and Griffith Park West Improvement Project, which bid was in the amount of Two Million Four Hundred Fifty-Six Thousand Seven Hundred Forty-Nine and 45/100 Dollars (\$2,456,749.45); and,

WHEREAS, the Director of Public Service, by report dated August 31, 2011, has recommended the acceptance of Change Order No. 1 of E.R. Zeiler Excavating, Inc. for said Highland Meadows and Griffith Park West Improvement Project to reflect the as-built materials used and work performed and non-performed on this project; and,

WHEREAS, the actual quantities of materials used and work performed on the project resulted in a net increase to the contract in the amount of Twenty-Eight Thousand Six Hundred Eighty-One and 41/100 Dollars (\$28,681.41), for a total contract amount of \$2,485,430.86.

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 Twenty-Eight Thousand Six Hundred Eighty-One and 41/100 Dollars (\$28,681.41), 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. 401-7610-53592 – Highland Meadows/Griffith Park Improvement Project**, the sum of Twenty-Eight Thousand Six Hundred Eighty-One and 41/100 Dollars (\$28,681.41).

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, _____, 2011, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9a

ORDINANCE NO. 78 -2011

**ORDINANCE APPROVING THE ASSESSMENTS HERETOFORE
AUTHORIZED BY RESOLUTION NO. 8-2011 FOR STREET
LIGHTING; LEVYING SAID ASSESSMENTS; AND DECLARING
AN EMERGENCY.**

WHEREAS, this Council by Resolution No. 8-2011, passed August 15, 2011, declared the necessity for lighting the municipal streets, determined the basis for levying annual assessments on lots and lands in this City for such purpose, and authorized such assessments in the amount as estimated by the Clerk of Council, pursuant to said Resolution; and,

WHEREAS, the Clerk of Council pursuant to said Resolution and Revised Code Section 727.14, gave notice of the passage of said Resolution and the filing of such estimated assessments; and,

WHEREAS, no objections were filed pursuant to Revised Code Section 727.15 or such objections as were filed have been considered by Council, and such assessments, as adjusted if adjusted, should be approved, levied and certified to the Auditor of Lucas County, Ohio.

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

SECTION 1. That the assessments for the street lighting authorized by said Resolution in the aggregate amount of Three Hundred Ninety-Two Thousand, Five Hundred Twenty-Two and 76/100 (\$392,522.76) and the assessments, as adjusted if adjusted, are hereby approved and such assessments in the amount so approved are hereby levied on the several parcels and lots of land in said City on the basis as set forth in said Resolution and the Clerk of Council is hereby directed to certify said assessments to the Auditor of Lucas County, Ohio, within the time provided therefore by the Revised Code of Ohio Section 5705.34.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in

such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that immediate provision must be made for lighting the City streets. 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. 79 -2011

TO ASSESS A SPECIAL TAX UPON THE LOTS AND LANDS DESCRIBED IN THE SCHEDULE REFERRED TO HEREIN TO PAY A PART OF THE COST AND EXPENSE OF PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, CLEANING AND ENCLOSING OPEN DRAINAGE DITCHES WITHIN THE CORPORATE LIMITS OF THE CITY OF SYLVANIA FOR THE YEAR ENDING DECEMBER 31, 2011; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Sylvania has heretofore, by Ordinance, established one (1) district for the purpose of constructing, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania during the year 2011, and provided that part of the cost and expense connected with said work in said district in the total amount of Two Hundred Forty-Five Thousand, Seven Hundred Twenty-Six and 44/100 (\$245,726.44) shall be levied and assessed in the sum of thirty-five cents (35¢) per front foot upon all lots and lands bounding and abutting upon the streets and public right-of-way in said district as set forth in said Ordinance; and,

WHEREAS, the Clerk of Council has given notice of the passage of the Ordinance creating the Ditch District for 2010 and of the estimated assessments on file in the Office of the Clerk of Council; and,

WHEREAS, Council has considered and adjusted all objections to estimated assessments that were properly and timely filed.

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

SECTION 1. That, to pay a part of the cost and expense of the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania as described in the schedule as reported by the Clerk of Council for the year ending December 31, 2011, there be, and hereby is assessed, in one (1) installment for 2011, upon the lots and lands bounding and abutting upon the streets and public right-of-way in

said district, the several sums shown in the list of assessments, as adjusted if adjusted, and set opposite the description of the respective lots and lands and do hereby determine and declare that said lots and lands are specially benefitted in the amounts so assessed against the same, which amounts and assessments are hereby confirmed and approved.

SECTION 2. That the owners of said several lots and parcels of land shall pay the said sum so assessed as above against their said lots and lands, respectively, in one (1) installment, to the Treasurer of Lucas County, Ohio, at the same time and in the same manner as other taxes are paid, or be subject to the penalty and interest to be paid thereon as provided by law.

SECTION 3. That the Clerk of Council be, and she hereby is, directed to certify said assessments in one (1) installment within twenty (20) days of the passage hereof, to the Auditor of Lucas County, Ohio, to be, by him, placed upon the grand tax duplicate of said County for the year 2011 against said lots and lands, respectively, to be collected at the same time and in the same manner as other taxes are collected.

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 provision for the construction, maintenance and repair of ditches should be made forthwith and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2011, as an emergency measure.

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

President of Council

APPROVED AS TO FORM:

Director of Law

9c

ORDINANCE NO. 80 -2011

TO ASSESS A SPECIAL TAX UPON THE LOTS AND LANDS DESCRIBED IN THE SCHEDULE REFERRED TO HEREIN TO PAY A PART OF THE COST AND EXPENSE OF PROVIDING FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES FOR THE PURPOSE OF CONTROLLING BLIGHT AND DISEASE OF SAME; AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHT-OF-WAY OF THE CITY FOR THE YEAR ENDING DECEMBER 31, 2011; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Sylvania has heretofore, by Ordinance, established one (1) district for the purpose of removing or specially treating therein shade trees for the purpose of controlling the blight and disease of same for the planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2011, and provided that part of the cost and expense connected with said work in said district in the total amount of Two Hundred Forty-Five Thousand, Seven Hundred Twenty-Six and 44/100 (\$245,726.44) shall be levied and assessed in the sum of thirty-five cents (35¢) per front foot upon all lots and lands bounding and abutting upon the streets and public right-of-way in said district as set forth in said Ordinance; and,

WHEREAS, the Clerk of Council has given notice of the passage of the Ordinance creating the Tree District for 2011, and of the estimated assessments on file in the Office of the Clerk of Council; and,

WHEREAS, Council has considered and adjusted all objections to estimated assessments that were properly and timely filed.

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

SECTION 1. That, to pay the cost and expense of the removal or special treatment of certain shade trees for the purpose of controlling the blight and disease and for planting, maintaining, trimming and removing of other shade trees in and along the streets and within public right-of-way of the City of Sylvania described in the schedule as reported by the Clerk of

Council for the year ending December 31, 2011, there be, and hereby is assessed, in one (1) installment for 2011, upon the lots and lands bounding and abutting upon the streets and public right-of-way in said district, the several sums shown in the list of assessments, as adjusted if adjusted, and set opposite the description of the respective lots and lands and do hereby determine and declare that said lots and lands are specially benefitted in the amounts so assessed against the same, which amounts and assessments are hereby confirmed and approved.

SECTION 2. That the owners of said several lots and parcels of land shall pay the said sum so assessed as above against their said lots and lands, respectively, in one (1) installment, to the Treasurer of Lucas County, Ohio, at the same time and in the same manner as other taxes are paid, or be subject to the penalty and interest to be paid thereon as provided by law.

SECTION 3. That the Clerk of Council be, and she hereby is, directed to certify said assessments in one (1) installment within twenty (20) days of the passage hereof, to the Auditor of Lucas County, Ohio, to be, by him, placed upon the grand tax duplicate of said County for the year 2011 against said lots and lands, respectively, to be collected at the same time and in the same manner as other taxes are collected.

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 assessments need to be certified immediately so as to meet the deadline for certifying the same to the Auditor and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by 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

Street Dept. items to be offered for Auction on GovDeals.com:

RGC Hydrapak Hydraulic Power Unit - 13 hp
RGC Hydratool Hydraulic Power Unit - 16 hp
2010 Ford F-250 Rear Bumper - black
2005 Ford F-250 Rear Bumper - Med. Platinum
2010 Ford Super Duty F-250 Tailgate - White
2005 Ford Super Duty F-250 Tailgate - White
Marion Steel Break-away Sign Post System-Approx. 250 Units
Republic Steel Corp. Lockers-2 Banks of 4 Lockers Each
1 Pair Portable Saw Horses
Porta-Matic 350 Car, Bus & Truck Lifter-Pneumatic w/ 7000 lb. Capacity
4-Ton Hydraulic Floor Jack
Dayton 150,000 BTU Kerosene Heater
Good-All Battery Charger/Vehicle Jumper
Miller Autoarc Trailer-Mounted Welder/Generator/Wire Welder
Elkin Electric Hydraulic Dumping Concrete Cart

-to be presented to City Council at 09/06/11 meeting

**All items have been forfeited for purposes of auction on GovDeals
All items are used and in good condition**

- 1. Schumacher Automotive Jump Starter (no charging cord)**
- 2. AAA Emergency car care bag. Bag includes jumper cables, flashlight, screwdriver, fuses, poncho, traffic vest and tape.**
- 3. JVC in dash am/fm CD player. Model # KD-515**
- 4. Silver and Black bracelet (costume jewelry)**
- 5. Silver colored ring (costume jewelry)**
- 6. Olympus Digital Camera with case. Model # C-5000 zoom, 5.0 megapixel, includes 128 mb picture card.**

I could not check the working status of item #1 and #3 due to no charging cord for #1 and the battery is dead (needs to be charged) and item #3 needs power or placed in dash to check working status.

GovDeals

- 1 - SHURE Mic Mixer & power supply, Model 200M & E96113, 10 yrs old
- 1 - LCD Color Monitor-15" flat screen with pull out stand, remote controller, Sylvania, Model 6615LE, Dec 2004

Worn/no longer use equipment from Detective Bureau

GovDeals

- 1 - Steelcase metal desk, Model: Dbl. Pedestal, (1976)
- 1 - Wooden desk/Work Station, Model: L Workstation, Office Max, (2005)

* Old/worn office equipment – replaced with new desks for COMAF Office.

- 3 - Steelcase gray vinyl chairs

- 9 - Steelcase cloth chairs

** Old/worn office equipment – replaced with new chairs for Roll Call Room

-
- 1 - Garbage can full of misc spent shell casings, mostly .223, .40 caliber and 12 gauge shotgun shells (Plastic garbage can not included in sale)

a



City Of Sylvania

SYLVANIA CITY COUNCIL
MARGARET LINTNER, MMC, CLERK

Notice of Committee Meetings Sylvania City Council

All meetings to be held in Council Chambers, located in the Police and Council Chambers Building, 6635 Maplewood Avenue, Sylvania, Ohio 43560

Monday September 19, 2011 5:30 p.m. - Committee-of-the-Whole, further consideration of the site of the elevated water tank, and any other business the committee members vote to discuss.

Monday, September 19, 2011 6:30 p.m. Economic Development sub-Committee, review the phasing of the underground wiring program, and any other business the committee members vote to discuss.



B

City of Sylvania

DIVISION OF TAXATION
ANGELA J. KUHN, COMMISSIONER

September 1, 2011

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
August 31, 2011	761,624.67	4,469.45	757,155.22
August 31, 2010	633,473.93	21,205.27	612,268.66
Monthly Difference	<u>128,150.74</u>	<u>(16,735.82)</u>	<u>144,886.56</u>
Year to Date 2011	6,121,344.86	147,332.28	5,974,012.58
Year to Date 2010	5,830,488.51	140,090.51	5,690,398.00
Yearly Difference	<u>290,856.35</u>	<u>7,241.77</u>	<u>283,614.58</u>

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Scott Smith, Finance Director