

**Sylvania City Council**  
April 15, 2013

**6:30 p.m. Committee of the Whole**  
Community Reinvestment Areas Amendments

**7:30 p.m. Council Meeting**  
Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Milner.
3. Additions to the agenda.
4. Approval of the minutes of the April 1 meeting.
5. Presentation of Resolution 4-2013, commending the Sylvania Southview Cougarettes Dance Team for their first place finishes, to the team and coach.
6. Approval of items to be offered for auction on GovDeals.com from the Police and Parks Departments.
7. Notice of new D5I, spirituous liquor for on premises consumption only, beer, wine and mixed beverages, or off premises in original sealed containers, until 2:30a.m., permit for MT Bellys, Inc. d/b/a B Gump Restaurant, 5147 Main St., Sylvania, OH 43560.
8. Proposed Ordinance 37-2013, Approving the banner application from St Joseph Church.
9. Proposed Ordinance 38-2013, Authorizing an agreement with Lucas County for provision of public defender services.
10. Erie Street Bridge No. 122 Replacement project:
  - a. Service Director's report on Erie St. Bridge Replacement bid's.
  - b. proposed Ordinance 39-2013, Accepting bid of Vernon Nagle, Inc. in amount of \$461,229.25.
  - c. Service Director's report on Bridge Replacement parcel 82-01714 Easement.
  - d. proposed Ordinance 40-2013, Accepting perpetual easement from Inez O'Grady.

11. Maumee River Wastewater Treatment Plan Debt:
  - a. Service Director's report on City's Debt responsibility
  - b. proposed Ordinance 41-2013, Appropriating \$426,741.54 to satisfy Sylvania Debt obligation for the Wastewater Treatment Plant improvements.
12. Proposed Resolution 6-2013, Adopting a statement indicating City services to proposed annexed area.
13. Municipal Planning Commission Report regarding PD-2-2013 Planned Development – Pine Tree Village. Set public hearing for May 20 at 6:30p.m. and authorize the clerk to advertise the same.
14. Proposed Ordinance 2-2013, Amending Chapter 1166 – Sign Regulations of the Sylvania Codified Ordinances.
15. Committee reports.
  - a. Committee of the Whole meeting from 6:30 p.m.
    - 1) Proposed Ordinance 22-2013, Amending CRA No. 3.
    - 2) Proposed Ordinance 23-2013, Amending CRA No. 8.
16. Committee referrals.

#### Information

- A. Letter to TMACOG regarding Adrian and Blissfield Railroad.
- B. March 2013 Bank Statement.
- C. March Cash Report from the Division of Taxation.
- D. Minutes of the April 10, 2013 Planning Commission meeting.
- E. Minutes of the April 10, 2013 Board of Architectural Review meeting.

**Reminder:** The Employee & Community Relations Committee meets at 8:30a.m. on April 25<sup>th</sup>.

Minutes of the Meeting of Council  
April 1, 2013

The Council of the City of Sylvania, Ohio met in regular session on April 1, 2013 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Mike Brown; Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (6); absent: Katie Cappellini (1), excused by Mayor.

Roll call:  
Cappellini  
absent, excused.

Mr. Luetke 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.

- 12a. Schedule Employee & Community Relations Committee Meeting.
- 13. Ordinance No. 35-2013, Maplewood Marketplace Parking Lot Construction.
- 14. Ordinance No. 36-2013, Buckeye Cablevision Easement.
- 15. Executive Session to discuss pending litigation.
- 16. Move agenda item 7 here.

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

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

Mrs. Westphal presented the March 18 minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of March 18, 2013 be approved; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Approval of the  
March 18  
minutes.

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

Service Director Kevin Aller's report on Monroe Street Reconstruction and Waterline Replacement was placed on file. Mr. Milner moved, Mr. Haynam seconded to authorize the clerk to advertise for bids for the project; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Haynam, (6) yeas; (0) nays. The motion carried.

Bids for Monroe  
Reconstruction &  
Waterline  
Replacement.

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

Minutes of the Meeting of Council  
April 1, 2013

Mr. Brown presented and read aloud by title only, proposed Resolution No. 5-2013, a written copy of same having been previously furnished to each member of Council, "A Resolution adopting the 2013 Revisions of the Lucas County All Natural Hazard Mitigation Plan; and declaring an emergency." Mr. Brown moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Milner, Westphal, Brown, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Resolution No. 5-2013, "... Adopting revisions.... County Hazard Mitigation Plan."

Mr. Brown moved, Mrs. Westphal seconded, that Resolution No. 5-2013 be enacted as an emergency measure as declared therein: roll call vote being: Milner, Westphal, Brown, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

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

Mrs. Husman presented and read aloud by title only, proposed Ordinance 30-2013, "Authorizing a First Amendment to Water Tower Attachment Lease Agreement between the City of Sylvania, as Lessor, and Sprint Spectrum Realty Company, L.P., a Delaware Corporation, as Lessee, of the Water Tower within Burnham Park and additional Land in Burnham Park, for the purpose of installing, construction, maintaining, repairing, operating, altering, inspecting and removing equipment; determining said City owned property not to be needed for municipal purposes during the time of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania, Ohio; and declaring an emergency." Mrs. Husman moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

Ordinance 30-2013, "...amendment to Water Tower Agreement... Sprint... Burnham Park..."

Mrs. Husman moved, Mrs. Westphal seconded, that Ordinance 30-2013 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Haynam, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance 32-2013, "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." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Ordinance 32-2013, "...Approve, adopt, enact replacement pages...Codified Ordinances..."

Minutes of the Meeting of Council  
April 1, 2013

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance 32-2013 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

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

Mr. Brown presented and read aloud by title only, proposed Ordinance 33-2013, "Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the Corporate limits of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2013; establishing one district for said purpose in accordance with the provisions of Section 727.012 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency." Mr. Brown moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Haynam, Husman, Luetke, Milner, (6) yeas; (0) nays. The motion carried.

Ordinance 33-2013, "Providing ...repair... ditches..."

Mr. Brown moved, Mrs. Husman seconded, that Ordinance 33-2013 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Mr. Luetke presented and read aloud by title only, proposed Ordinance 34-2013, "Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2013; establishing one district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency." Mr. Luetke moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

Ordinance 34-2013, "Providing.. blight and disease...shade trees..."

Mr. Luetke moved, Mrs. Westphal seconded, that Ordinance 34-2013 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Haynam, (6) yeas; (0) nays. The motion carried.

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

Minutes of the Meeting of Council  
April 1, 2013

Mr. Brown reported that the Utilities & Environment Committee met at 6:00 p.m. to discuss the County Debt Payment for the Maumee Wastewater Treatment Plant for projects from 2010-2011. Mr. Brown moved, Mr. Milner seconded to recommend to have legislation prepared authorizing the payment of this debt to be made from existing Sewer Funds; roll call vote being: Luetke, Milner, Westphal, Brown, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Utility Com.  
Reviews Co.  
Debt Pymt...  
Wastewater  
Treatment Plant.

Mr. Haynam reported that the Zoning & Annexation Committee met at 6:30 p.m. to discuss Building Rehabilitation Standards incorporated into the Zoning Code. Mr. Haynam moved, Mr. Luetke seconded to refer these standards and guidelines to the Plan Commission for review and comments for a proposed amendment to incorporate these standards into Section 1151.05 of the Zoning Code; roll call vote being: Milner, Westphal, Brown, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Zoning & Annex.  
Com. Meeting  
...Bldg. Rehab.  
Standards

Mr. Haynam moved, Mr. Milner seconded to set a Public Hearing for May 20, 2013 at 7:00 p.m. to incorporate the Building Rehabilitation Standards by amending Section 1151.05 of the Zoning Code; roll call vote being: Westphal, Brown, Haynam, Husman, Luetke, Milner, (6) yeas; (0) nays. The motion carried.

Set P. H. to  
amend Section  
1151.05...May  
20, 2013,  
7:00p.m.

Mr. Haynam stated there was a short discussion on the proposed Sign Code Amendment, which resulted in the addition of an Executive Session on the agenda.

Mayor Stough stated Council will now consider agenda item 12.

Mr. Luetke stated the Employee & Community Relations Committee set a meeting for April 25, 2013 at 8:30-11:30 a.m. to discuss the website revisions at which time two vendors will present their proposals.

Emp & Com.  
Relations mtg....  
April 25 8:30a.m.

Mrs. Westphal stated the Committee-of-the-Whole will meet on April 15, 2013 at 6:30 p.m. to discuss amendments to the Community Reinvestment Areas.

C-O-W meeting  
April 15  
6:30p.m.

Mayor Stough stated Council will now consider agenda item 13.

The Service Director's report on Maplewood Marketplace Improvements-Parking Lot Construction Project was placed on file. Mrs. Husman presented and read aloud by title only, proposed Ordinance 35-2013, "Accepting the proposal of Schoen, Inc. for the Maplewood Marketplace Improvements - Parking Lot Construction project; appropriating fund therefore in the amount of \$34,276.00; and declaring an emergency." Mrs. Husman moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown,

Ordinance  
35-2013,  
"Accepting...  
Schoen, Inc...  
Parking Lot  
Construction...  
Marketplace..."

Minutes of the Meeting of Council  
April 1, 2013

Haynam, Husman, Luetke, Milner, Westphal, (6) yeas; (0) nays. The motion carried.

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance 35-2013 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated Council will now consider agenda item 14.

Mr. Brown presented and read aloud by title only, proposed Ordinance 36-2013, "Authorizing the Mayor and Director of Finance to execute and deliver to Buckeye Cablevision an easement to provide means for Buckeye Cablevision to install telecommunications transmission lines on city owned property; and declaring an emergency." Mr. Brown moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being Husman, Luetke, Milner, Westphal, Brown, Haynam, (6) yeas; (0) nays. The motion carried.

Ordinance  
36-2013,  
"Authorizing..."  
Buckeye Cable...  
easement..."

Mr. Brown moved, Mr. Milner seconded, that Ordinance 36-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated Council will now consider agenda item 15.

Mrs. Westphal moved, Mr. Luetke seconded to enter into Committee-of-the-Whole Executive Session to discuss pending litigation at 8:18 p.m.; roll call vote being: Milner, Westphal, Brown, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

C-O-W  
Exec. Session...  
Pending  
Litigation.

Mrs. Westphal moved, Mrs. Husman seconded to return from Committee of the Whole Executive Session to regular session at 8:38 p.m.; roll call vote being: Westphal, Brown, Haynam, Husman, Luetke, Milner, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated Council will now consider agenda item 16.

Mr. Haynam moved, Mrs. Westphal seconded to table Ordinance 2-2013, until next council meeting of April 15, 2013 in order to receive more information from the law department; roll call vote being: Brown, Haynam, Husman, Luetke, Milner, Westphal, (6) yeas; (0) nays. The motion carried.

Table Ord. 2-  
2013 until April  
15<sup>th</sup> meeting.

Minutes of the Meeting of Council  
April 1, 2013

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

Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned 8:41 p.m.

Adjournment.

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Clerk of Council

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Mayor

# Resolution

5

NO. 4 -2013

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SYLVANIA  
COMMENDING SYLVANIA SOUTHVIEV HIGH SCHOOL'S COUGARETTES  
DANCE TEAM ON ITS FIRST PLACE FINISHES IN THE POM AND JAZZ  
DIVISIONS IN THE OHIO ASSOCIATION OF SECONDARY SCHOOL  
ADMINISTRATORS STATE CHEERLEADING AND DANCE TEAM  
CHAMPIONSHIP; AND DECLARING AN EMERGENCY.**

WHEREAS, the 2013 Ohio Association of Secondary School Administrators State Cheerleading and Dance Team Championship was held March 3, 2013 at St. John's Arena on The Ohio State University campus; and,

WHEREAS, Sylvania Southview High School's Cougarettes Dance team finished first in both the Jazz and Pom Divisions for the second year in a row at the State Cheerleading and Dance Team Championship; and,

WHEREAS, congratulations to Taylor Bush, Jessica Clark, Cassie Potter, Emily Micsko, Gabby Ide, Alyssa Brüttag, Stephanie Meyer, Bailey Platz, Aubrie Hattendorf, Paige Galecki, Sally Micsko, Dayna Dionysiou, Elise Conklin and Lauren Gant, the members of the Cougarettes Dance Team, for their outstanding performance at the State Championship; and,

WHEREAS, congratulations also to coach Adrienne Salon whose talent, creativity, enthusiasm and dedication led her team to a State Championships in the Jazz and Pom Divisions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sylvania, Lucas County, Ohio, 7 members elected thereto concurring:

**SECTION 1.** That this Council recognizes the accomplishments and talents of the Sylvania Southview High School Cougarettes Dance team and its achievement in placing first in the Jazz and Pom Divisions.

**SECTION 2.** That the Clerk of Council is hereby directed to present **THE SYLVANIA SOUTHVIEV HIGH SCHOOL COUGARETTES DANCE TEAM** with a certified copy of this Resolution and to proudly 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 3.** 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 this Resolution is a necessary step in commending the Sylvania Southview Cougarettes Dance Team for their outstanding performance at the OASSA State Cheerleading and Dance Team Championship and therefore this Resolution should be effective immediately. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force 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 7 Nays 0

Passed, March 18, 2013, 2013, as an emergency measure.

Mary J. Westphal  
President of Council

ATTEST:

Sharon Bucher  
Clerk of Council

OTHER MEMBERS OF COUNCIL:

Michael Brown  
Dayna Dionysiou  
Paula Lutz  
Scott Shi  
Sandy Hummer  
Kevin Cappelloni

APPROVED:

[Signature]  
Mayor  
Date March 18, 2013

APPROVED AS TO FORM:

[Signature]  
Director of Law

6

**ITEMS TO BE APPROVED FOR GOVDEALS AUCTION:**

Police Division:

Sony Camcorder  
Security Camera Surveillance System  
Dell Laptop Computer w/ Case  
HP Laser Printer w/ HP Office Connect Accessory  
Canon Fax Machine

Parks and Forestry

4 - Wood Landscape Benches  
Landscaping Weed Fabric  
Leaf Vacuum  
Mower Deck  
Grass Catcher  
Straight Snow Plow  
2 - Tandem Axle Trailers  
Backhoe Attachment for Ford Tractor  
Single Axle Dumptruck

7

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

62119520005 PERMIT NUMBER		NEW TYPE	MT BELLYS INC DBA B GUMP RESTAURANT 5147 MAIN ST SYLVANIA OH 43560	
ISSUE DATE				
04 04 2013 FILING DATE				
D5I PERMIT CLASSES				
48 TAX DISTRICT	077	A	A04232 RECEIPT NO.	

FROM 04/08/2013

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 04/08/2013

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/09/2013

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 NEW 6211952-0005**

(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

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # 6 2119520005	

**OHIO DEPARTMENT OF COMMERCE**  
**DIVISION OF LIQUOR CONTROL**  
 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005  
 Telephone: (614) 644-2431 http://www.com.ohio.gov/liqr  
**OFFICER/SHAREHOLDERS DISCLOSURE FORM**



**SECTION A. (This form must accompany all applications of a corporate business entity)**

Name of Corporation <b>MT BELLYS, INC</b>	DBA Name <b>B GUMP'S</b>	
Permit Premises Address <b>5147 S. MAIN ST</b>	City, State <b>SYLVANIA</b>	Zip Code <b>43560</b>
Township, if in Unincorporated Area	Tax Identification No (TIN) <b>45-5609073</b>	

**SECTION B.**

1 Is stock publicly traded?  YES  NO  
 If "YES", indicate exchange \_\_\_\_\_ & Do NOT complete SECTION D

2 Does any stockholder own 5% or more shares? If YES, complete SECTION D.  YES  NO

3 Total Number of shares issued **100**

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement enforcement action, or collect taxes.

**SECTION C. List the top five (5) officers of the captioned corporation If an office is NOT held please indicate by writing NONE.**

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCIA1 AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO		
2) President <b>JOHN D ANDERSON, JR</b>		<b>07/11/50</b>
3) Vice-President		
4) Secretary		
5) Treasurer		

**SECTION D. Stockholders holding 5% or more outstanding shares Note: If you answered Question 1 YES, do not complete this section**

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BCIA1 AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191. If none, please indicate by writing "NONE".

1) Stockholder's Name	Social Security No (if Individual)	NUMBER OF SHARES HELD (NOT PERCENTAGE)
<b>JOHN D ANDERSON, JR</b>		<b>100</b>
Residence Address <b>532 NORA DRIVE</b>	Tax Identification No (if applicable)	
City and State <b>PERYSBURG, OHIO</b>	Zip Code <b>43551</b>	
Telephone No <b>419-874-1728</b>	Date of Birth <b>07/11/50</b>	
2) Stockholder's Name	Social Security No (if Individual)	NUMBER OF SHARES HELD (NOT PERCENTAGE)
Residence Address	Tax Identification No (if applicable)	
City and State	Zip Code	
Telephone No	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE TO LIST STOCKHOLDERS)

STATE OF OHIO, COUNTYs \_\_\_\_\_

I, John D Anderson, Jr. being first duly sworn, according to law, deposes and says that he/she is (Title) President of the MT Bellys, Inc, a corporation duly authorized by law to do business in the State of Ohio, and that the

statements made in the foregoing affidavit are true  
 (Signature) [Signature] (Print Name and Corporate Title) John D. Anderson, Jr. Pres.

Sworn to and subscribed in my presence this 16th day of March, 2013

X

**FRANK E. PERTZ**  
 ATTORNEY AT LAW

[Signature]  
 (Notary Public) (Notary Expiration)

**ORDINANCE NO. 37-2013**

**APPROVING THE BANNER APPLICATION OF ST. JOSEPH CHURCH;  
AUTHORIZING THE DEPUTY DIRECTOR OF PUBLIC SERVICE TO  
INDICATE SUCH APPROVAL ON BEHALF OF THE CITY OF  
SYLVANIA; AND DECLARING AN EMERGENCY.**

WHEREAS, Resolution No. 19-2000, passed June 5, 2000, granted permission to install banners in the public right-of-way on the Toledo Edison poles located on Monroe Street by Wendy=s across to the area in front of Country Squire Plaza (near the intersection of Corey Road and Monroe Street); and,

WHEREAS, Resolution No. 19-2000 provided that the applications were to be reviewed on an application-by-application basis and set forth the criterion on which the applications were to be considered; and,

WHEREAS, St. Joseph Church has submitted a request to hang a banner within said public right-of-way advertising its 2013 Festirama on May 17, 18, and 19; and,

WHEREAS, the banner will hang from April 17 - May 20, 2013 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000.

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

SECTION 1. That the application of St. Joseph Church to hang a banner on the Toledo Edison poles within the public right-of-way on Monroe Street by Wendy’s and across Monroe Street by Country Squire Plaza is found to comply with Section 1166.07(h)(2)(A)(1) and is hereby approved.

SECTION 2. That the Deputy Director of Public Service is authorized to sign said permit granting permission to proceed under the application hereby approved.

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 permission should be granted immediately to provide for the immediate installation of the banner. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2013, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ORDINANCE NO. 38 -2013**

**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 2013; AND DECLARING AN EMERGENCY.**

WHEREAS, the Board of Lucas County Commissioners created a public defender commission to contract for public defender services for the legal representation of indigent persons; and,

WHEREAS, the City of Sylvania desires to be included within the plan for appointment of counsel in the Sylvania Municipal Court; and,

WHEREAS, Ordinance No. 82-2005, passed December 19, 2005, authorized the Mayor and Director of Finance to enter into an Agreement with the Board of Lucas County Commissioners for providing public defender services to the Sylvania Municipal Court for the year 2006 at a cost of Twenty-Eight Thousand Dollars (\$28,000.00); and,

WHEREAS, Ordinance No. 32-2008, passed April 7, 2008, authorized the Mayor and Director of Finance to enter into an Agreement with the Board of Lucas County Commissioners for the provision of public defender services to the Sylvania Municipal Court for the years 2007 and 2008 at a cost of Forty-Two Thousand Fifty Dollars (\$42,050.00) per year; and,

WHEREAS, Ordinance No. 101-2009, passed October 5, 2009, authorized the Mayor and Director of Finance to enter into an Agreement with the Board of Lucas County Commissioners for the provision of public defender services to the Sylvania Municipal Court for the year 2009 at a cost of Forty-Two Thousand Fifty Dollars (\$42,050.00); and,

WHEREAS, Ordinance No. 114-2009, passed November 2, 2009, authorized the Mayor and Director of Finance to enter into an Agreement with the Board of Lucas County

Commissioners for the provision of public defender services to the Sylvania Municipal Court for the year 2010 at a cost of Forty-Two Thousand Fifty Dollars (\$42,050.00); and,

WHEREAS, Ordinance No. 6-2011, passed February 7, 2011, authorized the Mayor and Director of Finance to enter into an Agreement with the Board of Lucas County Commissioners for the provision of public defender services to the Sylvania Municipal Court for the year 2011 at a cost of Forty-Six Thousand Six Hundred Sixty-Five Dollars (\$46,665.00); and,

WHEREAS, Ordinance No.10 -2012, passed January 18, 2012, authorized the Mayor and Director of Finance to enter into an Agreement with the Board of Lucas County Commissioners for the provision of public defender services to the Sylvania Municipal Court for the year 2012 at a cost of Forty-Six Thousand Six Hundred Sixty-Five Dollars (\$46,665.00); and,

WHEREAS, the Director of Law has received the proposed Agreement with the Board of Lucas County Commissioners for the provision of Public Defender services to the Sylvania Municipal Court for the year 2013; and,

WHEREAS, the proposed Agreement provides that the City will pay \$46,665 for public defender services for 2013, which represents no increase over 2011 and 2012.

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 enter into an Agreement with the Board of Lucas County Commissioners, in the form and substance of "Exhibit A" this Council hereby agreeing to appropriate the necessary funds for payment required under said Agreement.

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 the Agreement should be authorized immediately so that defendants appearing in Sylvania Municipal Court can continue to receive Public Defender services. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2013, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



Lucas County Public Defender's Office  
Division of Toledo Legal Aid Society

February 8, 2013

Henry B. Herschel  
Chief Public Defender

Michael J. Beazley  
City Administrator  
City of Oregon  
5330 Seaman  
Oregon, OH 43616

John Jezak  
Administrator  
City of Maumee  
400 Conant St.  
Maumee, OH 43537

James E. Moan  
Director of Law  
City of Sylvania  
4930 Holland-Sylvania Road  
Sylvania, OH 43560

Mike Yunker, Mayor  
Village of Holland  
1245 Clarion Avenue  
Holland, OH 43528  
Attn: Lynn

Re: 2013 Lucas County Public Defender Contracts

Gentlemen:

Enclosed please find the Contract for Public Defender services in each of your Municipal Court(s) for the period of January 1, 2013 through December 31, 2013. Please be advised that the amount of the contract is based on the number of attorneys, interns and days required for your court based on 50 weeks for the calendar year. Various budget items have not been factored into your costs, as well as administrative and clerical fees.

If you have any questions or comments, please don't hesitate to contact me. Please forward the fully executed Contract to my attention at 615 Adams St., Toledo, Ohio 43604.

Thanking you for your attention and cooperation.

Yours truly,  
Henry B. Herschel

HBH:tmk  
Enc.

cc: Members of Public Defender Commission  
D. Minor

615 Adams Street  
Toledo, Ohio 43604  
Phone: (419) 241-1150  
Fax: (419) 241-7825

AGREEMENT

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Lucas County Public Defender Commission and the City of Sylvania.

**WHEREAS**, the Board of Lucas County Commissioners (hereinafter referred to as "the County") has created a Public Defender Commission pursuant to Ohio Revised Code Section 120.13; and

**WHEREAS**, the County Public Defender Commission, pursuant to Sections 120.04 and 120.13 of the Ohio Revised Code, may contract for public defender services for the legal representation of indigent persons; and

**WHEREAS**, the City of Sylvania desires the services of the Lucas County Public Defender for every Monday-8: 30am - 12:30pm with 1 contract attorney and 4 interns, and Wednesday-8: 30am - 4:30pm, with 1 staff attorney and 1 contract attorney and 4 interns.

**NOW, THEREFORE, IT IS HEREBY AGREED:**

1. That this contract will be in effect from January 1, 2013 to December 31, 2013.
2. The City of Sylvania will pay the Board of Commissioners Forty-Six Thousand Six Hundred Sixty Five and 00/100 Dollars (\$46,665) for 2013. The City of Sylvania shall deposit with Lucas County in June, 2013 one-half (1/2) of the annual contracted amount and will pay twenty-five percent (25%) of the annual amount on September 1, 2013 and November 1, 2013 to cover the necessary expenses and cost of counsel to represent indigents charged with violations of municipal ordinances of the City of

AGREEMENT

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the Lucas County Public Defender Commission and the City of Sylvania.

**WHEREAS**, the Board of Lucas County Commissioners (hereinafter referred to as "the County") has created a Public Defender Commission pursuant to Ohio Revised Code Section 120.13; and

**WHEREAS**, the County Public Defender Commission, pursuant to Sections 120.04 and 120.13 of the Ohio Revised Code, may contract for public defender services for the legal representation of indigent persons; and

**WHEREAS**, the City of Sylvania desires the services of the Lucas County Public Defender for every Monday-8: 30am - 12:30pm with 1 contract attorney and 4 interns, and Wednesday-8: 30am - 4:30pm, with 1 staff attorney and 1 contract attorney and 4 interns.

**NOW, THEREFORE, IT IS HEREBY AGREED:**

1. That this contract will be in effect from January 1, 2013 to December 31, 2013.
2. The City of Sylvania will pay the Board of Commissioners Forty-Six Thousand Six Hundred Sixty Five and 00/100 Dollars (\$46,665) for 2013. The City of Sylvania shall deposit with Lucas County in June, 2013 one-half (1/2) of the annual contracted amount and will pay twenty-five percent (25%) of the annual amount on September 1, 2013 and November 1, 2013 to cover the necessary expenses and cost of counsel to represent indigents charged with violations of municipal ordinances of the City of

the percentage established by the State Public Defender's Office.

9. Reimbursement by the City of Sylvania for representation of such indigent persons may be by a contractual amount or a fee schedule, however, in either event such reimbursement shall not exceed the fee schedule in effect and adopted by the Lucas County Commissioners.

10. This Agreement shall provide for conformity with the standards of indigency and other rules and standards established by the Ohio public defender commission and the state public defender.

11. Pursuant to OAC 120-1-12(7), this contract provides that the public defender office shall compensate its staff employees, subcontractors and retained forensic experts at rates commensurate with their training, experience and responsibilities, and compensation paid to persons doing similar work in public agencies in the jurisdiction.

**CITY OF SYLVANIA, OHIO**

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
Director of Finance

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

**APPROVED BY THE BOARD OF  
COUNTY COMMISSIONERS,  
LUCAS COUNTY, OHIO**

Resolution Number \_\_\_\_\_

Adopted \_\_\_\_\_

**LUCAS COUNTY PUBLIC  
DEFENDER COMMISSION**

\_\_\_\_\_  
Jeffrey J. Madrzykowski, Chairman  
On behalf of the entire Lucas  
County Public Defender Commission  
By Resolution

**APPROVED AS TO FORM BY  
STATE OF OHIO  
PUBLIC DEFENDER COMMISSION**

By \_\_\_\_\_

Date \_\_\_\_\_

APPROVED AS TO FORM:  
Julia R. Bates, Prosecuting Attorney

By: \_\_\_\_\_  
Assistant Prosecuting Attorney

Date: \_\_\_\_\_

10a.



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

April 11, 2013

To: The Mayor and Members of Sylvania City Council

Re: **ERIE STREET BRIDGE NO. 122 REPLACEMENT PROJECT**

Dear Mr. Mayor and Council Members:

We received bids on April 10, 2013 for the above referenced project. There were a total of five (5) bids received.

The lowest bid was submitted by Vernon Nagle, Inc. of Napoleon, Ohio. Vernon Nagle's bid of \$461,229.25 was approximately 16.3% under the Engineer's Estimate of \$551,155.

According to supplemental information provided in their bid this company is ODOT certified to provide contracting services for various bridge levels and culvert replacement type projects. They have also indicated that all of their projects within the last forty-eight (48) months have been completed on time, which will be an important component to this project to minimize the roadway closure duration and disruption to the traveling public.

Therefore, it is our recommendation that the contract be awarded to Vernon Nagle, Inc., O-154 County Road 11C, Napoleon, Ohio 43545 in the amount of \$461,229.25.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

10 b.

**ORDINANCE NO. 39 -2013**

**ACCEPTING THE BID OF VERNON NAGLE, INC. AND AWARDING THE CONTRACT FOR THE ERIE STREET BRIDGE NO. 122 REPLACEMENT PROJECT TO SAME; AUTHORIZING THE EXPENDITURE FOR THE IMPROVEMENTS IN THE AMOUNT OF \$461,229.25; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.**

WHEREAS, plans for the Erie Street Bridge No. 122 Replacement Project have been completed and are now on file with the Clerk of this Council; and,

WHEREAS, the Clerk of Council was authorized to advertise for bids at the March 18, 2013 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on April 10, 2013, and thereafter, the Director of Public Service, by report dated April 11, 2013, stated that the total estimate for the Erie Street Bridge No. 122 Replacement Project was \$551,155 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Vernon Nagle, Inc.	\$461,229.25
Miller Brothers Construction	511,970.51
Edward Kelley & Sons	513,123.50
R.G. Zachrich Construction	516,462.62
E.R. Zeiler Excavating	526,443.60

WHEREAS, the five (5) bids offered by the above bidders meet all of the City=s specifications and the Director of Public Service, by report dated April 11, 2013, has recommended acceptance of the lowest and best bid of Vernon Nagle, Inc. and that the contract for the Erie Street Bridge No. 122 Replacement Project be awarded to same.

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

SECTION 1. That the bid of Vernon Nagle, Inc., O-154 County Road 11C, Napoleon, Ohio 43545, for said Erie Street Bridge No. 122 Replacement Project, in the amount of Four Hundred Sixty-One Thousand Two Hundred Twenty-Nine and 25/100 Dollars (\$461,229.25), is hereby determined to be the lowest and best bid received and the same is hereby accepted.

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

SECTION 3. That to provide funds for said improvement project hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53610 – Erie Street Bridge Replacement**, the total sum of Four Hundred Sixty-One Thousand Two Hundred Twenty-Nine and 25/100 Dollars (\$461,229.25).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the bid of Vernon Nagle, Inc. should be accepted immediately so as to provide for the replacement of Erie Street Bridge No. 122 at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2013, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

April 11, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Erie Street Bridge No. 122 Replacement**  
**Parcel 82-01714 Easement**

Dear Mr. Mayor and Council Members:

Part of this project includes reconstructing the existing channel due to the change in flow characteristics. This change is due to the alignment change as well as switching from a dual-barrel elliptical conduit to a three-sided rectangular culvert.

It was necessary to purchase an easement from the above property to accommodate these changes in the channel flow. We have come to an agreement with the property owner, Inez O'Grady, in the amount of \$1,795.00 for the easement.

This was known as a project expense and is included within the project budget. We request approval of the attached easement with Ms. O'Grady and authorization of payment in the amount of \$1,795.00.

Please call if you have any questions

Sincerely,

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

Encl.

10c.

**ORDINANCE NO. 40 -2013****ACCEPTING A PERPETUAL EASEMENT FROM INEZ O'GRADY  
RELATIVE TO THE REPLACEMENT OF ERIE STREET BRIDGE NO.  
122 PROJECT; DEDICATING THE EASEMENT FOR PUBLIC  
PURPOSES; APPROPRIATING FUNDS THEREFORE; AND  
DECLARING AN EMERGENCY.**

WHEREAS, plans for the replacement of Erie Street Bridge No. 122 in the City of Sylvania, Ohio have been completed; and,

WHEREAS, it is necessary to obtain an easement for reconstructing the existing channel flow due to the change in flow characteristic as a result of the alignment change as well as switching from a dual-barrel elliptical conduit to a three-sided rectangular culvert; and,

WHEREAS, Inez O'Grady is entitled to receive payment of just compensation representing the fair market value of the perpetual easement after an appraisal of those rights and she has executed and delivered a grant of perpetual easement and she will be paid the sum of One Thousand Seven Hundred Ninety-Five Dollars (\$1,795.00), a copy of which grant of perpetual easement is attached hereto as "Exhibit A"; and,

WHEREAS, said grant of perpetual easement is presented to this Council for acceptance and for appropriation of funds and authorization of payment thereof to the Grantor.

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

SECTION 1. That the perpetual easement as to executed and tendered as described on "Exhibit A" be, and the same hereby is, accepted from Inez O'Grady, the grantor therein.

SECTION 2. That the perpetual easement area identified and described in said easement as set forth on "Exhibit A" be, and the same hereby is, dedicated for the respective public purposes expressed in said easement.

SECTION 3. That the Director of Law is hereby directed to deliver the recorded temporary easement document to the Director of Finance for retention by him as custodian of the records of this City.

SECTION 4. That, to provide funds for payment to the Grantor of said temporary easement hereby accepted, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND**, from funds therein not heretofore appropriated, to **Account No. 401-7610-53610 – Erie Street Bridge Replacement Project**, the sum of One Thousand Seven Hundred Ninety-Five Dollars (\$1,795.00).

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.

SECTION 6. 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 7. 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 reconstruction of Erie Street Bridge No. 122 should proceed as soon as possible and accordingly the acquisition of the necessary right-of-way and temporary easements should proceed forthwith and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2013, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



## City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

April 11, 2013

To: The Mayor and Members of Sylvania City Council

Re: **Erie Street Bridge No. 122 Replacement**  
**Parcel 82-01714 Easement**

Dear Mr. Mayor and Council Members:

Part of this project includes reconstructing the existing channel due to the change in flow characteristics. This change is due to the alignment change as well as switching from a dual-barrel elliptical conduit to a three-sided rectangular culvert.

It was necessary to purchase an easement from the above property to accommodate these changes in the channel flow. We have come to an agreement with the property owner, Inez O'Grady, in the amount of \$1,795.00 for the easement.

This was known as a project expense and is included within the project budget. We request approval of the attached easement with Ms. O'Grady and authorization of payment in the amount of \$1,795.00.

Please call if you have any questions

Sincerely,

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

Encl.

EASEMENT FOR CHANNEL  
AND UTILITY PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

That **Inez M. O'Grady** Trustee, the Grantor, in consideration of One Thousand, Seven Hundred, Ninety Five and No/100 Dollars (\$1,795.00), and other good and valuable considerations, to her paid by the **City of Sylvania**, the Grantee, does hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, an easement for the construction and maintenance of a channel, ditch, swale, or storm sewer other drainage facility, and public utilities purposes, in over and through the following described real property:

Erie Street Bridge #122  
Parcel 13-CH

See attached Exhibit "A"

TO HAVE AND TO HOLD said easement rights with all the rights, privileges and appurtenances thereto belonging to the Grantee, its successors and assigns forever.

The Grantor, for herself, her successors and assigns, retains the right to use the attached described property for any and all purposes, provided that such use does not interfere with nor impair the exercise of the rights herein granted.

The Grantor claims title by instrument recorded in Microfiche No. 97-35-D06 of Deeds, Lucas County, Ohio, Records.

The Grantor hereby covenant that she is the true and lawful trustee of said premises and are well seized of the same, and have good right and full power to bargain, sell and convey the same in the manner aforesaid.

IN WITNESS WHEREOF, the Grantor, Inez M. O'Grady Trustee, has hereunto set her hand this 29<sup>th</sup> day of MARCH, 2013.

Inez M. O'Grady, Trce.  
Inez M. O'Grady Trustee

STATE OF OHIO

}SS

COUNTY OF LUCAS

Before me, a Notary Public, in and for said County and State, personally appeared Inez M. O'Grady Trustee, who acknowledged the signing thereof to be her voluntary act and deed for the purpose therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.



JOSEPH EDWIN SHULTZ  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 12-05-2017

Notary Public *Joseph Edwin Shultz*

CITY OF SYLVANIA, OHIO

By : \_\_\_\_\_  
Craig A. Stough, Mayor

By : \_\_\_\_\_  
Toby Schroyer, Director of Finance

Approved:

\_\_\_\_\_  
James E Moan, Director of Law

This instrument prepared by the  
Lucas County Engineer's R/W Dept.

**EXHIBIT A**

LPA RX 879 CH

Page 1 of 2

Rev. 06/09

Ver. Date 01/14/2013

PID #####

**PARCEL 13-CH  
ERIE STREET  
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A CHANNEL  
IN THE NAME AND FOR THE USE OF THE  
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

A perpetual easement for the construction and maintenance of a perpetual watercourse, ditch, channel or other drainage facility upon the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

---

[Surveyor's description of the premises follows]

---

A parcel of land situated in the State of Ohio, County of Lucas, City of Sylvania, Ohio and being part of the northeast quarter of Section 8, Town 9 South, Range 6 East, and also being on the right side of the centerline of right of way of Erie Street as shown on right of way plans for Erie Street on file at the City of Sylvania Ohio Engineer's Office:

COMMENCING at a one inch rod in a monument box found marking the north quarter corner of the said Section 8, (Station 457+64.81 Erie Street);

1. thence North 86 degrees 12 minutes 33 seconds East a distance of 308.50 feet along the said centerline of Erie Street, same being the north line of the said Section 8 and the northerly property line of the Grantor, to the northeasterly property corner of the Grantor, (Station 460+73.31 Erie Street);
2. thence South 13 degrees 09 minutes 20 seconds East a distance of 53.72 feet along the easterly property line of the Grantor, to a point on the southerly existing right of way line of Erie Street, said point being the TRUE POINT OF BEGINNING, (Station 460+82.05, 53.00 feet right Erie Street);
3. thence continuing South 13 degrees 09 minutes 20 seconds East a distance of 42.57 feet, along the said easterly property line of the Grantor, same being the westerly line of Lot 25, Little Farms Plat Two as shown on Plat Volume 117, Pages 21 and 22 as recorded in the Lucas County Recorder's Office, to a point, (Station 460+88.97, 95.00 feet right Erie Street);
4. thence South 86 degrees 12 minutes 33 seconds West a distance of 108.97 feet, parallel with the said centerline of Erie Street, to a point, (Station 459+80.00, 95.00 feet right Erie Street);
5. thence North 03 degrees 47 minutes 27 seconds West a distance of 42.00 feet,

EXHIBIT A

LPA RX 879 CH

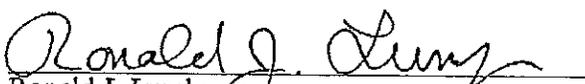
- perpendicular to the said centerline of Erie Street, to a point on the southerly existing right of way line of Erie Street, (Station 459+80.00, 53.00 feet right Erie Street);
6. thence North 86 degrees 12 minutes 33 seconds East a distance of 102.05 feet, along the said southerly existing right of way line of Erie Street, to the TRUE POINT OF BEGINNING.

The above described area is contained within the Lucas County Auditor's Parcel Number 8201714 and contains a gross take of 0.102 acres more or less.

Grantor claims title by instruments recorded in Microfiche Number 970035D06, Lucas County Recorder's Office.

The basis of bearings used in this description are based on grid north of the Ohio State Plane Coordinates, SPC Ohio North, NAD 83 (NSRS2007) Datum, established by GPS observations in November of 2010.

This description was written by Kenneth E. Ducat, Registered Surveyor Number 6783 and reviewed by Ronald J. Lumbrezer, Professional Surveyor Number 8029, DGL Consulting Engineers, LLC, on January 17, 2013. This description is based on a field survey made in November, 2010 by DGL Consulting Engineers, LLC under the direction and supervision of Kenneth E. Ducat, Registered Surveyor Number 6783.



Ronald J. Lumbrezer  
Ohio Professional Surveyor #8029  
DGL CONSULTING ENGINEERS, LLC  
3455 Briarfield Blvd. - Suite E  
Maumee, Ohio 43537  
13CH

2/8/13  
Date





# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

11a

April 11, 2013

To: The Mayor and Members of City Council

**Re: Maumee River Wastewater Treatment Plant Debt  
2010-2011 Improvements**

Dear Mayor and Members of Council:

During the two years noted above, there were several smaller projects completed at the County's wastewater treatment plant. The total cost of these projects was \$5,363,871. The County had secured \$2,965,960 in Ohio Public Works Commission and American Resource Recovery Act grants and loans. This leaves a balance of \$2,397,912 to finance. The City is responsible for \$426,741.54 of this amount (varies as split is percentage based).

I am proposing that we utilize our reserve funds of approximately \$1.4 million for this obligation rather than financing it at 4% interest. Interest would cost the City approximately \$200,000 over the next 20 years or \$10,000 per year.

Therefore, we are requesting an additional appropriation in the amount of \$426,741.54 from the sanitary sewer fund.

Please call if you have any questions.

Sincerely,

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

11b.

ORDINANCE NO. 41 -2013

**APPROPRIATING THE SUM OF \$426,741.54 TO SATISFY THE CITY OF SYLVANIA'S DEBT OBLIGATION FOR THE MAUMEE RIVER WASTEWATER TREATMENT PLANT IMPROVEMENTS; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 40-2002, passed April 1, 2002, authorized the Mayor and Director of Finance to enter into an Agreement with Lucas County, Ohio, to amend the original Agreement dated April 24, 1973 between said parties as amended November 20, 1989 and June 18, 1992, to provide for certain improvements to the Maumee River Wastewater Treatment Plant (MRWWTP) to be made to said plant and paid for by the contracting parties on a pro-rated capacity allocation of the 7.5MGD expansion; and,

WHEREAS, the improvements to the MRWWTP were made in 2010 and 2011 with the total cost of the projects being \$5,363,871, of which \$2,965,960 was funded by grants leaving \$2,397,912 to finance, of which approximately \$463,600 is the City's share; and,

WHEREAS, in a report dated March 15, 2013, the Director of Public Service recommended that the City pay this debt in its entirety from the Sewer Fund rather than finance the debt obligation, which will result in a savings of approximately \$220,000 in interest while still maintaining a balance in the Sewer Fund above the debt reserve goal; and,

WHEREAS, the Finance Committee met on March 18, 2013 to review this recommendation and thereafter, at the March 18, 2013 meeting of Sylvania City Council, the Chair of the Finance Committee reported that it was their recommendation to refer this issue to the Utilities and Environment Committee for its review and recommendation; and,

WHEREAS, the Utilities & Environment Committee met on April 1, 2013 to review this issue and thereafter, at the April 1, 2013 meeting of Sylvania City Council, the Chair of the Utilities & Environment Committee reported that the committee's recommendation is to pay the

debt in its entirety out of the Sewer Fund; and,

WHEREAS, at the April 1, 2013 meeting of Sylvania City Council, legislation was ordered to appropriate the repayment of the City's obligation for the MRWWTP improvements in the approximate amount of \$463,600; and,

WHEREAS, in a report dated April 11, 2013, the Director of Public Service stated that the City actual portion of the debt obligation is \$426,741.54 and interest savings will be \$200,000.

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

SECTION 1. That the City of Sylvania's debt obligation in the amount of \$426,741.54 should be repaid from the Sewer Fund so as to avoid incurring interest fees.

SECTION 2. That to provide funds for the City's debt obligation for the MRWWTP improvements, there is hereby appropriated from the **SEWER FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-51271 – Plant Debt Service** the sum of Four Hundred Twenty-Six Thousand Seven Hundred Forty-One and 54/100 Dollars (\$426,741.54).

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 payment of the City's debt obligation at the earliest possible time so as to avoid unnecessary interest fees. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2013, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

12

**RESOLUTION NO. 6 -2013**

**ADOPTING A STATEMENT, PURSUANT TO REVISED CODE OF OHIO 709.03 (D), INDICATING WHAT SERVICES WILL BE PROVIDED TO THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF SYLVANIA BY PETITION FOR ANNEXATION FILED WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.**

WHEREAS, on March 22, 2013, this Council received notice from James E. Moan that he was the authorized agent for the petitioners of the territory sought to be annexed by the City of Sylvania to the City of Sylvania filed with the Board of Commissioners of Lucas County, Ohio on March 4, 2013; and,

WHEREAS, pursuant to the Revised Code of Section 709.03 (D) this Council is required to adopt a statement indicating what services, if any, the City of Sylvania will provide to the territory proposed for annexation upon annexation.

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

SECTION 1. That upon annexation to the City of Sylvania the territory proposed to be annexed by said annexation petition will be provided, by the City of Sylvania, with the following services:

- a. Domestic garbage, trash and refuse generated on the premises of each residential property will be removed and disposed of once a week;
- b. Police protection will be furnished by the City of Sylvania;
- c. Street shade trees will be sprayed, trimmed, planted, removed and their leaves and branches disposed of as a part of the City tree program;
- d. Green yard waste pickup will be provided for residential property on a bi-weekly basis during the months of March through November;
- e. Curbside recycling will be provided bi-weekly for single-family residential units;
- f. Storm drainage facilities will be regularly and routinely cleaned and cleared;
- g. The minimum sanitary sewer system value and capital connection charge for future connections will be reduced from \$940 to a charge of \$430 or less;

- h. The maximum sanitary sewer system value and capital connection charge for future connections will be reduced from \$202,100 to a charge of \$92,450;
- i. The territory described in the petition is within the Sylvania Sewer District;
- j. Snow plowing will be provided for public streets;
- k. Street sweeping will be provided for public streets;
- l. Site plan, preliminary and final plat review and approvals will be provided.
- m. The above services will be provided within six months after the date of the granting of the annexation petition.
- n. If a street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem, the municipal corporation to which annexation is proposed has agreed as a condition of the annexation to assume the maintenance of that street or highway or to otherwise correct the problem. As used in this section, "street" or "highway" has the same meaning as in section 4511.01 of the Revised Code.
- o. If the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the legislative authority of the municipal corporation will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.
- p. Street lights are available for installation by assessment.

SECTION 2. That the Clerk of this Council shall file with the Board of Commissioners of Lucas County, Ohio a certified copy of this Resolution and shall also provide petitioners with a certified copy of this Resolution.

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

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

**SECTION 5.** That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this Resolution should be effective immediately so that it will be in effect and served upon the Board of Commissioners of Lucas County, Ohio. 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, \_\_\_\_\_, 2013 as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

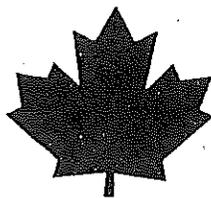
\_\_\_\_\_  
Clerk of Council

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



# City Of Sylvania

MUNICIPAL PLANNING COMMISSION

April 12, 2013

To: Mayor and Members of City Council

Re: **PD-2-2012 Planned Development - Pine Tree Village**

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of April 10, 2013, regarding a petition for a planned development requested by Port Lawrence Title and Trust for Pine Tree Village, an 18 unit planned development, at 5930 Heidaway Lane, Sylvania:

..." Mr. Marciniak motioned and Dr. Backus seconded to accept the plan and approve the Pine Tree Village Planned Development under the condition that the revisions recommended by the Department of Public Service and by the Fire Department are made. Vote being: Stough, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote."...

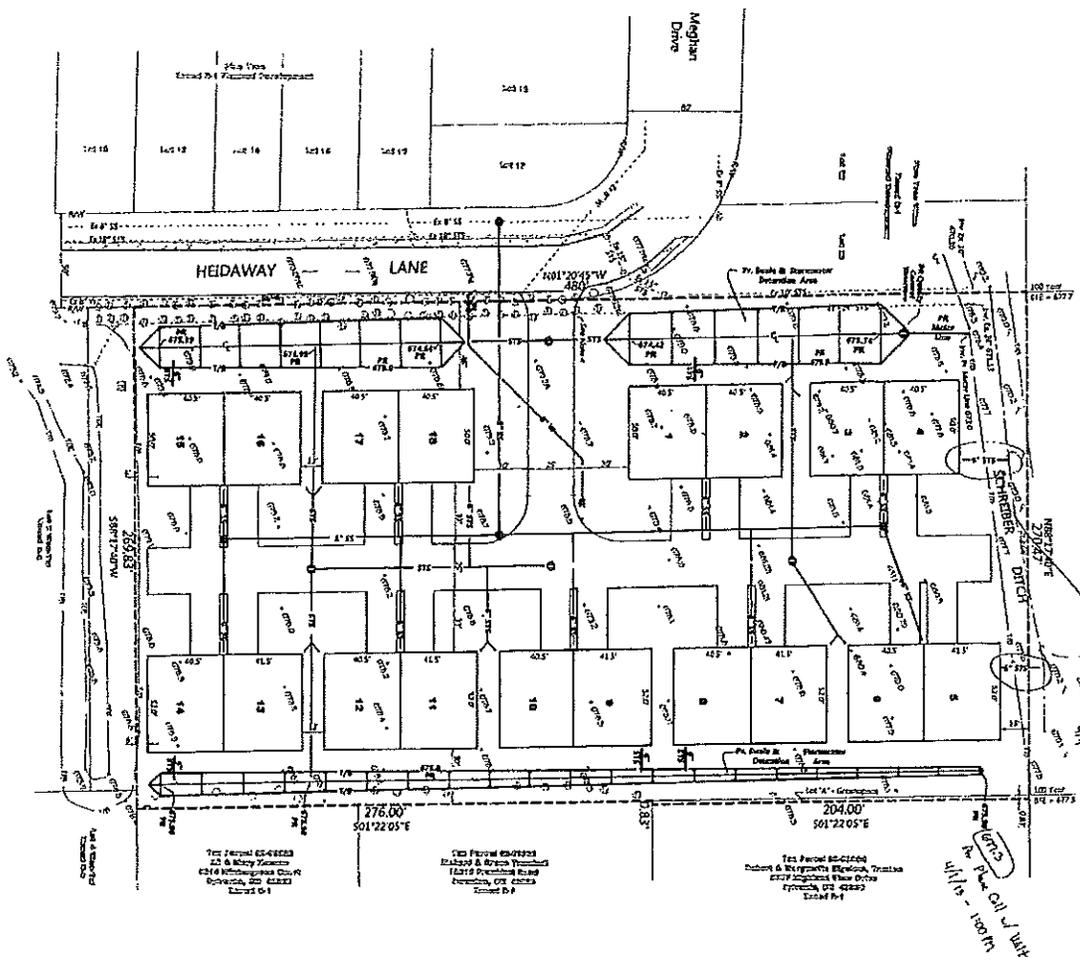
Sincerely,

Debra Webb, Secretary  
Municipal Planning Commission

attachment

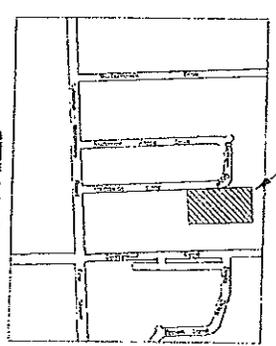
AMENDMENT TO PLANNED DEVELOPMENT  
AND  
PRELIMINARY SITE PLAN  
OF  
PINE TREE VILLAGE  
CITY OF SYLVANIA, LUCAS COUNTY, OHIO

THE ENGINEER'S CERTIFICATE  
FOR THE PRELIMINARY SITE PLAN  
IS ATTACHED TO THIS PLAN  
DATE: 7/15/12



- Legend
- 1. Right of Way
  - 2. Easement
  - 3. Utility
  - 4. Stormwater
  - 5. Easement
  - 6. Easement
  - 7. Easement
  - 8. Easement
  - 9. Easement
  - 10. Easement
  - 11. Easement
  - 12. Easement
  - 13. Easement
  - 14. Easement
  - 15. Easement
  - 16. Easement
  - 17. Easement
  - 18. Easement
  - 19. Easement
  - 20. Easement

GRAPHIC SCALE IN FEET  
SCALE 1" = 30'



NOTES:  
1. This site plan is a preliminary site plan and is subject to change without notice.  
2. All dimensions are in feet and inches.  
3. All easements are shown in red.  
4. All utility lines are shown in blue.

THE ENGINEER'S CERTIFICATE FOR THE PRELIMINARY SITE PLAN IS ATTACHED TO THIS PLAN DATE: 7/15/12

**SS TOLEDO INC.**  
NATIONAL SURVEY SERVICE  
CIVIL ENGINEERS & SURVEYORS  
P.O. BOX 184  
WATERVILLE, OHIO 43166  
Tel: 419-548-7778  
Fax: 419-548-7774  
www.sstoledo.com

PINE TREE VILLAGE  
CITY OF SYLVANIA, LUCAS COUNTY, OHIO

DATE	REVISION	BY
7/2/13	Moved Michael, Changed Name	DEB
10/2/12	Revised Rollwork	DEB
10/10/12	Corrected Building Discrepancy	DEB
11/14/12	Lot "A" & Drainage Update	DEB
12/10/12	Drainage Swale	DEB
2/11/13	Drainage Corrections Lot 7	DEB
7/15/12	Final - Rich Developer	DEB

DATE: 7/15/12  
TIME: 7/15/12  
SHEET: 1/1

**ORDINANCE NO. 2 -2013**

**AMENDING CHAPTER 1166 – SIGN REGULATIONS OF THE SYLVANIA CODIFIED ORDINANCES BY AMENDING SECTION 1166.03 – PERMIT REQUIRED; BY AMENDING SECTION 1166.07 – STANDARDS FOR PERMITTED SIGNS; DENYING THE RECOMMENDATION OF THE SYLVANIA MUNICIPAL PLANNING COMMISSION; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 1-2006, passed February 22, 2006, amended Chapter 1166 – Sign Regulations of the Sylvania Codified Ordinances; and,

WHEREAS, at the January 7, 2013 meeting of Sylvania City Council, the proposed amendments to Sylvania Codified Ordinance Sections 1166.03 and 1166.07 were referred to the Sylvania Municipal Planning Commission for its review and recommendation; and,

WHEREAS, the Sylvania Municipal Planning Commission met on January 16, 2013 to consider the proposed amendments to Sections 1166.03 and 1166.07 and thereafter voted to conduct further review and research prior to making a recommendation to Sylvania City Council; and,

WHEREAS, said Municipal Planning Commission did report its recommendation to Council on February 19, 2013 of its February 13, 2013 review of the proposed amendments to Sylvania Codified Ordinance Sections 1166.03 and 1166.07, which recommendation was as follows:

....“After further review and discussion of the proposed ordinance were made, Mr. Marciniak moved, Dr. Backus seconded to not recommend the proposed changes to the Sylvania Sign Code. Vote being: Marciniak, Lindsley, Backus, Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.”...

and,

WHEREAS, this Council, on January 22, 2013, established March 4, 2013, at 6:30 p.m., as the date and time for the Public Hearing before this Council on said proposed amendments; and,

WHEREAS, such Hearing was advertised pursuant to the Codified Ordinances of the City and notices given as required and the Hearing was duly held at the date, time and location specified in the notices and advertisements; and,

WHEREAS, following the public hearing, a recommendation was made to deny the Municipal Planning Commission's recommendation and adopt the proposed amendments to Sections 1166.03 and 1166.07 as set forth on the attached "Exhibits A and B."

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

SECTION 1. That Section 1166.03 – Permit Required, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on "Exhibit A."

SECTION 2. That Section 1166.07 – Standards for Permitted Signs, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on Exhibit B.

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 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, \_\_\_\_\_, 2013, as an emergency measure.

ATTEST:

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

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

1166.03

PERMIT REQUIRED.

\* \* \*

- (14) Temporary Signs that conform to the requirements of Section 1166.07(h) and are less than or equal to nine (9) square feet in size may be displayed. This allowance shall not apply to banners, promotional banners, construction signs, future development signs, portable commercial signs, other Temporary Signs with a commercial message and other Temporary Signs larger than nine (9) square feet in size; and all such Temporary Signs shall be subject to permit as required in Section 1166.03(a).

\* \* \*

- (17) Temporary signs in zoning districts other than residential that conform to the requirements of Section 1166.07(h) and are less than or equal to fifteen (15) square feet in size may be displayed. (Ord. \_\_\_\_\_-2013. Passed \_\_\_\_\_-2013.)

\* \* \*

“Exhibit A”

1166.07 STANDARDS FOR PERMITTED SIGNS.

\* \* \*

(h) Temporary Signs.

(1) General requirements. Temporary signs shall be permitted only in accordance with the following regulations and other applicable regulations of this chapter, the Building Code, or other City ordinances, except that temporary signs shall be permitted in addition to the maximum number of signs as provided in Section 1166.07(a).

- A. Permit required. Unless specifically identified as not requiring a permit in Section 1166.03, all temporary signs shall require a sign permit.
- B. Sign Area. Temporary signs requiring a permit shall be limited in size to nine (9) square feet in residential zoning districts and limited to fifty (50) square feet in all other zoning districts.
- C. Display Period. Temporary signs shall be permitted for a specific period not to exceed one (1) year or such other period as specified herein.
- D. Location. Temporary Signs shall not be placed on any public property, public right-of-way, public utility facility, utility pole, lamp post, electric light, railway, shade tree, fire hydrant or any box covering them, bridge or bridge abutment, pavement, sidewalk, crosswalk, public building, or any property belonging to the City.
- E. Condition. Temporary signs may be displayed only so long as they remain in good structural condition. In addition, all temporary signs shall be kept neatly painted, stained, sealed and preserved, including all metal parts and all supports.
- F. Removal of Temporary Signs. If a temporary sign is unpermitted, illegally placed, or non-conforming in condition the Zoning Administrator or his designee may have it removed.  
(Ord. \_\_\_\_-2013. Passed \_\_\_\_\_-2013.)

\* \* \*

“Exhibit B”

15a1)

**ORDINANCE NO. 22 -2013**

**AMENDING COMMUNITY REINVESTMENT AREA NO. 3,  
DESIGNATING A HOUSING OFFICER, ESTABLISHING A  
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL;  
REPEALING RESOLUTION NO. 26-96; AND DECLARING AN  
EMERGENCY.**

WHEREAS, Ordinance No. 41-92, passed November 2, 1992, established and described the boundaries of a Community Reinvestment Area to be known as Community Reinvestment Area Number 3; and,

WHEREAS, Resolution No. 25-96, passed July 1, 1996, directed the Housing Officer of Community Reinvestment Area Number 3 not to accept any new applications for exemptions for this Community Reinvestment Area; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City's Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 3 be amended to include residential properties in Clark's Subdivision as shown on the attached "Exhibit A" which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections

3735.65 to 3735.70 of the Ohio Revised Code.

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

SECTION 1. That Community Reinvestment Area No. 3 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That Resolution No. 25-96 is hereby repealed and the owner of any real property located in said Community Reinvestment Area Number 3 may file an application with the Housing Officer for an exemption from real property taxation for a new structure or remodeling completed after the effective date of this ordinance.

SECTION 3. That said Community Reinvestment Area No. 3 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 4. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for up to fifteen years.

SECTION 5. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 3. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.

- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 3 at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. 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 12. 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 13. 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 amendments to the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2013, as an emergency issue.

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

ATTEST:

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

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Date

EXHIBIT "A"

Description of the Boundaries of Community Reinvestment Area #3

Situated in the State of Ohio, County of Lucas, City of Sylvania, Southwest  $\frac{1}{4}$  of Section 10, Town 9 South, Range 6 East, and being a parcel of land as shown in Exhibit "B" and being more particularly bounded and described as follows:

Beginning at the intersection of the northeasterly railroad right of way line of a parcel of land owned by the *Pennsylvania Lines LLC*, also being Lucas County Auditor's Tax Parcel 82 99015, with the southerly property line of a parcel of land owned by *Nour of Ohio, LLC* as recorded in Instrument Number 20060825 0057162, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 04121;

Thence in a northwesterly direction on the said northeasterly railroad right of way line to the northerly property line of a parcel of land owned by *Midland Agency of Northwest Ohio, Trustee*, as recorded in Instrument Number 20040630 0053539, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 04164;

Thence in a northeasterly direction on the said northerly property line to the centerline of right of way of South Main Street;

Thence in a northwesterly direction on the said centerline of right of way of South Main Street to the extended intersection of the northerly line of Lot 1 of Rothfuss Subdivision as recorded in Plat Book Volume 21, Page 59, Lucas County Recorder's Office, also being the northerly property line of a parcel of land owned by *Midland Agency of Northwest Ohio, Trustee*, as recorded in Microfiche 02 0434A07, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 09457;

Thence in a northeasterly direction on the said northerly line of Lot 1 to the northeast corner of said Lot 1 and the east line of said Rothfuss Subdivision;

Thence in a southeasterly direction on the said east line of Rothfuss Subdivision to the southeast corner of Lot 9 of said Rothfuss Subdivision, also being the northerly right of way line of Ravine Drive;

Thence southerly to the centerline of right of way of Ravine Drive;

Thence in an easterly direction on the said centerline of right of way of Ravine Drive to the westerly property line of a parcel of land owned by *Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America*, as recorded in Instrument Number 20040420 0030249, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 04041;

Thence in a southerly direction on the said westerly property line to the southerly property line of the said parcel;

Thence in an easterly direction on the said southerly property line to the east line of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 10;

Thence in a southerly direction on the said east line of the Northwest ¼ of the Southwest ¼ of Section 10, and continuing on the east line of the Southwest ¼ of the Southwest ¼ of Section 10 to the centerline of right of way of South Main Street;

Thence in a southeasterly direction on the said centerline of right of way of South Main Street to the centerline of right of way of Brint Road, also being the south line of the Southwest ¼ of Section 10;

Thence in a westerly direction on the said centerline of right of way of Brint Road and the south line of the Southwest ¼ of Section 10 to the extended intersection of the westerly line of Lot 24 of Clark's Subdivision as recorded in Plat Book Volume 3, Page 43, Lucas County Recorder's Office, also being the westerly property line of a parcel of land owned by *Richard C. Guyton*, as recorded in Microfiche 86 542B10, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 06762;

Thence in a northerly direction on the said westerly line of Lot 24, and continuing on the westerly line of Lot 18 of Sommers Place as recorded in Plat Book Volume 41, Page 85, Lucas County Recorder's Office, to the southeasterly right of way line of High Street, said westerly line of Lot 18 also being the westerly property line of a parcel of land owned by *Dianne Paul and Gregory Paul*, as recorded in Instrument Number 20091026 0049440, Lucas County Recorder's Office, said parcel also being Lucas County Auditor's Tax Parcel 82 09567;

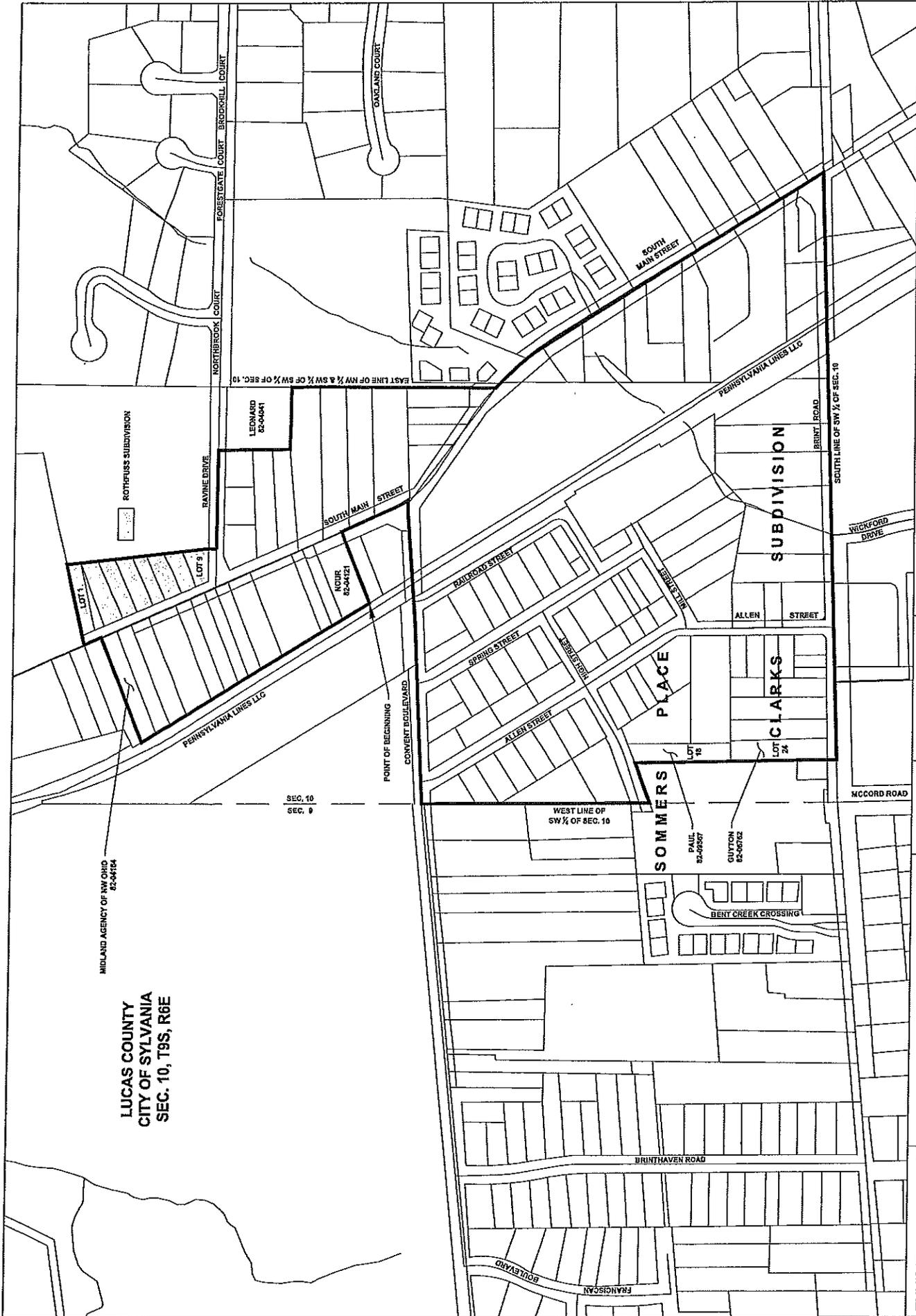
Thence southwesterly on the said southeasterly right of way of High Street to the westerly line of the Southwest ¼ of Section 10;

Thence northerly on the said westerly line of the Southwest ¼ of Section 10 to the centerline of right of way of Convent Boulevard;

Thence easterly on the said centerline of right of way of Convent Boulevard to the centerline of right of way of South Main Street;

Thence northwesterly on the said centerline of right of way of South Main Street to the said southerly property line of a parcel of land being owned by *Nour of Ohio, LLC* as recorded in Instrument Number 20060825 0057162, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 04121;

Thence southwesterly on the said southerly property line to the point of beginning.



DEPARTMENT OF PUBLIC SERVICE

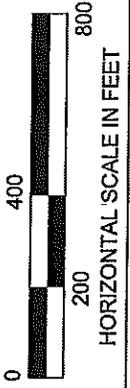


EXHIBIT: B  
 DRAWN BY: JES  
 DATE: 04/12/2013

**LOCATION MAP  
 COMMUNITY REINVESTMENT AREA #3**

15a2)

**ORDINANCE NO. 23 -2013**

**AMENDING COMMUNITY REINVESTMENT AREA NO. 8,  
DESIGNATING A HOUSING OFFICER, ESTABLISHING A  
COMMUNITY REINVESTMENT AREA HOUSING COUNCIL; AND  
DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 20-94, passed June 20, 1994, established and described the boundaries of a Community Reinvestment Area to be known as Community Reinvestment Area Number 8; and,

WHEREAS, the Economic Development Subcommittee met on May 24, 2012, June 11, 2012, and July 10, 2012 to review the City's Community Reinvestment Areas; and,

WHEREAS, subsequent to these meetings, the Economic Development Subcommittee recommended that the boundaries of Community Reinvestment Area No. 8 be amended to include the west side of North Main Street from River Centre Clinic to St. Joseph Catholic Church and from the parking lot across from St. Joseph Catholic Church to 5470 Main Street as shown on the attached "Exhibit A" which include housing facilities or structures of historical significance are located and new housing construction is discouraged; and,

WHEREAS, including the additional properties within the boundaries of Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities; and,

WHEREAS, a survey of the housing within the City of Sylvania has been performed; and,

WHEREAS, the Council of the City of Sylvania has deemed it necessary to amend the boundaries of the Community Reinvestment Area to include such areas as permitted in Sections 3735.65 to 3735.70 of the Ohio Revised Code.

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

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

SECTION 1. That Community Reinvestment Area No. 8 is hereby amended as described in detail on the attached "Exhibit A" which is incorporated herein by reference.

SECTION 2. That said Community Reinvestment Area No. 8 is one in which housing facilities or structures of historical significance are located and new housing and repair of existing facilities or structures are discouraged.

SECTION 3. That within the above-described Community Reinvestment Area tax exemptions for improvements to real property as described in Ohio Revised Code Section 3735.67 will be granted. For the construction of every dwelling, or commercial or industrial structure located in said area as provided in Ohio Revised Code Section 3735.67(C), an exemption will be granted for up to fifteen years as set forth below. Additionally, any qualifying project under construction in the Community Reinvestment Area as of the date of passage of this Ordinance shall be subject to the exemption terms contained herein.

SECTION 4. That Council hereby designated the Mayor as Housing Officer for the City of Sylvania.

SECTION 5. That the Housing Officer or his designee shall verify the construction of the new structure or the cost of remodeling and the facts asserted in the application. The Housing Officer shall determine whether the construction or the cost of remodeling meet the requirements for an exemption under Section 8 below.

SECTION 6. That there is hereby established a Community Reinvestment Area Housing Council for Community Reinvestment Area No. 8. The Mayor is to appoint two (2) members, the Council is to appoint two (2) members, and the Planning Commission is to appoint one (1) member. The majority of the foregoing members are to appoint two (2) additional members who shall be residents within the Area. The terms shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made.

SECTION 7. The tax exemption shall first apply in the year following the calendar year in which the certification is made to the Lucas County Auditor by the Housing Officer pursuant to Section 5 above. If the remodeling qualifies for an exemption under Section 8 below, the dollar amount by which the remodeling increased the market value of the structure shall be exempt from real property taxation. If the construction qualifies for an exemption under Section 8 below, the structure shall not be considered an improvement of the land on which it is located for the purpose of real property taxation.

SECTION 8. That the construction of new structures and the remodeling of existing structures within said Reinvestment Area are hereby declared to be a public purpose for which exemptions from real property taxation are granted for the following periods:

- A. For remodeling or construction of new dwellings containing not more than two family units and upon which cost of remodeling is Three Thousand Dollars (\$3,000.00) or more, a period of not more than fifteen (15) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.

- B. For remodeling or construction of new dwellings containing more than two family units and upon which cost of remodeling is Ten Thousand Dollars (\$10,000.00) or more, a period of not more than fifteen (15) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.
- C. For remodeling or construction of new commercial structures, a period of not more than ten (10) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.
- D. For remodeling or construction of new mixed use structures, a period of not more than fifteen (15) years and the abatement may be up to 100% of the increase in property tax valuation as a result of the remodeling or construction.

Any project currently under construction in Community Reinvestment Area No. 8, including the Maplewood Marketplace improvements and the Irv's Auto Parts improvements at the time of the passage of this ordinance may receive exemption based on the terms as amended above.

SECTION 9. That the Clerk is hereby directed to publish this ordinance in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks immediately following its adoption.

SECTION 10. That the Clerk is hereby directed to forward a copy of this Ordinance to the Lucas County Auditor and the Ohio Department of Development for information purposes.

SECTION 11. 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 12. 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 13. 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 amendments to the Community Reinvestment Area will serve to encourage economic stability, maintain real property values, promote the public health, safety and general welfare, and generate new employment opportunities and therefore should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2013, as an emergency issue.

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

ATTEST:

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

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Date

EXHIBIT "A"

Description of the Boundaries of Community Reinvestment Area #8

Situated in the State of Ohio, County of Lucas, City of Sylvania, Southwest  $\frac{1}{4}$  of Section 3, Southeast  $\frac{1}{4}$  of Section 4, Northeast  $\frac{1}{4}$  of Section 9 and North  $\frac{1}{2}$  of Section 10, Town 9 South, Range 6 East, and being a parcel of land as shown in Exhibit "B" and being more particularly bounded and described as follows:

Beginning at the intersection of the centerline of Ten Mile Creek with the centerline of right of way of Silica Drive;

Thence in a northerly direction on the said centerline of right of way of Silica Drive to the centerline of right of way of Monroe Street;

Thence in a northwesterly direction on the said centerline of right of way of Monroe Street to the centerline of right of way of Parkwood Boulevard;

Thence in a northeasterly and northwesterly direction on the said centerline of right of way of Parkwood Boulevard to the centerline of right of way of Maplewood Avenue;

Thence in a northwesterly direction on the said centerline of right of way of Maplewood Avenue to the centerline of right of way of Erie Street;

Thence in an easterly direction on the said centerline of right of way of Erie Street to east line of the west  $\frac{1}{2}$  of the southeast  $\frac{1}{4}$  of Section 4, also being the east line of Elden's Ranch View Plat I as recorded in Plat Book Volume 52, Pages 31 & 32, Lucas County Recorder's Office;

Thence in a northerly direction on the said east line of the west  $\frac{1}{2}$  of the southeast  $\frac{1}{4}$  of Section 4 to the Ohio Michigan Boundary Line, also being the north line of Elden's Ranch View Plat VI as recorded in Plat Book Volume 63, Page 34, Lucas County Recorder's Office;

Thence in an easterly direction on the said Ohio Michigan Boundary Line to a point with a line drawn 600' easterly of, and parallel to, the centerline of right of way of Summit Street;

Thence in a southerly direction on the said line drawn 600' easterly of, and parallel to, the centerline of right of way of Summit Street to the intersection of a line drawn 450' northerly of, and parallel to, the centerline of right of way of Monroe Street;

Thence in an easterly direction on the said line drawn 450' northerly of, and parallel to, the centerline of right of way of Monroe Street to the west line of Haverford Subdivision as recorded in Plat Book Volume 31, Pages 37 and 38, Lucas County Recorder's Office;

Thence in a northerly direction on the said west line of Haverford Subdivision to the north property line of Lot 87 of Haverford Subdivision;

Thence in an easterly direction on the said north property line of Lot 87 of Haverford Subdivision to the intersection of the extended north property line of Lot 87 with the centerline of right of way of Glasgow Road;

Thence in a northerly direction on the said centerline of right of way of Glasgow Road to the centerline of right of way of Glenmore Road;

Thence in a northeasterly direction on the said centerline of right of way of Glenmore Road to the westerly Limited Access right of way line of US 23;

Thence in a southerly direction on the said westerly Limited Access right of way line of US 23 to the centerline of right of way of Monroe Street;

Thence in a westerly direction on the said centerline of right of way of Monroe Street to the westerly Limited Access right of way line of US 23;

Thence in a southerly and southeasterly direction on the said westerly Limited Access right of way line of US 23 to the centerline of Ten Mile Creek;

Thence in a northwesterly and westerly direction on the said centerline of Ten Mile Creek to the east line of Lot 212 in Block 34 of the Plat of Sylvania (now vacated) as recorded in Plat Book Volume 2B, Page 103, Lucas County Recorder's Office;

Thence in a southerly direction on the said east line of said Lot 212 in Block 34 of the Plat of Sylvania (now vacated) to the south line of said Lot 212 in Block 34 of the Plat of Sylvania (now vacated);

Thence in a westerly direction on the said south line of said Lot 212 in Block 34 of the Plat of Sylvania (now vacated) to the easterly right of way line of South Main Street;

Thence in a southerly direction on the said easterly right of way line of South Main Street to a line 66' southerly of, and parallel to, the north line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated);

Thence in an easterly direction on the said line 66' southerly of, and parallel to, the north line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated) to east line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated);

Thence in a southerly direction on the said east line of Lot 213 in Block 34 of the Plat of Sylvania (now vacated) to the south line of Lot 215 in Block 34 of the Plat of Sylvania (now vacated);

Thence in a westerly direction on the said south line of Lot 215 in Block 34 of the Plat of Sylvania (now vacated) to the intersection of the extended south line of said Lot 215 with the westerly right of way line of South Main Street;

Thence in a southerly direction on the said westerly right of way line of South Main Street to the northerly property line of a parcel of land owned by *Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America*, as recorded in Instrument Number 20040420 0030249, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 03795;

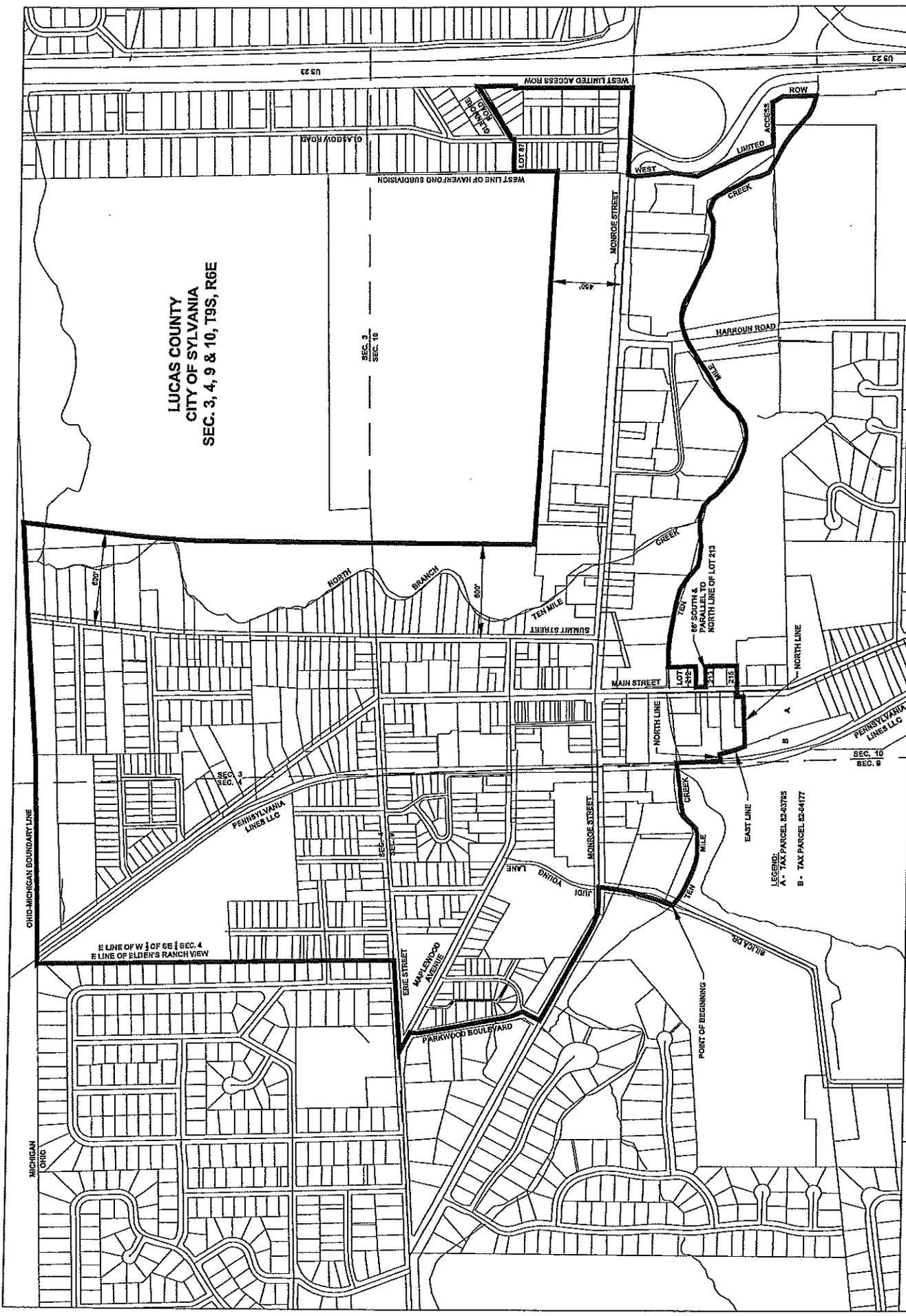
Thence in a westerly direction on the said northerly property line to the easterly property line of a parcel of land owned by *Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America*, as recorded in Instrument Number 20040420 0030249, Lucas County Recorder's Office, also being Lucas County Auditor's Tax Parcel 82 04177;

Thence in a northerly direction on the said easterly property line to the northerly property line of the said parcel;

Thence in a westerly direction on the said northerly property line to the centerline of railroad right of way of the Pennsylvania Lines LLC;

Thence in a northerly direction on the said centerline of railroad right of way to the centerline of Ten Mile Creek;

Thence westerly on the said centerline of Ten Mile Creek to the point of beginning.



DEPARTMENT OF PUBLIC SERVICE

LOCATION MAP  
COMMUNITY REINVESTMENT AREA #8

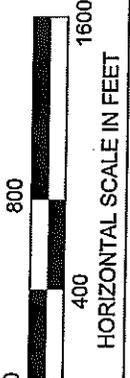


EXHIBIT: B  
DRAWN BY: JES  
DATE: 3/29/2013

LEGEND:  
A - TAX PARCEL 02-03785  
B - TAX PARCEL 02-04177

BY SOUTH & PART LINES TO NORTH LINE OF LOT 213

SEC. 3  
SEC. 10

SEC. 3  
SEC. 4

SEC. 10  
SEC. 9

E LINE OF W 1/2 OF SEC. 4  
E LINE OF ELDEN'S RANCH VIEW

OHIO-MICHIGAN BOUNDARY LINE

MICHIGAN  
OHIO

PENNSYLVANIA  
LINEA LLC

PENNSYLVANIA  
LINEA LLC

PARKWOOD BOULEVARD

YOUNG LANE

MONROE STREET

MAIN STREET

SUMMIT STREET

TEN MILE CREEK

MONROE STREET

HARRISON ROAD

WEST LIMITED ACCESS ROW

LOT 27

LOT 28

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A.



# City Of Sylvania

OFFICE OF THE MAYOR  
CRAIG A. STOUGH, MAYOR

April 8, 2013

Mr. Anthony Reams  
TMACOG  
300 Martin Luther King Drive  
Suite 300  
Toledo, OH 43604

**Re: Adrian and Blissfield Railroad**

Dear Mr. Reams:

The City of Sylvania understands the need to continually improve transportation options in an effort to minimize shipping costs for goods used every day. Accordingly, we understand the benefits the reinstatement of rail along this railroad provides. However, such a proposal also brings concerns to our City and its residents.

The flow of traffic will most certainly be adversely affected. Monroe Street currently averages approximately 13,000 vehicles per day and Erie Street approximately 2,000. These two rail crossings are only about one-quarter of a mile apart and include a third crossing in between at Maplewood Avenue. It is quite conceivable that all three crossings would be blocked at one time.

Convent Boulevard is the next crossing to the south. Traffic counts aren't available. However, Lourdes University is directly adjacent to this crossing and is home to more than 2,800 students, primarily commuters. And finally, the Brint Road crossing saw more than 17,600 vehicles per day on average (1999).

Proper maintenance of the crossings is a continued concern. Just two years ago, the City persisted for almost a year to have necessary improvements made to the Monroe Street crossing. It is our hope that Norfolk Southern will be more responsive to our concerns should train traffic increase.

Mr. Anthony Reams  
Re: **Adrian and Blissfield Railroad**  
Page 2

Finally, perhaps the City's greatest concern regards our citizen's safety. The ability of our police and fire departments to adequately respond to an emergency must be at the forefront of all those involved. The likelihood of all three crossings north of Monroe Street being blocked at once is especially alarming. Response times are often the difference between life and death and increased train traffic will affect these response times.

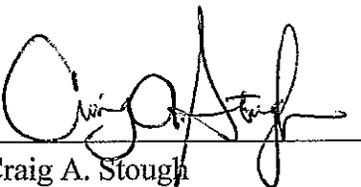
The existing crossings do not have any gates at this time. We would request the addition of gates should the train traffic increase to better ensure the safety of vehicular and pedestrian traffic.

Another safety concern is the reality of train derailments. In the very recent past, there have been two such derailments in the Sylvania area. We have been fortunate that they have been minor to date. However, more train traffic increases the likelihood of more derailments and we may not be as fortunate as to the severity.

In closing, the City of Sylvania understands the need for improved shipping methods and supports such actions. However, those involved need to understand their impact on neighboring communities and address those concerns in appropriate manners.

Thank you for your consideration. Please call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig A. Stough", written over a horizontal line.

Craig A. Stough  
Mayor, City of Sylvania

**City of Sylvania**  
Bank Reconciliation  
March 2013

**B.**

<b>CHECKBOOK BALANCE</b>	
Ending balance for Feb 2013	\$ 22,464,710.42
Add: Monthly Receipts	<u>2,794,353.43</u>
Subtotal	\$ 25,259,063.85
Less: Monthly Disbursements	<u>1,660,295.12</u>
Ending balance for Mar 2013	\$ 23,598,768.73
Less:	
Certificates of Deposit	\$ (1,000,000.00)
Star Ohio	(76,933.32)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(27,743.82)
PNC MoneyMarket	(1,026,793.51)
Key Bank Securities	(1,007,042.46)
5/3rd Securities	(12,086,711.92)
SJS Account	(5,209,182.29)
Sylvania Township Bonds	(680,000.00)
	<u>\$ 2,481,248.55</u>
Less:	
ADJ	0.10
	<u>\$ 2,481,248.65</u>
(1)	
Division of Public Service	\$ 150.00
Department of Finance	100.00
Division of Water	600.00
Division of Police	200.00
Municipal Court	700.00
Division of Taxation	150.00
Division of Forestry	150.00
	<u>\$ 2,050.00</u>

<b>BANK BALANCE</b>	
EOM 5/3rd Bank Balance	\$ 2,964,139.32
Deposit in Transit	1,164.29
Subtotal	<u>\$ 2,965,303.61</u>
Less: Outstanding Checks (2)	<u>484,054.96</u>
Adjusted Bank Balance	\$ 2,481,248.65
(2)	
Feb Outstanding Checks	\$ 560,087.76
Checks written this month	825,929.59
Subtotal	<u>\$ 1,386,017.35</u>
Checks Cleared	<u>(901,962.39)</u>
Mar Outstanding Checks	\$ 484,054.96

*Toby Schroyer*

Toby Schroyer  
Director of Finance, City of Sylvania

C



**City of Sylvania**  
 DIVISION OF TAXATION  
 CHRISTY M. GOLIS , COMMISSIONER

April 1, 2013

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

Dear Mayor Stough and Council Members:

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

	Deposits	Refunds	Balance
March 31, 2013	\$629,658.73	\$23,902.19	\$605,756.54
March 31, 2012	\$555,401.07	\$5,727.87	\$549,673.20
	-----	-----	-----
Monthly Difference	\$74,257.66	\$18,174.32	\$56,083.34
Year to Date 2013	\$2,158,172.14	\$54,380.17	\$2,103,791.97
Year to Date 2012	\$2,085,594.19	\$11,419.55	\$2,074,174.64
	-----	-----	-----
Yearly Difference	\$72,577.95	\$42,960.62	\$29,617.33

Respectfully submitted,

Christy M. Golis  
 Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

D

Sylvania Municipal Planning Commission

Minutes of the regular meeting of April 10, 2013. Mr. Lindsley called the meeting to order.

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

Mr. Marciniak moved Dr. Backus seconded to approve the Minutes of the March 13, 2013, meeting as submitted. Vote being: (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

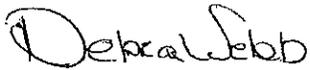
Item 3 – Council Referral – for review and comment on a proposed amendment to incorporate the Secretary of Interior’s Standards for Rehabilitation into to the City of Sylvania’s Zoning Code Section 1151.05 Downtown Design Guidelines. Mr. Kevin Aller explained to the members that the guidelines were supplied to the Planning Commission for review and that in order for the City to apply for Downtown Revitalization Grants, the City would need to incorporate the guidelines into the City’s Downtown Design Guidelines. Mr. Aller asked that the members take time to review the Secretary of Interior’s Standards and make recommendations to Council at the next Planning Commission meeting. He also stated that he would provide a recommendation letter to the Planning Commission Member’s prior to the next meeting. After discussions and comments were made by the members, Mr. Lindsley tabled the discussion for further study until the next meeting which will take place on May 15, 2013.

Item 4 – Council Referral - PD-2-2012 requested by Port Lawrence Title and Trust for Pine Tree Village, an 18 unit planned development, at 5930 Heidaway Lane, Sylvania. Postponed from the December 12, 2012 meeting. Mr. Ryan Wamsher was present and gave a presentation of the development that included a revised drawing. The drawing showed changes made to the development to meet the requirements of both the 15 comments made in a review letter, written by Kevin Aller on September 6, 2012, that was submitted to the Planning Commission as well as the further comments made in an additional drainage review letter dated February 22, 2013. The new drawing did not include all of the revisions that were agreed upon however, both Mr. Aller and Mr. Wamsher stated on record that acceptance of all 15 comments in the review letter had been made as well as acceptance of the additional drainage review comments. Mr. Aller stated, and Mr. Wamsher agreed on record, that agreement had been made that all of the revisions to the site plan would take place prior beginning any work at the site. Acceptance of the conditions was also made in statements made by email correspondence prior to this meeting. Mr. Marciniak motioned and Dr. Backus seconded to accept the plan and approve the Pine Tree Village Planned Development under the condition that the revisions recommended by the Department of Public Service and by the Fire Department are made. Vote being: Stough, Backus, Marciniak (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Sylvania Municipal Planning Commission  
April 10, 2013 – Page 2

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

Submitted by,

A handwritten signature in black ink that reads "Debra Webb". The signature is written in a cursive style with a large, looped initial "D".

Debra Webb, Secretary  
Municipal Planning Commission

Board of Architectural Review

E

Minutes of the regular meeting of April 10, 2013. Mr. Lindsley called the meeting to order.

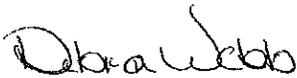
Members present: Read Backus, Ken Marciniak, Thomas Lindsley (3) present. Mayor Craig Stough excused. Mr. Robert Oberly and Mr. Kevin Aller present.

Dr. Backus moved, Mr. Marciniak seconded, to approve the Minutes of the March 13, 2013, meeting as submitted. Vote being: (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 – Regulated Sign – app. no. 10-2013 requested by Patricia Meyer for Lily Whitestone, Ltd., 5641 North Main Street, Sylvania, Ohio 43560. Application is for aluminum letters to be installed on wall and illuminated with exterior lighting along with performing slight modifications to the existing awnings. Mr. Marciniak moved, Dr. Backus seconded, to grant a Certificate of Appropriateness for the sign as well as the modifications to the awnings shown in the drawing submitted with the application. Vote being: Backus, Marciniak and 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,



Debra Webb, Secretary  
Municipal Planning Commission