

Sylvania City Council
June 18, 2012

7:15 p.m. Public Hearing - Ordinance 25-2012
amending Section 1103.022, Demolition of Structures

7:30 p.m. Council Meeting
Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Cappellini.
3. Additions to the agenda.
4. Approval of the June 4 meeting minutes.
5. Flower Hospital lighting;
 - a. Administration's report; and,
 - b. Nancy Ike to address Council.
6. River Trail Improvements - Phase 1;
 - a. Service Director's report on the change order; and,
 - b. Ordinance 35-2012, approving Change Order No. 2 in the amount of \$19,668.49.
7. 2 MG Elevated Tank;
 - a. Service Director's report on the change order; and,
 - b. Ordinance 36-2012, approving Change Order No. 1 in the amount of \$39,308.85.
8. \$3,800,000 Street Improvement Bonds, Series 2004;
 - a. Accept for filing by motion the Fiscal Officer's Certificate of the issuance and sale of the bonds for the purpose of refunding at a lower interest cost certain of the outstanding bonds; and,
 - b. Ordinance 37-2012, providing for the issuance and sale of the bonds.
9. Ordinance 38-2012, approving, adopting, and enacting the current Replacement Pages to the Codified Ordinances.
10. Service Director's report on the Safe Routes to Schools bid, and authorize the clerk to re-advertise.
11. Committee reports.
12. Committee referrals.

Information

- A. Brint & McCord traffic study.
- B. May bank reconciliation.
- C. Minutes of the June 13 Board of Architectural Review meeting.
- D. Minutes of the June 13 Planning Commission meeting.
- E. Memo on the official photo which is scheduled for 6:00 on July 16.

Note: the next regular meeting of Sylvania City Council is July 16 at 7:30 p.m.



City Of Sylvania

MUNICIPAL PLANNING COMMISSION

7:15
Puo HEAR

April 20, 2012

To: Mayor and Members of City Council

Re: **Ordinance No. 25-2012**
Amending Section 1103.022 of the Planning and Zoning Code

Dear Mayor and Members:

Following is an excerpt from the minutes of the April 17, 2012, meeting of the Sylvania Municipal Planning Commission, regarding a request for review and recommendation for proposed Ordinance No. 25-2012 amending Section 1103.022 of the Planning and Zoning Code:

... "Mayor Stough moved, Mr. Marciniak seconded to recommend a 30-day waiting period for a demolition permit to be issued for all structures built more than 75 years prior to the request for a demolition permit throughout the City of Sylvania. Vote being: Marciniak, Stough, Lindsley, Backus (4) aye; (0) nay. Motion passed by a 4 to 0 vote." ...

Very truly yours,

Barbara Taylor, Secretary
Municipal Planning Commission

ORDINANCE NO. 25 -2012

AMENDING PART 11 – PLANNING AND ZONING CODE OF THE SYLVANIA CODIFIED ORDINANCES BY ADDING SECTION 1103.022; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 55-2011, passed July 18, 2011, amended Part 11 – Planning and Zoning Code of the Sylvania Codified Ordinances; and,

WHEREAS, as part of the comprehensive amendment to the City’s Planning and Zoning Code set forth in Ordinance No. 55-2011, Section 1103.022 was inadvertently deleted.

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

SECTION 1. That Section 1103.022 – Zoning Certificates for Demolition of Structures Constructed more than Fifty Years Prior to the Request for Zoning Certificate for Demolition, 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 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, _____, 2012, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

1103.022 ZONING CERTIFICATES FOR DEMOLITION OF STRUCTURES
CONSTRUCTED MORE THAN FIFTY YEARS PRIOR TO THE REQUEST
FOR ZONING CERTIFICATE FOR DEMOLITION.

No zoning certificate for demolition of any structure in Sylvania constructed more than fifty years prior to the requests for zoning certificate for demolition shall be issued without the owner first posting on the exterior of the structure a sign, the size and specifications of which shall be designated by the Zoning Administrator, stating the intent to demolish the premises thirty days prior to the commencement of demolition. The 30-day period shall commence as of the later of the time of posting or thirty days from the date of application. During the 30-day period, the owner shall permit the Sylvania Historical Society, or a similar historic preservation organization, access to the structure to map, photograph, measure or otherwise preserve the history of said structure.

This section shall not apply if immediate demolition is required for the preservation of public health, safety and welfare or if the Mayor should determine that the property is of no historical significance.

(Ord. 6-2002. Passed 1-7-02. Ord. ____-2012. Passed ____-2012.)

“Exhibit A”

Minutes of the Meeting of Council
June 4, 2012

The Council of the City of Sylvania, Ohio met in regular session on Monday, June 4, 2012 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.

Mr. Brown 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:

- 4a. Report of the 6:00 Committee-of-the-Whole meeting.
- 7a. Safety Committee report.
- 7b. Sylvania Youth Conservation Corps update.
- 9. TARTA withdrawal referendum discussion.

Mr. Haynam moved, Mr. Luetke 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 May 21 meeting minutes. Mrs. Westphal wanted to clarify the date of the Employee & Community Relations Committee meeting on the last paragraph of page 3. It says June 8, but the actual date is June 6. Mr. Haynam moved, Mrs. Husman seconded, to approve the minutes of the meeting of May 21, 2012 as amended by Mrs. Westphal; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the amended minutes of May 21.

Mr. Luetke said that Council met in Committee-of-the-Whole at 6:00 for further consideration of the Lourdes University planned development. Both Mr. Haynam and Council President Milner abstained from participating due to potential conflicts of interest. Mr. Milner did take notes. He said that many citizens were in attendance, and there were speakers for and against the project after Lourdes officials presented a revised plan, and the traffic study, and crime statistics were discussed. The committee made a recommendation 5-0 that legislation be drafted covering specific points.

Report of the C-O-W re. Lourdes University expansion.

Mr. Milner and Mr. Haynam were excused. Mr. Luetke moved, Mr. Brown seconded, to authorize legislation accepting the Planning Commission's recommendation for PD-1-2012, to change the zoning from the existing R-2 to R-1; to modify the Planning Commission's recommendation as follows: to conform to the submission of Lourdes University in its original filing to the Planning Commission to keep the athletic facility

Haynam and Milner excused. Legislation authorized, Lourdes

Minutes of the Meeting of Council
June 4, 2012

on the south end of the site, and to accept modifications as shown in Lourdes submission dated June 1, 2012 and its accompanying letter that deals with the time frame to phase the building project, in addition, to accept citizens' recommendations to plant a minimum of ten full grown evergreen trees at the south side of the building lot, and to limit the use of the athletic facilities to university students and faculty, to prohibit the sales of memberships to the general public; this language to be worked out in conjunction with the university; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini (5) yeas; (0) nays. The motion carried.

University
planned
development.

Mr. Haynam and Mr. Milner returned for the remainder of the meeting and Mayor Stough stated that Council will now consider agenda item 5.

Milner and
Haynam return.

Jim Ike, Harroun Road, again addressed Council regarding the green tube lights around Flower Hospital. He said that the lights will be on even longer in the winter months, and asked the City to enforce the local code and get the lights turned off. He also requests legislation banning this type of lighting in the City. There was considerable discussion with some residents and members of Council. The Law Director concluded that the lights are not defined in the zoning code while Mr. Haynam debates that they are. Mr. Haynam moved, Mrs. Cappellini seconded, to direct the Administration to take the necessary steps to communicate with ProMedica leadership about the problem, advise Council on what legal and other steps can be taken, providing language for the Zoning & Annexation Committee to consider to revise the code, and to revisit the current legal wording of the code; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Flower Hospital
lighting.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance 34-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into agreements with a head teacher, teachers, and aides for the Sylvania Safety City Program being conducted by the Sylvania Division of Police; providing funds therefore; and declaring an emergency." Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Ordinance 34-
2012, "...agree-
ments...Safety
City Program..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 34-2012 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
June 4, 2012

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

Mrs. Westphal reported that the Safety Committee met on May 24 to discuss funding of the School Resource Officers with school representatives. It was determined that Chief Rhodus will talk with the schools about absorbing more of the cost of the program. Safety Comm. report.

Mrs. Westphal said the Sylvania Conservation Corps starts work on June 19. Over 500 students have participated in the program over the years. She noted that all planting items are donated. Sylvania Conservation Corps.

Mr. Luetke asked to give an Economic Development sub-Committee report. He said they met on May 24 for a presentation by the Law Director who outlined new terms for CRA 3 and 8. The committee expressed general support. They also heard a summary of the downtown study. Economic Dev. sub-Comm.

There were no items for 8 and Mayor Stough stated that Council will now consider agenda item 9.

Mr. Haynam said that since there is a window of opportunity to vote on a TARTA referendum, we should take advantage of it. Mr. Haynam moved, Mr. Luetke seconded, to request the Administration to prepare appropriate legislation to place this issue on the ballot; for it to be available for the June 18 Council meeting for a July vote. There was discussion on the pros and cons of this issue, and the necessity for an alternate transportation plan to be in place before a vote is taken. Vote on the motion being: Haynam (1) yea; Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) nays. The motion failed. TARTA referendum discussion.

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 9:45 p.m. Adjournment.

Clerk of Council

Mayor



City Of Sylvania

DEPARTMENT OF LAW
JAMES E. MOAN, DIRECTOR
LESLIE B. BRINNING, ASST. LAW DIRECTOR

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

MEMORANDUM

To: Mayor and Members of City Council
From: James E. Moan, Director of Law
Date: June 14, 2012
Re: Façade Lighting

City Council, at its regular meeting of June 4, 2012, requested proposed changes in our Zoning Code to address the issue of tube lighting illuminating buildings in the City of Sylvania.

In reviewing Zoning Codes in our area, the most straight-forward language on this issue is found in the Zoning Code of Perrysburg, Ohio. This subject is covered in their Building Code at Section 1250.481 – Building Facades, Storefronts, Rooflines and Colors, which adopted the following language on June 21, 2011:

- (f) Façade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
- (g) Building trim may feature brighter colors than façade colors, but illuminated tubing is prohibited.

This prohibition seems to be limited generally to commercial structures. We may wish to impose a limitation of this nature on all structures within the City of Sylvania.

Additionally, the Toledo Municipal Code addresses façade colors in its Building Code and includes the same language as Perrysburg and also addresses, in its Sign Code at Section 1393.14 – Unclassified Signs, tube lighting as follows:

The following signs are also prohibited, which:...(g) Lighting which outlines buildings or structures or ornamental features by use of exposed tubing, strings of lights or otherwise, except as otherwise permitted in this Code...

It is my recommendation that this proposed language be referred to the Zoning & Annexation Committee for consideration.

Perrysburg**1250.481 BUILDING FACADES, STOREFRONTS, ROOFLINES AND COLORS.**

(a) All facades of a principal building that directly face an abutting public street shall feature at least one customer entrance.

(b) Facades greater than 100 feet in length shall incorporate recesses and projections a minimum of three feet in depth and a minimum of 20 contiguous feet within each 100 feet of facade length. Windows, awnings, entry areas, and arcades shall total at least sixty percent (60%) of the facade length facing a public street.

(c) Smaller retail spaces that are part of a larger principal retail building shall be transparent between the height of three feet (3') and eight feet (8') above the walkway grade for no less than sixty percent (60%) of the horizontal length of the building facade. Windows shall be recessed and should include visually prominent sills, shutters or such forms of framing. Smaller retail spaces shall have separate outside entrances.

(d) Building facades shall include a repeating pattern that shall include no less than three of the following elements: color change, texture change, material module change, or expression of architectural or structural bay through a change in plane no less than twelve inches (12") in width, such as an offset, reveal, or projecting rib. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty feet (30'), either horizontally or vertically.

(e) Roof lines shall provide variations to reduce the massive scale of these structures and to add visual interest. Roof lines shall have a change in height every 100 linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top mechanical equipment from the public view.

(f) Facade colors shall be of low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.
(Ord. 103-2007. Passed 7-10-07.)

(g) Building trim may feature brighter colors than facade colors, but illuminated tubing is prohibited.
(Ord. 137-2011. Passed 6-21-11.)

(h) Each principle building or tenant space shall have a clearly defined, highly visible customer entrance with a minimum of three of the following features: canopies, porticos, overhangs, recesses/projections, arcades, raised cornice parapets over the door, peaked roof forms, outdoor patios, display windows, architectural details such as tile work and moldings which are integrated into the building structure and design, integral planters or wing walls that incorporate landscape areas and/or places for sitting.
(Ord. 103-2007. Passed 7-10-07.)

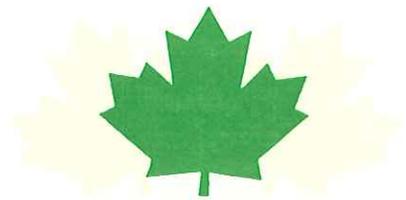
1393.14. Unclassified signs.

The following signs are also prohibited, which:

- (a) Bear or contain statements, words or pictures of an obscene, pornographic, immoral character or which contain advertising matter which is untruthful;
- (b) Are painted on or attached to any fence (except temporary fences around construction sites which shall be considered under subsection (i) hereof) or any wall or structure (other than structures for permitted signs) which is not structurally a part of a building, except to identify a residence or residence structure by means of posting the name of the occupant or structure, and the street address;
- (c) Operate or employ any stereopticon or motion picture projection or media in conjunction with any advertisements, or have visible moving parts or any portion of which moves, or give the illusion of motion except as permitted in this Code;
- (d) Emit audible sound, odor or visible matter;
- (e) Purport to be, or are an imitation of, or resemble an official traffic sign or signal;
- (f) By reason of their size, location, movement, content, coloring or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle or which hide from view any traffic or street sign or signal or device;
- (g) Lighting which outlines buildings or structures or ornamental features by use of exposed tubing, strings of lights or otherwise, except as otherwise permitted in this Code;
- (h) Violates any provision of any Federal or State of Ohio law relative to outdoor advertising;

(1952 Code § 43-8-13; Ord. 243-07. Passed 5-1-07)

6a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

June 14, 2012

To: The Mayor and Members of Sylvania City Council

Re: River Trail Improvements - Phase 1

Dear Mr. Mayor and Council Members:

Attached please find Change Order No. 2-Final for the above-mentioned project. This change order reflects the actual materials used and work performed on this project and results in a net increase of \$19,668.49 to the contract.

Most of the increase was in the material and labor to remove and dispose of concrete blocks and slabs.

We would recommend that Change Order No. 2-Final for HPH, Inc. in the amount of a net addition to the contract of \$19,668.49 be approved.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service
tid
Enc.

CITY OF PENNSYLVANIA
 SYLVANIA RIVER TRAIL
 FINAL ADJUSTING CHANGE ORDER NO. 2

Item No.	Item Number	Description	Estimated Quantity	Unit	Unit Price	Total Price	Quantity Installed	Installed Price	Overrun / (Underrun)
<i>Demolition & Site Preparation</i>									
1	624	Mobilization	1	LUMP	40,000.00	\$40,000.00	1	\$40,000.00	
2	623	Construction Staking	1	LUMP	7,000.00	\$7,000.00	1	\$7,000.00	
3	614	Maintenance of Traffic	1	LUMP	5,000.00	\$5,000.00	1	\$5,000.00	
4	207	Silt Fence	4487	FOOT	3.00	\$13,461.00	4025	\$12,075.00	(\$1,386.00)
5	207	Inlet Filter	5	EACH	100.00	\$500.00	3	\$300.00	(\$200.00)
6	Special	Tree Protection Fence, as per plan	140	FOOT	3.00	\$420.00	140	\$420.00	
7	Special	Construction Access, as per plan	2	EACH	1,000.00	\$2,000.00	1	\$1,000.00	(\$1,000.00)
8	202	Curb & Gutter Removal (Includes sawcutting)	34	FOOT	8.00	\$272.00	34	\$272.00	
9	202	Pavement Removal (Includes sawcutting and base removal)	168	SQ YD	10.00	\$1,680.00	168	\$1,680.00	
10	Special	Shrub Relocation	31	EACH	20.00	\$620.00	40	\$800.00	\$180.00
11	201	Clearing & Grubbing	1	LUMP	20,000.00	\$20,000.00	1	\$20,000.00	
12	201	Tree Removed, 18" size	2	EACH	500.00	\$1,000.00	9	\$4,500.00	\$3,500.00
13	604	Adjust Manhole Structure	1	EACH	500.00	\$500.00	1	\$500.00	
14	Special	Salvage gravel for reuse	100	SQ YD	5.00	\$500.00	100	\$500.00	
15	Special	Selective Understory Clearing	0.7	ACRE	1,000.00	\$700.00	0.7	\$700.00	
16	Special	Partial Concrete Wall Removal	19	FOOT	40.00	\$760.00	19	\$760.00	
17	Special	Bridge Railing Removal	13	FOOT	40.00	\$520.00	13	\$520.00	
18	Special	Remove Picnic Shelter and Bench	1	LUMP	500.00	\$500.00	1	\$500.00	
<i>Site Improvements</i>									
19	203	Excavation (Includes removal of concrete blocks and slabs)	600	CU YD	25.00	\$15,000.00	1414.6	\$35,365.00	\$20,365.00
20	203	Excavation, Haul off-site	400	CU YD	20.00	\$8,000.00	968	\$19,360.00	\$11,360.00
21	204	Subgrade Compaction	3980	SQ YD	0.50	\$1,990.00	3980	\$1,990.00	
22	204	Proofrolling	6	HOUR	50.00	\$300.00	2	\$100.00	(\$200.00)
23	604	Yard Drain (Includes excavation, bedding and backfill)	2	EACH	900.00	\$1,800.00	2	\$1,800.00	
24	603	12" Conduit, Type B (Includes excavation, bedding and backfill)	85	FOOT	50.00	\$4,250.00	108	\$5,400.00	\$1,150.00
25	601	Riprap (At storm outlets)	12	SQ YD	10.00	\$120.00	12	\$120.00	
26	601	Rock Edge Bank Stabilization	350	FOOT	15.00	\$5,250.00	350	\$5,250.00	
27	Special	Vegetated Gabion Bank Restoration	254	FOOT	288.00	\$73,152.00	234	\$67,392.00	(\$5,760.00)
28	608	Concrete Pavement, 4"	22842	SQ FT	3.25	\$74,236.50	15811.5	\$51,387.38	(\$22,849.13)
29	424	Fine Graded Polymer Asphalt Concrete, Type A	47	CU YD	319.00	\$14,993.00	79.66	\$25,411.54	\$10,418.54
30	301	Asphalt Concrete Base	164	CU YD	192.00	\$31,488.00	133.5	\$25,632.00	(\$5,856.00)
31	304	Aggregate Base	552	CU YD	28.00	\$15,456.00	881.08	\$24,670.24	\$9,214.24
32	609	Concrete Curb, ODOT Type 6	30	FOOT	36.00	\$1,080.00	30	\$1,080.00	
33	606	Guardrail, ODOT Type 5	25	FOOT	65.00	\$1,625.00	25	\$1,625.00	
34	608	Concrete Curb Ramp with Detectable Warning, as per plan	2	EACH	275.00	\$550.00	2	\$550.00	

CITY OF PENNSYLVANIA
 PENNSYLVANIA RIVER TRAIL
 FINAL ADJUSTING CHANGE ORDER NO. 2

Item No.	Item Number	Description	Estimated		Unit	Unit Price	Total Price	Quantity Installed	Installed Price	Overrun / (Underrun)
			Quantity	Quantity						
35	Special	Concrete Abutment	216		CU YD	600.00	\$129,600.00	218.75	\$131,250.00	\$1,650.00
36	Special	Elevated Walkway Type 1	2927		SQ FT	62.00	\$181,474.00	2927	\$181,474.00	
37	Special	Elevated Walkway Type 2	306		SQ FT	60.00	\$18,360.00	306	\$18,360.00	
38	Special	Concrete Bridge Column Support	1		EACH	8,000.00	\$8,000.00	1	\$8,000.00	
39	Special	Steel Truss Pedestrian Bridge	1		EACH	160,716.00	\$160,716.00	1	\$160,716.00	
40	Special	Concrete Nature Pattern	100		EACH	171.00	\$17,100.00	100	\$17,100.00	
Site Furnishings										
41	Special	Bench and Concrete Pad, as per plan	2		EACH	1,661.00	\$3,322.00	2	\$3,322.00	
42	Special	Waste Receptacle, as per plan	2		EACH	1,364.00	\$2,728.00	2	\$2,728.00	
43	Special	Recycling Receptacle, as per plan	1		EACH	1,617.00	\$1,617.00	1	\$1,617.00	
44	Special	Pet Waste Station, as per plan	2		EACH	600.00	\$1,200.00	2	\$1,200.00	
45	Special	Bike Loop, as per plan	2		EACH	1,000.00	\$2,000.00	2	\$2,000.00	
46	Special	Removable Bollard with Reflective Tape, as per plan	3		EACH	1,468.00	\$4,404.00	3	\$4,404.00	
47	Special	42" Railing, as per plan	367		FOOT	150.00	\$55,050.00	370	\$55,500.00	\$450.00
48	Special	36" Railing, as per plan	227		FOOT	135.00	\$30,645.00	227	\$30,645.00	
Signage & Pavement Marking										
49	642	Centerline, Broken, 4" White	0.60		MILE	4,950.00	\$2,970.00	0.03	\$138.60	
50	642	Stop Bar & Obstruction Marking, as per plan	3		EACH	110.00	\$330.00	3	\$330.00	
51	642	Word on Pavement, 48 inch, "ROAD", as per plan	1		EACH	55.00	\$55.00	1	\$55.00	
52	642	Word on Pavement, 48 inch, "XING", as per plan	1		EACH	55.00	\$55.00	1	\$55.00	
53	642	Parking Lot Stall Striping	110		FOOT	6.00	\$660.00	0	\$0.00	(\$660.00)
54	642	Handicap Symbol Marking	1		EACH	30.00	\$30.00	0	\$0.00	(\$30.00)
55	644	Crosswalk Line, as per plan	120		FOOT	11.00	\$1,320.00	120	\$1,320.00	
56	644	Yield Pavement Marking, as per plan	46		FOOT	22.00	\$1,012.00	48	\$1,056.00	\$44.00
57	644	Word on Pavement, 96", "XING", as per plan	4		EACH	330.00	\$1,320.00	4	\$1,320.00	
58	644	Pavement Marking, Bicycle Symbol, as per plan	4		EACH	330.00	\$1,320.00	4	\$1,320.00	
59	630	Relocated Handicap Parking Sign, as per plan	1		EACH	50.00	\$50.00	0	\$0.00	(\$50.00)
60	630	Sign Post, as per plan	25		EACH	50.00	\$1,250.00	25	\$1,250.00	
61	630	OMUTCD Sign, R1-1	3		EACH	45.00	\$135.00	3	\$135.00	
62	630	OMUTCD Sign, R1-2	5		EACH	45.00	\$225.00	5	\$225.00	
63	630	OMUTCD Sign, R1-6	2		EACH	45.00	\$90.00	2	\$90.00	
64	630	OMUTCD Sign, W1-1	3		EACH	45.00	\$135.00	3	\$135.00	
65	630	OMUTCD Sign, W1-5	2		EACH	45.00	\$90.00	2	\$90.00	
66	630	OMUTCD Sign, W3-1	3		EACH	45.00	\$135.00	3	\$135.00	
67	630	OMUTCD Sign, W3-2	1		EACH	45.00	\$45.00	1	\$45.00	
68	630	OMUTCD Sign, W11-1	4		EACH	45.00	\$180.00	4	\$180.00	

CITY OF PENNSYLVANIA
 PENNSYLVANIA RIVER TRAIL
 FINAL ADJUSTING CHANGE ORDER NO. 2

Item No.	Item Number	Description	Estimated Quantity		Unit	Unit Price	Total Price	Quantity Installed	Installed Price	Overrun / (Underrun)
			Quantity	Unit						
69	630	OMUTCD Sign, W16-7P	2	EACH	45.00	\$90.00	2	\$90.00		
70	630	OMUTCD Sign, W16-9P	2	EACH	45.00	\$90.00	2	\$90.00		
71	630	Sign, Custom C1, as per plan	5	EACH	50.00	\$250.00	5	\$250.00		
72	630	Sign, Custom C2, as per plan	2	EACH	50.00	\$100.00	2	\$100.00		
73	630	Sign, Custom C3, as per plan	2	EACH	50.00	\$100.00	2	\$100.00		
<i>Landscape</i>										
74	652	Topsoil, 6"	1240	CU YD	30.00	\$37,200.00	1256	\$37,680.00	\$480.00	
75	659	Lawn Seed Mix	6725	SQ YD	1.00	\$6,725.00	6725	\$6,725.00		
76	659	Native Seed Mix	707	SQ YD	1.00	\$707.00	707	\$707.00		
77	660	Erosion Control Blanket	955	FOOT	1.00	\$955.00	955	\$955.00		
78	Special	Metal Edging, as per plan	232	FOOT	2.00	\$464.00	242.5	\$485.00	\$21.00	
79	661	Acer Rubrum, 2.5" Cal.	8	EACH	145.00	\$1,160.00	8	\$1,160.00		
80	661	Nyssa Sylvatica, 2.5" Cal.	3	EACH	260.00	\$780.00	3	\$780.00		
81	661	Picea Glauca, 8' Ht.	5	EACH	152.00	\$760.00	5	\$760.00		
82	661	Quercus Bicolor, 2.5" Cal.	2	EACH	148.00	\$296.00	2	\$296.00		
83	661	Quercus Macrocarpa, 2.5" Cal.	3	EACH	148.00	\$444.00	3	\$444.00		
84	661	Quercus Rubra, 2.5" Cal.	5	EACH	217.00	\$1,085.00	5	\$1,085.00		
85	661	Spirea x bumalda 'Lemon Princess'	28	EACH	25.00	\$700.00	39	\$975.00	\$275.00	
86	661	Juniperous Chinensis 'Spartan'	10	EACH	75.00	\$750.00	10	\$750.00		
87	661	Juniperous Chinensis 'Sea green'	23	EACH	37.00	\$851.00	23	\$851.00		
88	661	Hemerocallis 'Barbara Mitchell'	68	EACH	40.00	\$2,720.00	68	\$2,720.00		
89	661	Hemerocallis 'Stella D'Oro'	97	EACH	40.00	\$3,880.00	97	\$3,880.00		
90	661	Rudbeckia Fulgida 'Goldsturm'	58	EACH	40.00	\$2,320.00	58	\$2,320.00		
<i>Electrical</i>										
91	625	Electrical Service	1	EACH	7,900.00	\$7,900.00	1	\$7,900.00		
92	625	Electrical Service Cabinet Enclosure	1	EACH	1,430.00	\$1,430.00	1	\$1,430.00		
93	625	Elec Service Cabinet Concrete Pad	1	EACH	500.00	\$500.00	1	\$500.00		
94	625	Receptacle Panel	1	EACH	951.00	\$951.00	1	\$951.00		
95	625	Fixed Camera	1	EACH	1,705.00	\$1,705.00	0	\$0.00	(\$1,705.00)	
96	625	Digital Video Recorder	1	EACH	15,840.00	\$15,840.00	0	\$0.00	(\$15,840.00)	
97	625	Fiber Receiver	1	EACH	1,210.00	\$1,210.00	0	\$0.00	(\$1,210.00)	
98	625	Equipment Rack	1	EACH	1,155.00	\$1,155.00	0	\$0.00	(\$1,155.00)	
99	625	62.5mm 6-strand Fiber Optic Cable	1500	FOOT	3.50	\$5,250.00	0	\$0.00	(\$5,250.00)	
100	Special	Fiber Optic Connection to Police Station*	1500	FOOT	19.00	\$28,500.00	0	\$0.00	(\$28,500.00)	
101	625	Light Fixture Type HA	12	EACH	1,182.00	\$14,184.00	12	\$14,184.00		
102	625	Light Pole Type 'A'	4	EACH	2,200.00	\$8,800.00	4	\$8,800.00		

CITY OF SYLVANIA
 SYLVANIA RIVER TRAIL
 FINAL ADJUSTING CHANGE ORDER NO. 2

Item No.	Item Number	Description	Estimated		Unit	Unit Price	Total Price	Quantity		Overrun / (Underrun)
			Quantity	Unit				Installed	Installed Price	
103	625	Light Pole Type 'C'	1	EACH	2,893.00	\$2,893.00	1	\$2,893.00		
104	625	Light Pole Type 'D'	4	EACH	2,585.00	\$10,340.00	4	\$10,340.00		
105	625	Light Pole Type 'E'	3	EACH	2,750.00	\$8,250.00	3	\$8,250.00		
106	625	4" C PVC in trench complete	2800	FOOT	7.00	\$19,600.00	2800	\$19,600.00		
107	625	2" C PVC in trench complete	2800	FOOT	4.00	\$11,200.00	2800	\$11,200.00		
108	625	#10 AWG Wire	120	CLF	50.00	\$6,000.00	120	\$6,000.00		
109	625	Trenching/Backfill/Compacting	2800	FOOT	8.00	\$22,400.00	2800	\$22,400.00		
110	625	Light Pole Foundation	12	EACH	1,100.00	\$13,200.00	12	\$13,200.00		
111	625	Ground Rod	13	EACH	186.00	\$2,418.00	13	\$2,418.00		
112	625	Handholes	2	EACH	1,006.00	\$2,012.00	2	\$2,012.00		
113	625	Connection at poles	12	EACH	49.00	\$588.00	12	\$588.00		
114	625	In-line Fuses	12	EACH	60.00	\$720.00	12	\$720.00		
115	625	5 - 4" C PVC in trench complete	1850	FOOT	40.00	\$74,000.00	1850	\$74,000.00		

*Line 100 is material given to City - 2" cable and handholes not returnable

CO1	1	4 inch conduit							\$23,517.18		
CO1	2	handholes							\$20,838.86		
CO1	3	Directional Drill							\$8,053.34		
CO1	4	Signage							\$142.91		
CO1	5	Bulletin 2 (lightpoles)							\$7,681.87		
CO1	6	Addl work 24" Caissons							\$10,909.00		
CO1	7	Add work 8" piles							\$48,494.22		
CO2	1	Lighting conduit repair at Main St							\$561.05		
CO2	2	Riprap/concrete restoration at east abutment							\$4,668.48		
CO2	3	asphalt patch at Sautter's							\$740.04		
CO2	4	Credit for Asphalt substitution							(\$7,886.34)		
TOTAL AMOUNT BID							**	\$1,295,819.50			
Additional Work											
Work Completed										\$1,381,465.37	
Current Contract Price										\$1,361,796.88	
Final Change Order										\$19,668.49	

6 b

ORDINANCE NO. 35 -2012

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 2 (FINAL) TO THIS CITY'S AGREEMENT WITH HANK'S PLUMBING AND HEATING CO. FOR THE RIVER TRAIL IMPROVEMENTS - PHASE I PROJECT WHICH REFLECTS THE ACTUAL MATERIALS USED AND WORK PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$19,668.49; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 76-2011, passed September 6, 2011, accepted the bid of Hank's Plumbing and Heating Co. for the River Trail Improvements Phase I Project, which bid was in the amount of One Million Two Hundred Ninety-Five Thousand Eight Hundred Nineteen and 50/100 Dollars (\$1,295,819.50); and,

WHEREAS, Ordinance No. 15-2012, passed February 6, 2012, authorized the Mayor and Director of Finance to approve Change Order No. 1 to the City's Agreement with Hank's Plumbing and Heating Co. for the River Trail Improvements - Phase I Project to reflect the actual materials used and work performed on the project and increased the contract amount by \$65,977.38; and,

WHEREAS, the Director of Public Service, by report dated June 14, 2012, has recommended the acceptance of Change Order No. 2 (Final) of Hank's Plumbing and Heating Co. for said River Trail Improvements - Phase I Project to reflect the actual materials used and work performed on this project, with most of the increase due to additional labor and material to remove and dispose of concrete blocks and slabs; 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 Nineteen Thousand Six Hundred Sixty-Eight and 49/100 Dollars (\$19,668.49), for a total contract amount of \$1,381,465.37.

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 Nineteen Thousand Six Hundred Sixty-Eight and 49/100 Dollars (\$19,668.49), 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. 401-7750-53585 – River Trail Project**, the sum of Nineteen Thousand Six Hundred Sixty-Eight and 49/100 Dollars (\$19,668.49).

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, _____, 2012, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

7a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

June 15, 2012

To: The Mayor and Members of Sylvania City Council

Re: **2 MG Elevated Tank**

Dear Mr. Mayor and Council Members:

We have attached Change Order No. 1 for the above-mentioned project. This change order reflects work to be performed on this project and results in a net increase of \$39,308.85 to the contract.

This work was originally anticipated to be performed by Toledo Edison as part of the electrical service entrance. However, Toledo Edison informed us that the customer (City) is responsible for this work and, therefore, we need to add it to the Contractor's scope of work.

We would recommend that Change Order No. 1 for CB & I Constructors, Inc. in the amount of a net addition to the contract of \$39,308.85 be approved.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service

tid
Enc.

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 1

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

Contract: 2 MG Elevated Tank

Date: June 14, 2012

Description of Change: This Change Order includes, but is not limited to, labor, material, coordination and supervision to provide the electrical service entrance conduit, wire and appurtenances. The electrical service is generally from the existing utility transformer (near the restroom building) to the meter base at the Tower site. The Work shall be in accordance with the Specifications, Drawings, and Revised Drawings dated May 15, 2012. The cost of the work is as detailed in the attached letter from CB&I dated May 23, 2012 and summarized below:

Alenco = \$27,257.00
 WF Johnston = 12,000.00
 Deduct for layout = (1,820.00)
 Sub total = \$37,437.00
 Contractor fee 5% = 1,871.85
 Total = \$39,308.85

RECOMMENDED
FOR APPROVAL BY:


 Kevin G. Aller, P.E.
 Public Service Director

Date

Original Contract Amt	\$ 2,712,000	00
Previous Changes (+ or --)	Zero	
This Change (+ or --)	\$ 39,308	85
Adjusted Contract Amt	\$ 2,751,308	85

REVIEWED BY: Jones & Henry Engineers, Ltd.
Name of Engineer

DATE: _____
Engineers Signature

SUBMITTED BY: CB&I Constructors, Inc.
Name of Contractor

DATE: _____
Contractor's Signature

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor

Date

Scott S. Smith, Finance Director

Date

72

ORDINANCE NO. 36 -2012

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 TO THIS CITY'S AGREEMENT WITH CB&I CONSTRUCTORS, INC. FOR THE 2 MG ELEVATED WATER TANK PROJECT WHICH REFLECTS WORK TO BE PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$39,308.85; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

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

WHEREAS, the Director of Public Service, by report dated June 15, 2012, has recommended the acceptance of Change Order No. 1 of CB& I Constructors, Inc. for said 2 MG Elevated Water Tank Project to reflect work to be performed on this project; and,

WHEREAS the work to be performed is for the electrical service entrance which was anticipated to be performed by Toledo Edison, however, Toledo Edison has informed the City that this is the City's responsibility; and,

WHEREAS, the work to be performed on the electrical service entrance will result in a net increase to the contract in the amount of Thirty-Nine Thousand Three Hundred Eight and 85/100 Dollars (\$39,308.85), for a total contract amount of \$2,751,308.85.

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 Thirty-Nine Thousand Three Hundred Eight and 85/100 Dollars (\$39,308.85), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is hereby appropriated from the **WATER FUND** from funds therein not heretofore appropriated to **Account No. 701-7525-53002 – Water Tower Project**, the sum of Thirty-Nine Thousand Three Hundred Eight and 85/100 Dollars (\$39,308.85).

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, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF SYLVANIA, OHIO:

As fiscal officer of the City of Sylvania, Ohio, I certify in connection with your proposed issue of bonds in the maximum principal amount of \$3,800,000 (the Bonds) for the purpose of refunding at a lower interest cost certain of the City's outstanding Street Improvement Bonds, Series 2004, dated April 28, 2004 (the Refunded Bonds), which were issued to pay costs of (i) improving Alexa Lane from Jeffrey Lane to Grenlock Drive, Jeffrey Lane from Erie Street to Grenlock Drive, Apple Creek Road from Olde Post Road to its eastern terminus, Crabtree Lane from Olde Post Road to its eastern terminus, Pine Burr Lane from Olde Post Road to its eastern terminus, Hickery Ridge Road from Bent Oak Road to its eastern terminus, Bent Oak Road from Olde Post Road to Olde Post Road and Grenlock Drive from 160 feet west of Alexa Lane to 160 feet east of Jeffrey Lane, by removing and replacing the central 25 feet of concrete pavement and curb, pouring asphalt concrete over an aggregate base and improving the catchbasins, underdrains and drainage systems, together with the necessary improvements and appurtenances thereto, and (ii) improving Rockdale Lane from Wakefield Lane to Grenlock Drive, Wakefield Lane from Erie Street to Grenlock Drive, Grenlock Drive from 160 feet west of Rockdale Lane to 160 feet west of Alexa Lane, Avon Lane from 160 feet west of Rockdale Lane to Rockdale Lane, Amy Lane from Wakefield Lane to 160 feet east of Wakefield Lane, Long Street from Main Street to Park Street, Franklin Street from Main Street to Park Street, Handy Street from Franklin Street to Long Street, Park Street from Franklin Street to Long Street, Silica Drive from 1200 feet north of Convent Boulevard to Monroe Street, Olde Post Road from Bent Oak Road (South) to Monroe Street, Apple Creek Road from Olde Post Road to its eastern terminus, Longfellow Road from Coppersmith Road to Charlesgate Road, Wedgewood Drive from Longfellow Road to Charlesgate Road, Brookline Road from Coppersmith Road to Charlesgate Road, Charlesgate Road from Coppersmith Road to Wickford Drive, Coppersmith Road from Charlesgate Road to Longfellow Road, Brinthaven Road from Gettysburg Drive to Brint Road, Brintwood Road from New England Lane to McCord Road, Sylvan Court from Brintwood Road to its southern terminus, Sandlewood Court from Brintwood Road to its southern terminus and New England Lane from Brintwood Road to Brint Road, by removing and replacing pavement and curbing, pouring asphalt concrete over an aggregate base and improving the catchbasins, underdrains and drainage systems, together with all necessary appurtenances and related improvements, that:

1. The estimated life or period of usefulness of the improvement described above was, at the time of issuance of the Refunded Bonds, at least five years.
2. The maximum maturity of the Bonds, calculated in accordance with Sections 133.20 and 133.34(A)(3) of the Revised Code, is not earlier than December 1, 2024, which is the final maturity date of the Refunded Bonds and was calculated consistently with the provisions of Section 133.20 of the Revised Code.

Dated: June 18, 2012



 Director of Finance
 City of Sylvania, Ohio

86

ORDINANCE NO. 37 -2012

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$3,800,000 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING STREET IMPROVEMENT BONDS, SERIES 2004, DATED APRIL 28, 2004, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance Nos. 28-2004 and 29-2004, each passed by the City Council on March 15, 2004 (the Original Bond Legislation), there were issued \$5,300,000 Street Improvement Bonds, Series 2004, dated April 28, 2004, for the purpose stated in Section 2, which bonds are currently outstanding in the aggregate principal amount of \$3,795,000 and will mature on December 1 of the years 2012 through 2024 (the Outstanding Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to refund at a lower interest cost all or a portion of the Outstanding Bonds in the aggregate principal amount of \$3,560,000 maturing on December 1 of the years 2013 2024 (the Refunded Bonds); and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 2 was, at the time the Refunded Bonds were issued, at least five years, and the estimated maximum maturity of the Bonds described in Section 2 is not later than December 1, 2024, the final maturity of the Refunded Bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SYLVANIA, COUNTY OF LUCAS, OHIO, THAT:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means (subject to any limitations in Section 3) the denomination of \$5,000 or any integral multiple thereof.

"Bond proceedings" means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (b) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the agreement authorized by Section 6(c), to be substantially in the form on file with the Clerk of Council, made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the City and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 8.

“Escrow Fund” means the Escrow Fund established pursuant to Section 9.

“Escrow Trustee” means the bank or trust company appointed pursuant to Section 8 as the initial escrow trustee with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2012.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in each of the years from and including 2012 to and including 2024, provided that in no case shall the total number of Principal Payment Dates exceed the maximum maturity of the Bonds referred to in the preambles hereto.

“Refunded Bonds” means those of the City’s outstanding Street Improvement Bonds, Series 2004, dated April 28, 2004, and maturing on December 1 of the years 2013 through 2024, determined by the Fiscal Officer in the Certificate of Award to be necessary and in the best interest of the City to be refunded at a lower interest cost.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$3,800,000 (the Bonds) for the purpose of refunding at a lower interest cost certain of the City’s outstanding Street Improvement Bonds, Series 2004, dated April 28, 2004, which were issued to pay costs of (i) improving Alexa Lane from Jeffrey Lane to Grenlock Drive, Jeffrey Lane from Erie Street to Grenlock Drive, Apple Creek Road from Olde Post Road to its eastern terminus, Crabtree Lane from Olde Post Road to its eastern terminus, Pine Burr Lane from Olde Post Road to its eastern terminus, Hickery Ridge Road from Bent Oak Road to its eastern terminus, Bent Oak Road from Olde Post Road to Olde Post Road and Grenlock Drive from 160 feet west of Alexa Lane to 160 feet east of Jeffrey Lane, by removing and replacing the central 25 feet of concrete pavement and curb, pouring asphalt concrete over an aggregate base and improving the catchbasins, underdrains and drainage systems, together with the necessary improvements and appurtenances thereto, and (ii) improving Rockdale Lane from Wakefield Lane to Grenlock Drive, Wakefield Lane from Erie Street to Grenlock Drive, Grenlock Drive from 160 feet west of Rockdale Lane to 160 feet west of Alexa Lane, Avon Lane from 160 feet west of Rockdale Lane to Rockdale Lane, Amy Lane from Wakefield Lane to 160 feet east of Wakefield Lane, Long Street from Main Street to Park Street, Franklin Street from Main Street to Park Street, Handy Street from Franklin Street to Long Street, Park Street from Franklin Street to Long Street, Silica Drive from 1200 feet north of Convent Boulevard to Monroe Street, Olde Post Road from Bent Oak Road (South) to Monroe Street, Apple Creek Road from Olde Post Road to its eastern terminus, Longfellow Road from Coppersmith Road to Charlesgate Road, Wedgewood Drive from Longfellow Road to Charlesgate Road, Brookline Road from Coppersmith Road to Charlesgate Road, Charlesgate Road from Coppersmith Road to Wickford Drive, Coppersmith Road from Charlesgate Road to Longfellow Road, Brinthaven Road from Gettysburg Drive to Brint Road, Brintwood Road from New England Lane to McCord Road, Sylvan Court from Brintwood Road to its southern terminus, Sandlewood Court from Brintwood Road to its southern terminus and New England Lane from Brintwood Road to Brint Road, by removing and replacing pavement and curbing, pouring asphalt concrete over an aggregate base and improving the catchbasins, underdrains and drainage systems, together with all necessary appurtenances and related improvements.

The aggregate principal amount of Bonds to be issued shall not exceed \$3,800,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the

payment of any expenses properly allocable to the refunding of the Refunded Bonds and the issuance of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the City due to the refunding of the Refunded Bonds, taking into account all expenses related to that refunding and issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the

Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 15th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in integral multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (i) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (ii) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any integral multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the fifteenth day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to Section 7, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of Chapter 133 of the Revised Code and this Ordinance.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Mayor and the Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered

owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered

form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, the Fiscal Officer, Director of Law, Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Mayor and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this ordinance

and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Financial Advisor; Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the (i) engagement of the services of a financial advisor or (ii) filing of an application for (A) a rating on the Bonds by one or more nationally-recognized rating agencies, or (B) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to this City, the Fiscal Officer is authorized to engage a financial advisor and prepare and to submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the fees of a financial advisor or the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or to be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the engagement of a financial advisor or of obtaining that bond insurance.

The expenditure of the amounts necessary to engage a financial advisor and/or secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7. Refunding; Call of Refunded Bonds. This Council determines that it is necessary and in the best interest of the City to refund the Refunded Bonds. The Fiscal Officer is authorized and directed to give to The Huntington National Bank, or its successor as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, written notice of the call for redemption, and the Refunded Bonds shall be redeemed in accordance with the Original Bond Legislation. The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond

registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

Section 8. Escrow Trustee. The Huntington National Bank is hereby appointed as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds; provided, however, that the Fiscal Officer is authorized to appoint a different Escrow Trustee in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Escrow Agreement between the City and the Escrow Trustee, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement (including the fees and expenses of any mathematical verification agent appointed by the Fiscal Officer in the Certificate of Award), except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Section 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "City of Sylvania Series 2004 Bonds Escrow Fund" which shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds and (ii) all of the proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer. Those funds are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of the principal of and interest on the Refunded Bonds as provided in the Escrow Agreement.

If U.S. Treasury Securities – State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer, the Original Purchaser and the Escrow Trustee are hereby

specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities – State and Local Government Series.

Section 10. Application of Proceeds. The proceeds from the sale of the Bonds (except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer) shall be paid into the Escrow Fund as provided in Section 9. Any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds. Any proceeds representing accrued interest shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

Section 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the 15-mill limitation provided by the City Charter, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

Section 12. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of them for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for them, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including

specifically designation or treatment of the Bonds as “qualified tax-exempt obligations”), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt charges on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 13. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Lucas County Auditor.

Section 14. Retention of Bond Counsel. The legal services of Squire Sanders (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services, whether or not the Bonds are ever issued. The Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 15. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent

to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 16. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Section 17. Statement of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to refund at a lower interest cost the Refunded Bonds upon terms in the best interest of and advantageous to the City and thereby to achieve interest rate savings available under current favorable market conditions; wherefore, this Ordinance shall be in full force and effect immediately upon its passage. Vote dispensing with the second and third readings:

Yeas _____ Nays _____

Passed: _____, 2012, as an emergency measure.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date

Approved as to form:

Director of Law

ORDINANCE NO. 38 -2012

AN ORDINANCE TO APPROVE, ADOPT AND ENACT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, certain provision within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and,

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and,

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision; and,

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council.

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

SECTION 1. That the ordinances of the City of Sylvania, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections with the 2012 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

- 331.01 Driving or Physical Control While Under the Influence. (Amended)
- 335.01 Driver’s License or Commercial Driver’s License Required. (Amended)
- 335.02 Permitting Operation Without a Valid License. (Amended)
- 335.05 Wrongful Entrustment of a Motor Vehicle. (Amended)
- 335.06 Display of License. (Amended)
- 335.07 Driving Under License Suspension or Restriction. (Amended)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
- 335.073 Driving Without Complying With License Reinstatement Requirements. (Amended)

335.074	Driving Under License Forfeiture or Child Support Suspension. (Added)
335.12	Stopping After Accident Upon Streets. (Amended)
335.13	Stopping After Accident Upon Property Other Than Street. (Amended)
335.14	Vehicle Accident Resulting in Damage to Realty. (Amended)
337.22	Windshield and Windshield Wipers. (Amended)
351.04	Parking Near Curb; Handicapped Parking. (Amended)
373.02	Riding Upon Seats; Handlebars; Helmets. (Amended)

General Offenses Code

501.02	Classification of Offenses. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
509.06	Inducing Panic. (Amended)
513.03	Drug Abuse; Controlled Substance Possession. (Amended)
517.05	Cheating. (Amended)
525.01	Law Enforcement and Public Office Definitions. (Amended)
525.02	Falsification. (Amended)
529.07	Open Container Prohibited. (Amended)
537.10	Telecommunication Harassment. (Amended)
537.12	Misuse of 9-1-1 System. (Amended)
541.02	Arson. (Amended)
545.02	Determining Property Value in Theft Offense. (Amended)
545.04	Detention of Shoplifters. (Amended)
545.05	Petty Theft. (Amended)
545.07	Insurance Fraud. (Amended)
545.08	Unauthorized Use of Property. (Amended)
545.09	Passing Bad Checks. (Amended)
545.10	Misuse of Credit Cards. (Amended)
545.13	Criminal Simulation. (Amended)
545.14	Tampering With Records. (Amended)
545.15	Securing Writings by Deception. (Amended)
545.17	Defrauding Creditors. (Amended)
545.18	Receiving Stolen Property. (Amended)
549.04	Improperly Handling Firearms in a Motor Vehicle. (Amended)

A summary of the amendments to the sections listed above is set forth in Appendix A which is attached to this ordinance.

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 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, Sections 11(c) and 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 there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements. 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, _____, 2012, as an emergency issue.

President of Council

ATTEST:

Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

**SUMMARY OF TRAFFIC AND GENERAL OFFENSES
AMENDMENTS AND ADDITIONS**

Traffic Code

333.01 Driving or Physical Control While Under the Influence. Requires offenders to provide proof of financial responsibility in subsections (h)(6) and (i)(4).

335.01 Driver's License or Commercial Driver's License Required. Adds new subsection (b) allowing introduction into evidence of a report or record of the Registrar showing that the alleged offender did not have a license at the time of the violation.

335.02 Permitting Operation Without Valid License. Adds provision that failure of an offender to complete a term of community service may be punished as indirect criminal contempt.

335.05 Wrongful Entrustment of a Motor Vehicle. Changes the penalty for a violation of this section to an unclassified misdemeanor.

335.06 Display of License. Changes the penalty for a violation of this section to an unclassified misdemeanor.

335.07 Driving Under Suspension or License Restriction. Authorizes court to order immobilization or forfeiture of a vehicle and requires offender to provide proof of financial responsibility.

335.071 Driving Under OVI Suspension. Requires offender to provide proof of financial responsibility.

335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. Requires offender to provide proof of financial responsibility and permits introduction into evidence of report from Registrar showing offender was under financial responsibility law suspension at time of offense.

335.073 Driving Without Complying With License Reinstatement Requirements. Changes penalty to an unclassified misdemeanor and permits introduction into evidence of a report of the Registrar showing that the offender's license had not been reinstated at the time of the violation.

335.074 Driving Under License Forfeiture or Child Support Suspension. Adds new offense of driving under license forfeiture or child support suspension.

335.12 Stopping After Accident Upon Streets. Requires offender to provide proof of financial responsibility.

335.13 Stopping After Accident Upon Property Other Than Streets. Requires offender to provide proof of financial responsibility.

335.14 Vehicle Accident Resulting in Damage to Realty. Requires offender to provide proof of financial responsibility.

337.22 Windshield and Windshield Wipers. Exempts certain vehicles that have an electronic device in the front windshield from requirement that front windshield must be unobstructed in subsection (b).

351.04 Parking Near Curb; Handicapped Parking. Permits motorcycles to be backed into angled parking spaces so they are facing other than the direction of travel in subsection (c).

373.02 Riding Upon Seats; Handlebars; Helmets. Establishes conditions under which person with a temporary instruction permit may operate a motorcycle in subsection (I).

General Offenses Code

501.02 Classification of Offenses. Changes "effective date of this amendment" to "January 1, 2004" in subsection (d).

501.99 Penalty. Amends subsection (a)(1) to add prohibition of introducing an award of restitution under this section into a civil action.

509.06 Inducing Panic. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

509.07 Making False Alarms. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

513.03 Drug Abuse; Controlled Substance Possession or Use. Adds possession of "spice" as a minor misdemeanor offense in subsection (c)(4).

517.05 Cheating. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

525.01 Definitions. Exempts public officials and servants of nonprofit corporations formed under Ohio R.C. 187.01 in subsections (a) and (b).

525.02 Falsification. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

529.07 Open Container Prohibited. Changes definition of "outdoor performing arts center" to a location of not less than 150 acres in subsection (c)(3)B.2.

537.10 Telecommunications Harassment. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

537.12 Misuse of 9-1-1 System. Adds new subsections (c) to (e) prohibiting any person from using a 9-1-1 system for a purpose other than obtaining emergency service or from disclosing any improper information.

541.02 Arson. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.02 Determining Property Value in Theft Offense. Adds sentence to subsection (b)(3) clarifying the prosecution of a single offense.

545.04 Detention of Shoplifters. Offers an offender the opportunity to complete a pretrial diversion program under subsection (c)(4).

545.05 Petty Theft. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.07 Insurance Fraud. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.08 Unauthorized Use of Property. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.09 Passing Bad Checks. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.10 Misuse of Credit Cards. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.13 Criminal Simulation. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.14 Tampering With Records. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.15 Securing Writings by Deception. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.17 Defrauding Creditors. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

545.18 Receiving Stolen Property. Increases the threshold amount from \$500 to \$1000 for determining whether a violation of the section is a misdemeanor.

549.04 Improperly Handling Firearms in a Motor Vehicle. Deletes former subsection (a) which is now a felonious violation and renumbers subsections.

a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 15, 2012

To: The Mayor and Members of Sylvania City Council

Re: Brint & McCord Intersection Traffic Study

Dear Mr. Mayor and Council Members:

I was asked for clarification at the last City Council meeting regarding the above study. Specifically, Council members requested verification that the additional traffic generated by the proposed Lourdes Planned Development was taken into account for the study purposes.

All of the technical data is in the Appendix portion of the study. Pages A1-A4 show the results of the traffic count performed by the Lucas County Engineers office. My discussions with the consultant were to look at traffic activity, both current and future without the proposed Lourdes development and then to add in the expected traffic from the Lourdes development and see if and how it affected any recommendations.

Pages A5-A6 is the Signal Warrant Summary. The analysis showed that a traffic signal is warranted at the intersection with the current traffic. Since the traffic signal was already warranted, it wasn't necessary to add the Lourdes development in and perform another analysis. This additional traffic will of course be taken into account when cycle timing is done at the intersection.

The possibility of a roundabout, both single lane and two lanes, was then analyzed and those results are on Pages A13-A34. The peak periods were used for the analysis as they are obviously worst case scenarios. The first few pages, Pages A13-A16, addresses the traffic as it exists today. The traffic from the proposed Lourdes development is not included.

Thereafter, Pages A17-A34, take into account the traffic from the proposed Lourdes development for the "future" traffic analyses. Looking at the Demand Flows on each of the "Lane Summary" sheets shows the anticipated traffic for those periods. I would be happy to provide you copies of these sheets should you desire. An analysis was done for the year 2032 which is the standard 20-year planning period. It was discovered that a single lane roundabout would not be sufficient in the future and so the consultant ran an analysis for 2022 to see when future growth would exceed the capacity of a single lane roundabout.

As indicated at the last council meeting, the traffic from the proposed development is not the deciding or controlling issue for any of the proposed intersection improvements. The existing traffic warrants a signal based on current traffic patterns. Future considerations or recommendations were not affected with the addition of the traffic from the proposed development, as the study shows. Please call if you have any questions.

Sincerely,

Kevin Aller
Public Service Director

City of Sylvania

Bank Reconciliation

May 2012

B

CHECKBOOK BALANCE

Ending balance for Apr 2012 \$ 26,329,005.95
 Add: Monthly Receipts 1,684,567.30
 Subtotal \$ 28,013,573.25
 Less: Monthly Disbursements 3,183,603.98
 Ending balance for May 2012 \$ 24,829,969.27

Less:

Certificates of Deposit \$ (1,000,000.00)
 Star Ohio (76,879.99)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (27,743.82)
 5/3rd Securities (14,152,706.40)
 SJS Account (5,185,777.20)
 PNC MoneyMarket (1,025,099.21)
 Key Bank Securities (1,005,787.55)
 Sylvania Township Bonds (735,000.00)
\$ 1,617,862.24

Less:

OPERS pmt / fractions 0.01

\$ 1,617,862.25

(1)

Division of Public Service \$ 150.00
 Department of Finance 200.00
 Division of Water 400.00
 Division of Police 200.00
 Municipal Court 700.00
 Division of Taxation 150.00
 Division of Forestry 150.00
 Division of Zoning 100.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance \$ 1,624,491.54
 Deposit in Transit 1,215.00
 Deposit in Transit 1,237.33

Subtotal \$ 1,626,943.87

Less: Outstanding Checks (2) 9,081.62

Adjusted Bank Balance \$ 1,617,862.25

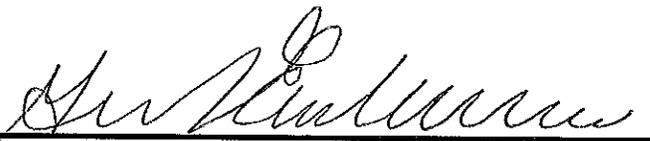
(2)

Apr Outstanding Checks \$ 142,477.40
 Checks written this month 1,211,918.07

Subtotal \$ 1,354,395.47

Checks Cleared (1,345,313.85)

Mar Outstanding Checks \$ 9,081.62



Treasurer, City of Sylvania

C

Board of Architectural Review

Minutes of the regular meeting of June 13, 2012. Mr. Lindsley called the meeting to order.

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

Mr. Marciniak moved, Dr. Backus seconded to approve the Minutes of the May 16, 2012, meeting as submitted. Vote being: Marciniak, Lindsley, Backus (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 - Regulated Sign - app. no. 19-2012 requested by Wettle Corp. for Contemporary Apartments, 5301 Alexis Road, Sylvania. They will be adding two signs on the buildings, the sign will be grey or black fabric panels with white lettering that will be fifteen or twenty inches wide. The panels will be four feet wide and twenty feet high mounted on the blue portion of the buildings, facing Alexis Road, and will project one inch from the building. The existing pole sign will be eliminated. Mr. Marciniak moved, Dr. Backus seconded to give a Certificate of Appropriateness for the two fabric panel signs mounted on the building with twenty inch letters as shown on the drawing submitted with app. no. 19-2012 for Contemporary Apartments, 5301 Alexis Road. Vote being: Lindsley, Marciniak, Backus (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 4 - Regulated Sign - app. no. 20-2012 requested by Elias Georgakopoulos for Sylvania Nail Spa, 6469 Monroe Street, Sylvania. They installed a new sign face in the existing cabinet sign on the Monroe Street side of the building. The nail spa is located in the former dry cleaners. There is no change to size of the sign. Mr. Marciniak moved, Dr. Backus seconded to approve the new sign face for the cabinet sign at 6469 Monroe Street as shown on the photograph submitted with app. no. 20-2012 for Sylvania Nail Spa. Vote being: Backus, Lindsley, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 5 - Regulated Sign - app. no. 9-2012 requested by Dave White to amend the approval from the April 17, 2012 meeting for Dave White Used Vehicles, 5849 Alexis Road, Sylvania. Dave White wants to add their name and certified to the sign that was previously approved. The sign is mounted on the same panel above the doors, facing the corner. The lettering is larger than the previous sign. Dr. Backus moved, Mr. Marciniak seconded to amend the Certificate of Appropriateness for the changes to the sign above the door as submitted. Vote being: Marciniak, Backus, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission

P

Sylvania Municipal Planning Commission

Minutes of the regular meeting of June 13, 2012. Mr. Lindsley called the meeting to order.

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

Mr. Marciniak moved, Dr. Backus seconded to approve the Minutes of the May 16, 2012, meeting as submitted. Vote being: Lindsley, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 - Lot Split app. no. 1-2012 requested by Jody Fletcher for property located at 5719 Glasgow Road, Sylvania. Jody Fletcher and Nick Ligget present. Mr. Fletcher has agreed to sell Mr. Ligget, his neighbor at 5713 Glasgow Road, thirty-five feet from his property. Mr. Marciniak moved, Dr. Backus seconded to grant the lot split as requested subject to the thirty-five-foot parcel, as shown on the drawing submitted with app. no. 1-2012, being combined with the property at 5713 Glasgow Road as one parcel. Vote being: Backus, Marciniak, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission

3



SYLVANIA CITY COUNCIL
MARGARET LINTNER, MMC, CLERK

June 15, 2012

To: Mayor Craig Stough
City Council
Administration

Re: official photo

This is a reminder that the photo session for Council and the Administration is scheduled for Monday, July 16. Council members will gather at 6:00 for their photo. I will let you know where to meet just prior, when I do the July 16 agenda.

Administration members are asked to be in Council Chambers by 6:30 when the photo will be taken with City Council