

Agenda
Sylvania City Council
February 6, 2012 7:30 p.m.

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Brown.
3. Additions to the agenda.
4. Approval of the January 18 meeting minutes.
5. Health Care Revenue Bonds;
 - a. letter of intent to relocate Sylvania Franciscan's corporate offices to the City; and,
 - b. proposed Ordinance 12-2012, authorizing the issuance and sale of the bonds.
6. Silica Road improvements;
 - a. Service Director's report on the City's portion of the project; and,
 - b. proposed Ordinance 13-2012, appropriating funds in the amount of \$74,755.70 for the improvement.
7. Elevated water tank;
 - a. Service Director's report on testing services; and,
 - b. proposed Ordinance 14-2012, accepting the proposal of Bowser-Morner in an amount not to exceed \$20,000.
8. River Trail Improvements - Phase 1;
 - a. Service Director's report on the change order; and,
 - b. proposed Ordinance 15-2012, approving Change Order No. 1 in the amount of \$65,977.38.
9. Proposed Ordinance 16-2012, entering into an agreement with Lucas County for Suburban Court Services.
10. Proposed Resolution 3-2012, designating the Clerk of Council as the Mayor's and City Council's designee to attend training programs about the public records law.
11. Notice of the transfer of the D1, beer for on premises consumption until 1:00 a.m., D2, wine and certain prepackaged mixed drinks until 1:00 a.m., D3, spirituous liquor until 1:00 a.m., D3A, extension of permit privileges until 2:20 a.m., and D6, sale of liquor on Sundays until midnight, permit from DDAM Ltd., d/b/a Main Street Bar & Grill, 5757 Main St., to S&S Restaurants, Inc., d/b/a The Sodbuster, 5757 Main St.
12. Committee reports.
13. Committee referrals.

Information

- A. Notice of the February 10, 7:30 a.m. Committee-of-the-Whole meeting.
- B. January bank reconciliation.
- C. January cash report from the Division of Taxation.
- D. Wingate Hotel 2011 Transient Occupancy Tax rebate.
- E. Fund reports from the Police Division.
- F. Downtown Sylvania Association update.
- G. 4th Quarter Management reports.

Minutes of the Meeting of Council
January 18, 2012

The Council of the City of Sylvania, Ohio met in regular session on Wednesday, January 18, 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, Mary J. Westphal (6); absent: Todd Milner (1). Roll call: Milner absent, excused.

Boy Scout Adam Bender led the Pledge of Allegiance to the United States of America. Pledge of Alleg.

Mayor Stough stated that Council will now consider agenda item 3.

Requests were made for the following additions to the agenda: Additions to the agenda.

3a. Election of President Pro Tem.

9a. Report of the Employee & Community Relations Committee and Resolution No. 2-2012.

11. Discussion on Sylvania Township's action on the TARTA ballot issue.

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

Due to Mr. Milner's absence, Mr. Haynam moved, Mrs. Westphal seconded, to nominate Mark Luetke as President Pro Tem. There were no other nominations, and all present voted yea (6); (0) nays. The motion carried. Luetke President Pro Tem.

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

Mr. Luetke presented the minutes of the January 3 organizational meeting. Mr. Luetke moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the organizational meeting of January 3, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown (6) yeas; (0) nays. The motion carried. Approval of the minutes of the January 3 organizational meeting.

Mr. Luetke presented the January 3 meeting minutes. Mr. Luetke moved, Mrs. Westphal seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of January 3, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried. Approval of the January 3 meeting minutes.

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

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Mr. Luetke reported that the Economic Development sub-Committee met at 6:00 for a presentation about potential uses of an arts district area. Economic Development/ Administrative Services Coordinator Bill Sanford said that a market study is required to move forward with a planning grant for downtown. Sharon Woods, LandUse USA, presented a proposal for a downtown market strategy. Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 9-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of LandUse USA, LLC to develop a downtown market strategy; appropriating funds therefore in an amount not to exceed \$12,000; and declaring an emergency." Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam (6) yeas; (0) nays. The motion carried.

Ordinance 9-2012, "...accept the proposal of LandUse USA... downtown market strategy..."

After discussion on which account to charge, Mr. Haynam moved, Mr. Luetke seconded, to amend Section 2 of proposed Ordinance No. 9-2012 by changing the fund to "GENERAL FUND COMMUNITY PROGRAMS" and the account to "Account No. 110-7320-51294 - Special Projects"; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried.

Amendments to funds used.

Mr. Luetke moved, Mr. Haynam seconded, that Ordinance No. 9-2012, as amended, be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 10-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of public defender services to the Sylvania Municipal Court for the year 2012; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Westphal (6) yeas; (0) nays. The motion carried.

Ordinance 10-2012, "...Public Defender services ..."

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance No. 10-2012 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown (6) yeas; (0) nays. The motion carried.

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

Minutes of the Meeting of Council
January 18, 2012

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 11-2012, a written copy of same having been previously furnished to each member of Council, "Confirming and amending Ordinance No. 8-2012 by making certain position and compensation pay plan changes, making certain salary, wage and other service compensation adjustments to the Codified Ordinances of Sylvania, 1979, as amended, by providing for a one-time lump sum payment of \$450 to be paid on the first full pay period of 2012 to all full-time, non-union City employees and Court employees whose positions are included in the list of occupational titles of Section 139.02(a) of the Codified Ordinances of Sylvania which increase is reflected in the Annual Wage Rate Schedule 4 of Section 139.10(D) of the Sylvania Codified Ordinances; and declaring an emergency." Mr. Luetke moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Ordinance 11-2012, "...amending Ord. 8-2012 by making certain position and compensation pay plan changes..."

Mr. Luetke moved, Mrs. Husman seconded, that Ordinance No. 11-2012 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini (5) yeas; Haynam (1) nay. The motion carried.

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

There was a brief discussion on setting the date for the Council and Staff photos. April 16 is the tentative date which will be confirmed with Mr. Milner and the photographer.

Council photo.

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

Mr. Luetke presented and read aloud by title only, proposed Resolution No. 2-2012, a written copy of same having been previously furnished to each member of Council, "Appointing Norman A. Koenigseker to the Zoning Board of Appeals for a term expiring December 31, 2014; and declaring an emergency." Mr. Luetke moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried.

Resolution 2-2012, "Appointing Norman Koenigseker... Zoning Board of Appeals..."

Mr. Luetke moved, Mrs. Westphal seconded, that Resolution No. 2-2012 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Mr. Luetke said that in addition to reviewing the Zoning Board of Appeals applications at the January 17 Employee & Community Relations meeting, the committee also considered 2012 funding allocations to community organizations. He presented a detailed report with the committee's recommendations for funding. After discussion,

Employee & Comm. Relations Committee report.

Minutes of the Meeting of Council
January 18, 2012

Mr. Luetke moved, Mrs. Westphal seconded, to accept the recommendation and that the Administration modify the budget per the report; roll call vote being: Brown, Cappellini, Haynam, Luetke, Westphal (5) yeas; Husman (1) nay. The motion carried.

There were no items for 10 and Mayor Stough stated that Council will now consider agenda item 11.

There was a brief discussion about Sylvania Township's decision to withdraw the TARTA ballot issue in the March election. Mrs. Husman noted that this presents an opportunity for the Township and TARTA to reach an agreement. TARTA ballot issue.

Mayor Stough stated that all items on the agenda had been considered. Mr. Haynam moved, Mrs. Westphal seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:25 p.m. Adjournment.

Clerk of Council

Mayor



**SYLVANIA
FRANCISCAN
HEALTH**

*The Health and Human Services Ministry
of The Sisters of St. Francis of Sylvania Ohio*

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December 19, 2011

Craig A. Stough, Mayor
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

Dear Mayor Stough,

As you know, until recently Sylvania Franciscan Health (formerly Franciscan Services Corporation) operated its corporate offices out of the campus at Lourdes College. The campus has grown considerably, necessitating a need by the Sisters of St. Francis to use the Sylvania Franciscan Health offices for other purposes. For this reason, we moved to offices located at Central Park West. The Sisters are developing their master plan for continued growth of the campus and will relocate Sylvania Franciscan Health to the campus when sufficient office space is developed, provided doing so fits in with the campus master plan.

Please allow this letter to confirm Sylvania Franciscan Health's intention to relocate its corporate offices in Sylvania, Ohio, at such time as suitable space becomes available and our lease permits.

Please do not hesitate to contact me should you have any questions regarding this matter.

Sincerely,

Robert Tracz
VP Finance & CFO

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CITY OF SYLVANIA, OHIO

ORDINANCE NO. 12 - 2012

AN ORDINANCE DETERMINING THE NECESSITY OF AND AUTHORIZING THE ISSUANCE AND SALE OF VARIABLE MODE HEALTH CARE REVENUE BONDS FOR THE BENEFIT OF ROSARY CARE CENTER, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$4,395,000; AUTHORIZING THE EXECUTION AND DELIVERY OF A BASE LEASE, SUBLEASE AND ASSIGNMENT IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE TO SECURE THE BONDS; AUTHORIZING EXECUTION OF A TAX REGULATORY AGREEMENT WITH RESPECT TO THE BONDS; AUTHORIZING EXECUTION OF A BOND PURCHASE AGREEMENT WITH RESPECT TO THE BONDS; AND AUTHORIZING OTHER DOCUMENTS IN CONNECTION WITH THE ISSUANCE OF THE BONDS AND DECLARING AN EMERGENCY.

WHEREAS, based upon the representations of Rosary Care Center (the "Corporation"), this Council has determined to authorize the issuance by the City of Sylvania (the "Issuer") of its Health Care Revenue Bonds, Series 2012 (Rosary Care Center) (the "Series 2012 Bonds"), for the purpose of (i) the acquisition, construction, renovation, installation and equipping of certain improvements to hospital facilities consisting of a 17 unit assisted living facility, and including the refinancing of certain debt with respect thereto (the "Series 2012 Financed Facilities") to be operated by the Corporation and (ii) paying certain costs of issuance of the Series 2012 Bonds; and

WHEREAS, the financing of the Series 2012 Financed Facilities will be in the best interests of the Issuer and will assist in providing hospital facilities at the lowest possible cost to the residents of the State of Ohio, which hospital facilities are and shall be available for the service of the general public without discrimination by reason of race, creed, color or national origin; and

WHEREAS, the Issuer is authorized by the authority contained in Chapter 140, Ohio Revised Code, to issue its revenue bonds for the aforesaid purposes; and

WHEREAS, the Issuer will acquire a leasehold interest in the Project Facilities, as defined in the Trust Indenture authorized below, pursuant to a Base Lease (the "Base Lease") with the Corporation dated as of January 1, 2012, and will sub-sublease the Project Facilities pursuant to a Sublease dated as of January 1, 2012 (the "Agreement") to the Corporation, which is an Ohio corporation not for profit corporation, no part of the net earnings of which inures or may lawfully inure to the benefit of any private shareholder or individual and which has authority to operate hospital facilities; and

WHEREAS, it is necessary in connection with the issuance of such Series 2012 Bonds and the financing of the Series 2012 Financed Facilities to provide for the authorization of the Base Lease, the Agreement, and a Trust Indenture (the "Trust Indenture") between the Issuer and The Bank of New York Mellon Trust Company, N.A. (the "Trustee"), as trustee and a Tax Regulatory Agreement dated the date of delivery of the Series 2012 Bonds, among the Corporation, the Issuer and the Trustee; and

WHEREAS, it is necessary in connection with the issuance of such Series 2012 Bonds to also provide for the authorization of a Bond Purchase Agreement and to authorize certain other documents in connection with the issuance of the Series 2012 Bonds;

NOW, THEREFORE, BE IT ORDAINED by the City of Sylvania, County of Lucas, as follows:

SECTION 1. That for the purpose of better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of hospital facilities and facilitating the financing of hospital facilities to be available to or for the service of the general public without discrimination by reason of race, creed, color or national origin, this Council hereby determines that revenue bonds shall be issued pursuant to Section 140.06, Ohio Revised Code, in the principal amount of not to exceed \$4,395,000 for the purposes set forth in the preambles hereto. Such bonds shall be designated City of Sylvania, Ohio, Health Care Revenue Bonds, Series 2012 (Rosary Care Center), with such further designation as shall be set forth in the Trust Indenture. The Series 2012 Bonds shall be issued in the form and denominations and shall be executed, dated, be subject to redemption prior to maturity on the dates and at the prices, bear interest, and be payable on the dates, as provided in the Trust Indenture and Bond Purchase Agreement hereinafter authorized. The interest rate on the Series 2012 Bonds shall not exceed the lesser of 25% per annum or the maximum rate allowed by law. The Series 2012 Bonds shall be retired either at stated maturity or by mandatory sinking fund redemption over a period not to exceed 30 years as set forth in the Trust Indenture.

SECTION 2. That the Series 2012 Bonds shall be payable at the designated corporate trust office of the Trustee, or any successor trustee.

SECTION 3. That each of the Series 2012 Bonds authorized hereby shall bear on its face a statement that the Series 2012 Bonds are not general obligations, debt or bonded indebtedness of the Issuer or the State of Ohio or any political subdivision thereof, and the holders or owners of the Series 2012 Bonds are not given the right, and have no right, to have excises or taxes levied by the Issuer or the State of Ohio or any political subdivision thereof, for the payment of the bond service charges on such Series 2012 Bonds and that the right to such payment is limited to the revenues and special funds pledged for such purpose under the Trust Indenture herein authorized.

SECTION 4. That the Mayor and Director of Finance of the Issuer are each hereby authorized and directed to execute on behalf of the Issuer, the Trust Indenture, in substantially the form presented to this Council and on file with the Clerk, and the trust estate as therein defined shall be pledged and the other agreements, covenants and promises therein made on behalf of the Issuer shall be conclusively binding upon the Issuer and in full force and effect from and after delivery of the Series 2012 Bonds to their purchasers pursuant to the terms of the Trust Indenture. The Trust Indenture shall be subject to such changes, insertions and omissions that are not inconsistent with this Ordinance, are not adverse to the Issuer and are permitted Chapter 140 of the Ohio Revised Code and as may be approved by the officers executing the Trust Indenture, which approval shall be conclusively evidenced by the execution of the Trust Indenture as aforesaid.

SECTION 5. That the Mayor and Director of Finance of the Issuer and the Trustee are hereby authorized and directed to do all the acts and things required of them by the provisions of the Series 2012 Bonds and the Trust Indenture to the end that full and complete performance of all of the terms, covenants and agreements of the Series 2012 Bonds and Trust Indenture shall be effected, including taking all actions necessary to (i) effect changes in the Mode of the Series 2012 Bonds, under the Trust Indenture, and (ii) complete the sale of the Series 2012 Bonds under the "Blue Sky" laws of any jurisdiction; provided that the Issuer shall not be required to submit to service of process in connection with any such "Blue Sky" action in any state except Ohio.

SECTION 6. That this Council hereby determines that the leasing of the Project Facilities from the Corporation pursuant to the Base Lease, and the subleasing of the Project Facilities to the Corporation pursuant to the Agreement is undertaken for and will serve the public purpose of better providing for the health and welfare of the people of the State of Ohio by enhancing the availability, efficiency and economy of hospital facilities and the services rendered thereby.

SECTION 7. That the Mayor and Director of Finance of the Issuer are each hereby authorized and directed to execute and enter into, on behalf of the Issuer, the Base Lease and the Agreement with the Corporation. Those documents shall be substantially in the forms presented to this Council and on file with the Clerk of this Council, subject to such changes, insertions and omissions that are not inconsistent with this Ordinance, are not adverse to the Issuer and are permitted Chapter 140 of the Ohio Revised Code and as may be approved by the officers executing the Trust Indenture, which approval shall be conclusively evidenced by the execution of the Base Lease and the Agreement as aforesaid. It is hereby determined that the Base Lease and the Agreement will promote the public purpose stated in Section 140.02, Ohio Revised Code, and the Issuer will be duly benefited thereby.

SECTION 8. That the Mayor and Director of Finance of the Issuer are each hereby authorized and directed to execute and deliver on behalf of the Issuer a Bond Purchase Agreement (the "Bond Purchase Agreement") providing for the sale of the Series 2012 Bonds substantially in the form heretofore presented to this Council by The Huntington National Bank (the "Direct Purchaser"), so long as the terms of purchase contained therein are within the guidelines established in Section 1 of this Ordinance. Such Bond Purchase Agreement and/or the Trust Indenture shall set forth the purchase price of the Series 2012 Bonds and the principal amount, maturities and initial interest rate or rates on the Series 2012 Bonds, and the execution and delivery of the Bond Purchase Agreement by such officer of the Issuer shall be conclusive evidence of the authorization by the Issuer of such sale of the Series 2012 Bonds.

SECTION 9. That the Mayor and Director of Finance of the Issuer are each hereby authorized and directed to execute and deliver on behalf of the Issuer the Tax Regulatory Agreement substantially in the form presented to this Council and on file with the Clerk of this Council, subject to such changes, insertions and omissions that are not inconsistent with this Ordinance, are not adverse to the Issuer and are permitted Chapter 140 of the Ohio Revised Code and as may be approved by the officers executing the Trust Indenture, which approval shall be conclusively evidenced by the execution of the Tax Regulatory Agreement as aforesaid.

SECTION 10. That this Council, hereby covenants that, to the extent within its control, it will restrict the use of the proceeds of the Series 2012 Bonds hereby authorized in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute "arbitrage bonds" under Sections 103(b)(2) and 148 of the Internal Revenue Code and the regulations prescribed thereunder. The Clerk or any other officer having responsibility with respect to the issuance of the Series 2012 Bonds is authorized and directed to give an appropriate certificate on behalf of the Issuer, on the date of delivery of the Series 2012 Bonds for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to the use of the proceeds thereof and the provisions of Section 148 and regulations thereunder.

SECTION 11. That the Mayor and Director of Finance of the Issuer are each hereby authorized to execute and deliver on behalf of the Issuer such other certificates, documents and instruments in connection with the issuance and sale of the Series 2012 Bonds and, the refunding of the prior indebtedness and as may be required, necessary or appropriate, including, without limitation, any

documents which are necessary or appropriate in order to ensure continuing compliance of the Series 2012 Bonds with the Internal Revenue Code, including IRS Forms 8038 (or other similar applicable forms), financing statements, terminations of financing statements and other releases of security interests in property and cancellations of Trust indentures, escrow deposit agreements and home office payment agreements. Such documents, including the ones specifically authorized hereby, shall be subject to such changes, insertions and omissions that are not inconsistent with this Ordinance, are not adverse to the Issuer and are permitted Chapter 140 of the Ohio Revised Code and as may be approved by the officers executing the Trust Indenture, which approval shall be conclusively evidenced by the execution thereof by any member of this Council.

SECTION 12. That this Council determines that, following reasonable notice and prior to passage of this Ordinance, a public hearing was held with respect to the issuance of the Series 2012 Bonds, as required by Section 147(f) of the Code. This Council, as the “applicable elected representative” of the Issuer, for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Series 2012 Bonds in the maximum principal amount of \$4,395,000 pursuant to Chapter 140 of the Ohio Revised Code, the proceeds of which Series 2012 Bonds will be used for the purpose of (i) the acquisition, construction, renovation, installation and equipping of certain improvements to hospital facilities within the meaning of Chapter 140, Ohio Revised Code, consisting of a 17 unit assisted living facility, and including the refunding of certain debt with respect thereto; and (ii) paying certain costs of issuance of the Series 2012 Bonds.

SECTION 13. The Issuer hereby designates the Series 2012 Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended. The Issuer reasonably anticipates that during 2012, not more than \$10,000,000 of qualified tax-exempt obligations (other than private activity bonds except for qualified 501(c)(3) bonds) will be issued by the Issuer and all subordinate entities of the Issuer.

SECTION 14. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed 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 the law, including Section 121.22 of the Ohio Revised Code.

SECTION 15. That the Clerk, pursuant to Sylvania Administrative Code Section 113.01, shall publish this by posting the same.

SECTION 16. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety, property and this community’s welfare in that the provision of funds from the Series 2012 Bonds is necessary to meet construction expenses of the Series 2012 Financed Facilities. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, and it shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by this Charter.

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

Passed: _____, 2012, as an emergency measure.

President of Council

Attest: _____
Clerk of Council

APPROVED AS TO FORM:

Director of Law

Approved:

Mayor

_____, 2012



6a

City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

January 19, 2012

To: Mayor Stough and Members of City Council

Re: **Silica Road Improvements**

Dear Mayor and Council Members:

Construction of the above project is complete. This project included milling and resurfacing the previous pavement, minor base repair, installing storm sewers and structures on both sides of the road, drive repairs, and related work.

Preliminary design was modified due to existing utilities not allowing for storm sewer cross-overs. Accordingly, new storm sewer pipe was required to be installed on both sides of the road.

Ordinance No. 26-2010 authorized the joint cooperation agreement with Sylvania Township, thereby agreeing to contribute 50% of the project cost. The project cost summary is as follows:

Total Project Cost	\$293,159.63
Less OPWC Grant	- <u>143,648.22</u>
Local Share	\$149,511.41
City'S 50% Share	\$ 74,755.70

The township has requested our share of the project. The project is complete. I recommend payment to Sylvania Township in the amount of \$74,755.70.

Please call if there are any questions.

Sincerely,

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

Sylvania TOWNSHIP

4927 Holland-Sylvania Road
Sylvania Township, Ohio 43560
www.sylvaniatownship.com

Board of Trustees

Kevin Haddad
John Jennewine
Neal Mahoney

Fiscal Officer

David J. Simko

Administrator

John C. Zeitler

January 17, 2012

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

Re: Reimbursement of Silica Drive Improvements

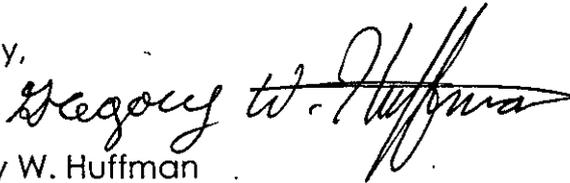
Dear Mr. Aller,

We have recently finalized the Silica Drive improvement project and request reimbursement of the local funding. The total construction cost is \$293,159.63. Per our agreement, OPWC funded 49%, leaving a local fund of \$149,511.41 split by the Township and City. During the design and construction phase(s) we encountered unforeseen circumstances; please refer to the attached Lucas County Engineers Office letter.

Therefore, I suggest a 50/50 split format and request 50% reimbursement of the local funding amount which is \$74,755.70. If acceptable, please make payment to the Sylvania Township Board of Trustees.

Please contact me for questions at 419-882-0031 ext. 1503.

Sincerely,



Gregory W. Huffman
Public Works Manager

RECEIVED

JAN 18 2012

CITY OF SYLVANIA
DEPT. OF PUBLIC SERVICE



Office of the County Engineer

One Government Center – Suite 870
Toledo, Ohio 43604-2258
www.lucascountyoh.gov/engineer

Keith G. Earley, P.E., P.S.
County Engineer

Phone: 419-213-4540
FAX: 419-213-4598

January 12, 2012

Mr. David Simko, Fiscal Officer
Board of Sylvania Township Trustees
4927 Holland-Sylvania Road
Sylvania, Ohio 43560

RE: 2011 Resurfacing and Drainage OPWC Project, Phase 2

Dear Trustees:

We have approved the sixth and final estimate of payment for Diversified Road and Pipe, Inc. for the subject improvement. The total amount due the contractor is \$33,403.11, which represents the total amount due of \$593,877.83 less previous payments.

Transmitted herewith is a completed disbursement form for your signatures. This signed form, estimate, and the in-kind documentation shall be submitted to Ms. Donna Kirkbride at the Ohio Public Works Commission within five (5) business days of your receipt of this correspondence as per section 6B of your OPWC agreement. This disbursement request is for \$18,209.96 leaving a balance of \$15,193.15 to be paid to Diversified Road and Pipe, Inc. by the Township for the project. A copy of the estimate for the Township, City and the contractor is enclosed.

Prior to issuing the final payment, the Township should obtain the maintenance bond from Diversified Road and Pipe, Inc. The substantial construction completion date for the maintenance bond is November 4, 2011.

↙ The work performed on Silica Drive is to be divided with the City of Sylvania. Originally, I believe it was intended to split the cost 50/50, as the dividing line falls along the center of the road. Please refer to your agreement

2011 Resurfacing and Drainage OPWC Project, Phase 2

January 12, 2012

Page 2.

with the City of Sylvania. The cost of the project escalated from the original estimate due to unforeseen circumstances. Briefly, they are as follows:

- The original estimate included 3 cross-over pipes to pick up water on the City side of Silica. Due to utility conflicts we were not able to provide these.
- Upon speaking with Jeff Ballmer, City of Sylvania, it was decided to provide a 12" storm sewer along the entire east side of the road. This increased the cost by requiring more pipe, structures, and drive repairs.

The total cost of the Silica Drive work was \$293,159.63. OPWC covered 49% of the cost, leaving \$149,511.41 to be paid by the Township and City. If it is decided to split the final cost 50/50, the City of Sylvania should be invoiced for \$74,755.70.

Should you have any questions, please advise.

Very truly yours,

Keith G. Earley, PE, PS
Lucas County Engineer



Sarah L. Rowland, P.E.
Township/Roadway Design Engineer

SLR/km

Enclosures

C: •Joel Palermo

File:SLR

66

ORDINANCE NO. 13 -2012

APPROPRIATING FUNDS IN THE AMOUNT OF \$74,755.70 PURSUANT TO THE JOINT COOPERATION AGREEMENT WITH SYLVANIA TOWNSHIP FOR IMPROVING SILICA DRIVE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 26-2010, passed April 5, 2010, authorized the Mayor and Director of Finance to enter into a Joint Cooperation Agreement between the City of Sylvania and Sylvania Township relative to the improvement of Silica Drive and appropriated \$58,640 as the City's estimated share of the project costs; and,

WHEREAS, the Director of Public Service, in a report dated January 19, 2012, has indicated that the improvements are complete and also indicated that the preliminary design was modified due to existing utilities not allowing for storm sewer cross-overs which required new storm sewer pipe to be installed on both sides of the road resulting in an increase in the cost of the project; and,

WHEREAS, the Joint Cooperation Agreement provides for the City of Sylvania and Sylvania Township to each contribute 50% of the local share of the net project cost; and,

WHEREAS, the total project cost was \$293,159.63, less the OPWC grant in the amount of \$143,648.22, for a balance of \$149,511.41, of which the City is responsible for 50%, or \$74,755.70; and,

WHEREAS, the City's estimated contribution was \$58,640, however the City's contribution has been increased to \$74,755.70 due to the additional work and materials required to install new storm sewer pipe.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to expend the sum of \$74,755.70 which represents the City's contribution for the Silica Drive Improvement Project pursuant to the Joint Cooperation Agreement entered into with Sylvania Township.

SECTION 2. That, to provide funds for said improvements there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated, to **Account No. 401-7610-53586 – Silica Drive Improvement Project**, the sum of Seventy-Four Thousand Seven Hundred Fifty-Five and 70/100 Dollars (\$74,755.70).

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the appropriation should be made immediately pursuant to the Joint Cooperation Agreement entered into by the City and Sylvania Township. 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.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

7a

January 25, 2012

To: Mayor Stough & Members of City Council

Re: **2 MG Elevated Tank**

Dear Mayor and Council Members:

During the course of this project it will be necessary to perform testing services to ensure compliance with the contract specifications. We have enclosed the proposal from Bowser-Morner, Inc. to perform such services to include foundation and roadway subgrade compaction and concrete testing for the foundation and tank column.

We recommend approval of the proposal in the amount not-to-exceed of \$20,000 in favor of Bowser-Morner, Inc.

Please call if you have any questions.

Sincerely,

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

tid
Enc.

QUOTATION FOR PROFESSIONAL SERVICES

BOWSER-MORNER

1419 Miami Street • P.O. Box 838 • Toledo, Ohio 43697-0838

Phone (419) 691-4800 Fax (419) 691-4805

To:	Kevin G. Aller, Public Service Director <u>city.public.service@cityofsylvania.com</u>	From:	Richard L. Allen, P.E. <u>Manager, Construction Services</u>
Company:	City of Sylvania, Ohio <u>6730 Monroe Street, Sylvania, Ohio</u>	Email:	<u>rallen@bowser-morner.com</u>
Phone No.:	<u>419-885-8965</u>	Quote No.:	<u>T-20787</u>
Fax No.:		Date:	<u>January 24, 2012</u>
Re:	<u>2MG Water Tank Project – Construction Materials Testing Services</u>		
		No. of Pages (Including cover):	<u>5</u>

Message:

Bowser-Morner is pleased to submit pricing for construction phase engineering and testing services in connection with the above noted project. It is anticipated that services required for the project will include 1) evaluation of foundation subgrade preparation, 2) concrete testing for foundations, tank walls and tank dome (if applicable), and 3) subgrade compaction, etc. for the new driveway and around foundations. In 2009-2010, Bowser-Morner conducted similar services for the City of Oregon, Ohio for their new 2 MG tank, also constructed by CB & I, Inc. That structure required 24 different concrete placements and approximately 55 service trips, and resulted in 50 sets of concrete test samples.

Bowser-Morner proposes to enter into a time and materials contract with the City of Sylvania. Our estimated cost for testing services related to the project is \$18,250. Including a 10 percent contingency, we recommend a not-to-exceed budget allowance of \$20,000.

To request a service visit, please contact scheduling at 419-691-4800 by 2 p.m. at least one day in advance of when you will need our services.

All reports will be emailed unless otherwise requested. Please provide email addresses for parties who need to receive reports by completing the attached report distribution form. Please sign and return the acceptance portion of this document. We appreciate your business and look forward to working with you.

Attachments: Unit Fee Schedule (1 pg.), Terms & Conditions (2 pgs.), Report Distribution Form (1 pg.)

If you have any problems with, or do not receive all the pages in this transmission, please call our office.

TERMS & CONDITIONS - This quotation is an offer by Bowser-Morner to provide the services described at the price(s) quoted herein. This offer is valid for ninety (90) days and expressly includes the terms and conditions in the enclosed "Terms and Conditions for Construction Observation and Testing Services". Our offer may be accepted in any manner you deem expedient including, but not limited to: signing and returning a copy of this quotation; sending to Bowser-Morner any written correspondence that refers to the services and/or the prices quoted and authorizes us to commence with the services; orally authorizing us to commence with the services; acceptance of, or reliance on, any reports of the services that we issue. Any of the preceding actions on your part shall be deemed acceptance. We understand that your business processes may require you to issue purchase orders or other standard forms that facilitate payment of our invoices. Any terms in such forms that purport to modify, alter, supplement, change, or supersede the terms and conditions of this offer are hereby rejected.

ACCEPTED: _____ DATE: _____

Confidentiality Notice - The documents and materials transmitted herewith contain confidential and proprietary information belonging to the sender which are legally privileged. They are solely for the use of their intended recipient. Misdirection of this telecopy transmission does not constitute a waiver of any rights or privileges granted under law. Use of these materials by any party other than the intended recipient is strictly prohibited, and may be punishable by civil and/or criminal penalties.

76

ORDINANCE NO. 14 -2012

ACCEPTING THE PROPOSAL OF BOWSER-MORNER FOR CONSTRUCTION MATERIALS TESTING SERVICES AS PART OF THE 2 MG ELEVATED TANK PROJECT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$20,000; AND DECLARING AN EMERGENCY.

WHEREAS, as part of the construction of the 2 MG Elevated Water Tank, it will be necessary to perform construction materials testing to ensure compliance with the contract specifications; and,

WHEREAS, the Director of Public Service has received a proposal from Bowser-Morner, Inc. to perform testing services at a cost not to exceed \$20,000; and,

WHEREAS, the Director of Public Service, in a report dated January 25, 2012, has recommended acceptance of the proposal of Bowser-Morner, Inc. to perform construction materials testing services including foundation and roadway subgrade compaction and concrete testing for the foundation and tank column.

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

SECTION 1. That the proposal of Bowser-Morner, Inc. for providing construction materials testing services as part of the 2 MG Elevated Water Tank Project at a cost to the City in an amount not to exceed Twenty Thousand Dollars (\$20,000.00), is hereby accepted.

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

SECTION 3. That to provide funds for said construction materials testing services hereby authorized, there is hereby appropriated from the **WATER FUND** from funds therein not heretofore appropriated to **Account No. 701-7525-53002 – Water Tower Project** an amount not to exceed Twenty Thousand Dollars (\$20,000.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the construction materials testing services at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

8a

January 25, 2012

To: Mayor Stough and Members of City Council

**Re: River Trail Improvements - Phase 1
Change Order No. 1**

Dear Mayor and Council Members:

We have enclosed Change Order No. 1 for this project. There is much supporting documentation for the items in this change order should you desire to review it. However, in the interest of saving paper, we have summarized the items below:

Item 1 - An additional 4-inch conduit was required due to utility needs. It would be much cheaper to do this work now versus stand alone later.

Item 2 - This was required for the proposed future utility burial along Monroe Street. This work is also much cheaper now versus installing later which would require disturbing the new trail and the need to reconstruct those areas.

Item 3 - Completion of the conduits required for the future utility burial.

Item 4 - Change in signage along the trail.

Item 5 - Conduit and wiring entrances/exits had to be modified to include handholes at each lightpole.

Item 6 - Actual below ground conditions were not as anticipated based on soil boring data over a portion of the project area. The existing rock shelf proved to not be as solid as the borings had indicated. Accordingly, this required the contractor to change their construction procedures. This resulted in additional materials, equipment and labor.

Item 7 - Same as Item 6.

To: Mayor Stough and Members of City Council
Re: **River Trail Improvements - Phase 1**
Change Order No. 1

Page 2

Item 8 - Do not plan to install conduit or wiring as bid.

All items have been reviewed and negotiated by our consultant, Smithgroup JJR as well as this office and are believed to be a true and fair cost for the work performed. We recommend approval of Change Order No. 1 in the amount of \$65,977.38 in favor of HPH Mechanical, Inc.

Please call if you have any questions.

Sincerely,



Kevin G. Aller, P.E.

Director of Public Service

tid

Enc.

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 1

Project Ordinance No.: 76-2011 Purchase Order No. 44345

Contract: River Trail Improvements, Phase 1

Date: January 18, 2012

Description of Change:

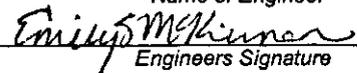
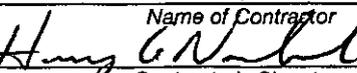
Item 1 ~ 4-inch conduit:	\$23,517.18
Item 2 ~ Handholes:	\$20,838.86
Item 3 ~ Directional Drill:	\$ 8,053.34
Item 4 ~ Signage:	\$ 142.91
Item 5 ~ Bulletin #2 (Lightpoles)	\$ 7,681.87
Item 6 ~ Addl Work 24" Caissons	\$10,909.00
Item 7 ~ Addl Work 8" Piles	\$48,494.22
Item 8 ~ Non-Perform Items 95-100	(\$53,660.00)
TOTAL CHANGE ORDER	\$65,977.38

RECOMMENDED FOR APPROVAL BY:


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

1-25-12
 Date

Original Contract Amt	\$ 1,295,819	50
Previous Changes (+ or --)		
This Change (+ or --)	\$ 65,977	38
Adjusted Contract Amt	\$ 1,361,796	88

REVIEWED BY: SMITHGROUP JJR
Name of Engineer
 DATE: 1/25/12 
Engineer's Signature
 SUBMITTED BY: HPH, Inc.
Name of Contractor
 DATE: 1-25/12 
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

82

ORDINANCE NO. 15 -2012

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 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 \$65,977.38; 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, the Director of Public Service, by report dated January 25, 2012, has recommended the acceptance of Change Order No. 1 of Hank's Plumbing and Heating Co. for said River Trail Improvements Phase I Project to reflect the as-built materials used and work performed and non-performed on this project; and,

WHEREAS, the actual materials used and work performed on the project include an additional 4-inch conduit due to utility needs, handholes for future utility line burial along Monroe Street, directional drill for completion of the conduits required for future utility line burial, conduit and wiring entrances/exits had to be modified to include handholes at each lightpole, actual underground conditions were not as anticipated based on soil boring data over a portion of the project area requiring a modification of construction procedures resulting in additional materials, equipment and labor; 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 Sixty-Five Thousand Nine Hundred

ORDINANCE NO. 16 - 2012

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, the City of Sylvania has received a request for funding Suburban Court Services in the amount of \$25,000.00 for October 1, 2011 through September 30, 2012.

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

SECTION 1. That City of Sylvania hereby agrees to participate in funding a portion of the local share in an amount of not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for the year 2012.

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

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

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that funding for Suburban Court Services should be provided for immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2012, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

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

This agreement executed this ____ day of _____, 2011 by an between the City of Sylvania, Ohio, a charter municipal corporation organized under the laws of the State of Ohio and the Board of Lucas County Commissioners (Lucas County), a political subdivision of the State of Ohio.

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

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

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

1. The Board of Lucas County Commissioners shall administer the program through the Lucas County Prosecutor's Office.
2. Subject to the provisions of paragraph 5, the term of the Suburban Court Services Program shall be from October 1, 2011 through September 30, 2012, coinciding with the funding from the Victims of Crime Act.
3. The City of Sylvania shall pay the Board of Lucas County Commissioners the sum of \$25,000.00 to be used as matching dollars for the VOCA grant and for the use of the services of the program during the contract period.
4. The matching dollars needed are to coincide with a federal funding period which is October 1, 2011 through September 30, 2012.
5. Lucas County may cancel or modify this agreement, without prior notification, if there is a termination or change in the amount of funding from the Victims of Crime Act. Lucas County may cancel the agreement, after having given the other parties 60 days written notice. The municipality may terminate its participation in this agreement, after having given the other parties 60 days written notice.

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

LUCAS COUNTY BOARD OF COMMISSIONERS

Date _____

Commissioner Gerken

Commissioner Wozniak

Commissioner Contrada

CITY OF SYLVANIA

Date _____

Mayor

Approved as to form:

Finance Director

Law Director

Judge of the Municipal Court

RESOLUTION NO. 3 -2012

A RESOLUTION DESIGNATING THE CLERK OF COUNCIL AS THE MAYOR AND CITY COUNCIL'S DESIGNEE TO ATTEND TRAINING PROGRAMS AND SEMINARS ABOUT THE PUBLIC RECORDS LAW AS REQUIRED BY OHIO REVISED CODE SECTION 109.43; AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 109.43 requires that all elected officials, except Judges, attend three hours of training per term of office about the Public Records Law; and,

WHEREAS, the Mayor and all members of Sylvania City Council wish to appoint the Clerk of Council as their designee for the purposes of attending all required training seminars and programs about the Public Records Law as required by Ohio Revised Code 109.43.

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

SECTION 1. That the Clerk of Council is hereby designated as the Mayor and all members of Sylvania City Council's designee for the purposes of attending all training programs and seminars as required by Ohio Revised Code 109.43.

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

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

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Clerk of Council should be designated as the Mayor and all members of Sylvania City Council's designee for the purpose of attending all seminars and training programs required by Ohio Revised Code 109.43 at the earliest possible time. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;

otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 40
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

7643087		TRFO	S & S RESTAURANTS LLC	
PERMIT NUMBER		TYPE	DBA THE SODBUSTER	
06	01	2011	5758 N MAIN ST UNITS 5 & 6	
ISSUE DATE		SYLVANIA OHIO 43560		
01	20	2012		
FILING DATE				
D1	D2	D3	D3A	D6
PERMIT CLASSES				
48	077	A	F06985	
TAX DISTRICT		RECEIPT NO.		

FROM 01/24/2012 SAFEKEEPING

1879670			DDAM LTD	
PERMIT NUMBER		TYPE	DBA MAIN STREET BAR & GRILL	
06	01	2011	5758 N MAIN ST UNITS 5 & 6	
ISSUE DATE		SYLVANIA OHIO 43560		
01	20	2012		
FILING DATE				
D1	D2	D3	D3A	D6
PERMIT CLASSES				
48	077			
TAX DISTRICT		RECEIPT NO.		



MAILED 01/24/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN. 02/24/2012

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A TRFO 7643087

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF SYLVANIA CITY COUNCIL
6730 MONROE ST
SYLVANIA OHIO 43560

a



City Of Sylvania

SYLVANIA CITY COUNCIL
MARGARET LINTNER, MMC, CLERK

Committee-of-the-Whole
Friday, February 10, 2012 7:30 a.m.

Sylvania City Council will meet in Committee-of-the Whole on Friday, February 10, 2012 at 7:30 a.m. in Council Chambers, 6635 Maplewood Avenue, Sylvania, OH 43560, for continued monitoring of the budget, and any other business the committee members vote to discuss.

City of Sylvania

Bank Reconciliation

January 2012

B

CHECKBOOK BALANCE

Ending balance for Dec 2011 \$ 24,365,091.77
 Add: Monthly Receipts 3,049,174.02
 Subtotal \$ 27,414,265.79
 Less: Monthly Disbursements 3,529,215.13
 Ending balance for Jan 2012 \$ 23,885,050.66

Less:

Certificates of Deposit \$ (1,000,000.00)
 Star Ohio (76,864.10)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (26,690.73)
 5/3rd Securities (14,098,816.97)
 SJS Account (5,173,664.36)
 PNC MoneyMarket (1,024,423.69)
 Key Bank Securities (1,005,288.90)
 Sylvania Township Bonds (735,000.00)
 \$ 741,189.05

Less:

(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 \$ 1,212,705.72
 Deposit in Transit 2,317.18

Subtotal \$ 1,215,022.90

Less: Outstanding Checks (2) 473,833.85

Adjusted Bank Balance \$ 741,189.05

(2)
 Dec Outstanding Checks \$ 51,702.52

Checks written this month 1,087,597.71

Subtotal \$ 1,139,300.23

Checks Cleared (665,466.38)

Jan Outstanding Checks \$ 473,833.85



Treasurer, City of Sylvania

C



City of Sylvania

DIVISION OF TAXATION
ANGELA J. KUHN, COMMISSIONER

February 1, 2012

Mayor Craig A. Stough and Members of Council
City of Sylvania
Sylvania, Ohio

Dear Mayor Stough and Council Members:

The monthly cash report from the Division of Taxation is as follows:

	Deposits	Refunds	Balance
January 31, 2012	\$795,065.63	\$5,691.68	\$789,373.95
January 31, 2011	\$841,339.68	\$16,207.97	\$825,131.71
Monthly Difference	<u>-\$46,274.05</u>	<u>-\$10,516.29</u>	<u>-\$35,757.76</u>
Year to Date 2012	\$795,065.63	\$5,691.68	\$789,373.95
Year to Date 2011	\$841,339.68	\$16,207.97	\$825,131.71
Yearly Difference	<u>-\$46,274.05</u>	<u>-\$10,516.29</u>	<u>-\$35,757.76</u>

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Scott Smith, Finance Director



D

City Of Sylvania

DEPARTMENT OF FINANCE
SCOTT S. SMITH, CPA, DIRECTOR

Mayor Craig A. Stough and Members of Council
City of Sylvania
Sylvania, Ohio

Dear Mayor Stough and Council Members:

As required by Ordinance 26-2008(a), the Wingate Hotel had filed the "Return for the Payment of Transient Occupancy Tax" for 2011. The amount of the abatement for the year is \$54,424.04.

Respectfully submitted,

Scott S. Smith
Director of Finance

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February 6, 2012

To: The Mayor and Members of the City Council

Re: 2011 Law Enforcement Trust Fund Report
2011 Drug Law Enforcement Fund Report
2011 Federal Equitable Sharing Fund
2011 Property Seized/Forfeited Report

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

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

<u>Revenue</u>	<u>Expenditures</u>	<u>2011 Ending Balance</u>
\$ 23,548.26 balance from 2010	\$ -0-training	\$ 21,896.32
\$ 7,751.00 property/cash seizures	\$ 8,424.00 equipment	
\$ 3,447.50 other miscellaneous	\$ -0- investigations	
	\$ 4,426.44 other miscellaneous	

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

<u>Revenue</u>	<u>Expenditures</u>	<u>2011 Ending Balance</u>
\$ 21,345.40 balance from 2010	\$ -0- training	\$ 17,336.30
\$ 4,153.00 Sylvania Court mandatory fines	\$ 5,952.44 equipment	
\$ -0- Common Pleas Court mandatory fines	\$ -0- investigations	
\$ 2,477.22 other miscellaneous	\$ -0- other miscellaneous	

Federal Equitable Sharing Fund (account - 229)

<u>Revenue</u>	<u>Expenditures</u>	<u>2011 Ending Balance</u>
\$ 73,234.10 balance from 2010	\$ -0- training	\$ 57,823.67
\$ 2,350.04 Federal (DEA) seizures	\$ 17,835.10 equipment	
\$ 74.33 interest posted	\$ investigations	
\$ -0- other	\$ leased vehicles	

Seized/Forfeited Property in 2011

Seized Property

\$ 7,755.20 forfeited \$ or bond back property

\$ 3,097.83 all \$ seized this year

\$ 457.00 all returned cash

Disposition/Proceeds

Forfeit to PD account 225 \$6,475.00

Pending disposition \$4,252.01

Seized money returned to owner \$494.62

Non-cash Seizures

1995 Chevy Camero

2004 Saturn Vue

Disposition

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

Respectfully submitted,

William H. Rhodus
Chief of Police

February 3, 2012

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MEMO

To: Mayor Stough and City Council
From: Bill Sanford
Re: Downtown Sylvania Association

I want to give you an update on the Downtown Sylvania Association. With the help of the Sylvania C.I.C. the Downtown Sylvania Association applied for and received their 501C-3 status.

They have started a membership drive and are getting a good response. In the future I will give you an update on who is joining and supporting the DSA.

They are moving forward with plans on various downtown events in the coming months.

If you have any questions on this please let me know.

Downtown Sylvania

Association

Membership Levels and Benefits

"It is our goal to keep the Downtown Sylvania businesses connected and active with one another, the Community, City, Chamber, and Historic Village in an effort to enhance the environment and economic growth of Downtown Sylvania.

- Friend - \$25.00
 - Listed as active member in support of Downtown Sylvania on web site and facebook page. Invited to all meetings.
- Business - \$50.00
 - Listed as active business member on web site and facebook page
 - Invited to all meetings
 - Logo and business info posted on website and facebook page
 - Notice/invitation to all DTS events
- Corporate Sponsor - \$100 plus
 - All the above but larger logo
 - Listed on all general advertising

<http://sites.google.com/site/downtownsylvania/> and find us on Facebook by typing in
Downtown Sylvania Association

**Downtown Sylvania Association
2012 Membership Form**

Organization/Name as you want it to appear on Association literature:

Contact Person: _____

Address: _____

Phone # _____ Fax # _____

Email Address: _____

Website (if business): _____

Best method of contact (circle one): Email Phone# Fax#

Please sign me up for level (circle one): Friend Business Corporate Sponsor

Donation made in full \$ _____ Check# _____ Cash Received _____

Further inquires questions can be received by President Jodi Cooke Barber, at 419-882-3121 or Vice President Jen Cummins Linehan at 419-517-8821 Mail inquiries to Downtown Sylvania Association at P.O. Box 1021, Sylvania, Ohio 43560-1021.