

Sylvania City Council

August 19, 2013

6:00 p.m. Zoning & Annexation Committee
Dog limit Ordinance

7:00 p.m. Public Hearings
ZA-1-2013, ZA-2-2013, ZA-3-2013, ZA-4-2013

7:30 p.m. Council Meeting
Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Luetke.
3. Additions to the agenda.
4. Approval of the meeting minutes of July 15, 2013.
5. Ashlee Harris representing Paul Mitchell the School, Toledo will provide information regarding their school.
6. Steven Livingston to speak on traffic on Old Farm Lane.
7. Proposed Ordinance 56-2013, accepting Annexation Petition # 2013-1, Arbor Way.
8. Annual Assessment Ordinances:
 - a. proposed Ordinance 57-2013, assessing a special tax for ditch maintenance, etc..
 - b. proposed Ordinance 58-2013, assessing a special tax for tree maintenance, etc.
 - c. proposed Ordinance 59-2013, assessing a special tax for street lighting.
9. Proposed Ordinance 60-2013, Revision to the Job Creation & Retention Program Application and Guidelines.
10. Safe Routes to School Project:
 - a. Service Director's report on Change Order No. 2 (Final); and
 - b. proposed Ordinance 61-2013, approving Change Order No. 2 (Final).
11. Proposed Ordinance 62-2013, authorizing agreement with Sylvania Historical Village, Inc. for management of Village.
12. Proposed Ordinance 63-2013, authorizing 3-yr Collective Bargaining Agreement, Telecommunicators.

13. Proposed Resolution No. 10-2013, authorizing to file an application with Ohio Department of Development for 2013 Ohio Small Cities Community Development Block Grant.
14. Appointment of Brian McCann to Planning Commission's vacant seat (Term 1/11/11 – 12/31/14).
15. Report on the 7:00 Public Hearings (ZA-1-2013, ZA-2-2013, ZA-3-2013, ZA-4-2013).
16. Committee reports.
 - a. Report of 6:00 Zoning & Annexation Committee meeting .
 - b. Report of Economic Development Sub-Committee meeting from August 6th.
 - c. Report of Buildings & Grounds Committee meeting from August 6th.
17. Committee referrals.

Information

- A. Certificate of Notice for Public Hearings (ZA-1-2013, ZA-2-2013, ZA-3-2013, ZA-4-2013).
- B. July 2013 Income Tax Report.
- C. July 2013 Bank Statement.
- D. 2nd Quarter 2013 Management Reports.
- E. Minutes of the August 14, 2013 Municipal Planning Commission meeting.
- F. Minutes of the August 14, 2013 Board of Architectural Review meeting.
- G. Mosquito Spraying Information from Susan Searles.
- H. Mayor's appointments to Housing Councils for CRA 1, 6, and 8.

Minutes of the Meeting of Council
July 15, 2013

The Council of the City of Sylvania, Ohio met in regular session on July 15, 2013 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Mike Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7), Absent (0).

Roll call:
All present.

Mrs. Husman 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.

- 5a. Paula Radley - Balfour Road issue.
- 5b. Dave McClurg – Parked Cars.
- 12a. Job Creation Credit Referral.
- 13. SCAT & Sylvania Historical Village Advertising.

Mr. Haynam moved, Mrs. Westphal seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented the June 17 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 June 17, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the
June 17 minutes.

Mrs. Westphal presented the July 2 minutes. Mrs. Westphal moved, Mr. Milner seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the special meeting of July 2, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the
July 2 minutes.

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

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Jean Keating, 4638 Tamworth addressed Council to discuss the Zoning code regarding the limit of dogs allowed in residential areas. Mr. Haynam moved, Mr. Milner seconded to refer this matter to the Zoning & Annexation Committee for further review; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Referral to
Z & A
Committee...
dog limit.

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

Paula Radley and Linda Costell spoke regarding 5767 Balfour Road. Mr. Sanford provided information on the progress of their concerns.

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

Dave McClurg addressed Council to discuss parked cars at 5865 and 5866 Highland View. Service Director Aller and Police Chief Rhodus are reviewing this situation.

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

The Service Director's report on the Maplewood Marketplace Improvements Project Change Order No. 1 was placed on file. Mrs. Husman presented and read aloud by title only, proposed Ordinance 53-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 1 to this City's agreement with Paul Avery Company, Inc. for the Maplewood Marketplace Improvement Project which reflects the actual materials used and work performed on this project; increasing the contract amount by \$22,105.78; appropriating funds therefore; 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: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Ord. 53-2013
"Authorizing CO
No.1...
Maplewood
Marketplace...
\$22,105.78...."

Mrs. Husman moved, Mr. Milner seconded, that Ordinance 53-2013 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

The Service Director's report on the Maplewood Marketplace Improvements – Parking Lot Change Order No. 1 was placed on file. Mrs. Husman presented and read aloud by title only, proposed Ordinance 54-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 1 – Final to this City's agreement with Schoen, Inc. for the Maplewood Marketplace Improvements – Parking Lot Construction Project which

Ord. 54-2013
"Authorizing CO
No. 1 ...
Marketplace
Parking Lot...
\$19,716.27..."

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reflects the actual materials used and work performed on this project; increasing the contract amount by \$19,716.27; appropriating funds therefore; and declaring an emergency.” Mrs. Husman moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Mrs. Husman moved, Mrs. Westphal seconded, that Ordinance 54-2013 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

The Service Director’s report on the 2013 Resurfacing Project was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance 55-2013, a written copy of same having been previously furnished to each member of Council, “Accepting the bid of Gerken Paving, Inc. and awarding the contract for the 2013 Resurfacing Project to same; authorizing the expenditure for the project in the amount of \$125,761.78; appropriating funds therefore; and declaring an emergency” Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried.

Ord. 55-2013
“Accepting bid
of Gerken
Paving...2013
Resurfacing
project...
\$125,761.78...”

Mr. Milner moved, Mrs. Westphal seconded, that Ordinance 55-2013 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mr. Luetke presented and read aloud by title only, proposed Ordinance 46-2013, a written copy of same having been previously furnished to each member of Council, “Amending Community Reinvestment Area No. 6, designating a Housing Officer, establishing a Community Reinvestment Area Housing Council; repealing Resolution No. 26-96; and declaring an emergency” Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried.

Ord. 46-2013
“Amending CRA
#6....repealing
Res. No. 26-96
...”

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Mr. Luetke moved, Mrs. Husman seconded, that Ordinance 46-2013 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

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

Mr. Luetke presented and read aloud by title only, proposed Resolution 9-2013, a written copy of same having been previously furnished to each member of Council, "A Resolution establishing a procedure for Sylvania City Council's appointments to the Community Reinvestment Area Housing Councils; and declaring an emergency." Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Resolution No. 9-2013, "Establishing procedure for CRA Council Appointments..."

Mr. Luetke moved, Mr. Milner seconded, that Resolution 9-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Mayor Stough reviewed agenda item 10 regarding Zoning Ordinance Amendment ZA-2-2013, ZA-3-2013, and ZA-4-2013. He stated the public hearings are set for August 19th, 2013 at 7:00p.m.

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

Mr. Haynam presented a report for the Zoning & Annexation committee meeting held June 18, 2013 regarding the RV/Boat storage issue. He stated that there are several issues that still need to be reviewed within the committee.

Mayor Stough stated that Council will now consider agenda item 12.

Mrs. Westphal moved, Mr. Haynam seconded to refer the Job Creation Credit to the Economic Development Sub-Committee for review; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Refer to Econ Dev. Sub-Committee...Job Creation Credit.

Mrs. Husman provided information on fund raising events for SCAT and Sylvania Historical Village. She stated SCAT's Golf Outing is August 16th and Sylvania Historical Village's Fossil Fest is September 22nd.

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

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Mrs. Westphal moved, Mr. Milner seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned 8:54 p.m.

Adjournment.

Clerk of Council

Mayor

Contact Name: Ashlee Harris

Paul Mitchell The School Toledo

5549 Monroe St. Sylvania, OH 43623

513-769-7699 x209

Toledo.paulmitchell.edu

School's In Session!

Paul Mitchell The School Toledo to open in Toledo, OH

(TOLEDO, OH) — Paul Mitchell Schools proudly announce the opening of their newest school, Paul Mitchell The School Toledo, located in Sylvania, OH. The Paul Mitchell School is opening their doors this coming fall of 2013!

The 13,000-square-foot building was designed to train as many as 250 students at a time. Like all Paul Mitchell Schools, the Toledo location will work and educate exclusively with Paul Mitchell products, and instructors and students will follow an aggressive, ongoing educational and cultural development program.

"I'm so excited to welcome Paul Mitchell The School Toledo to the Paul Mitchell family," Winn Claybaugh said. "Like every school in our network, the owners and staff share our common mission of doing so much more than merely producing beauty school graduates. We're out to change the industry by making better human beings."

Staff members at Paul Mitchell Schools believe that education is an adventure and the learning experience needs to be fun. Each school is a learning community that provides future professionals with the opportunities to develop essential skills while exploring their talents, passion, and creativity.

Paul Mitchell Schools are also committed to making a difference in the world. Through their annual three-month fundraising campaign, Paul Mitchell future professionals and staff members across the country have raised and donated over \$8.5 million to charitable organizations in the last nine years. They've built two homes with Habitat for Humanity; fed thousands of African orphans; and supported the victims of AIDS, breast cancer, homelessness, hurricanes, abuse, and hundreds of other causes. They've also formed student-run "Go Green Teams" to find ways to reduce, reuse, and recycle in their schools, and "Be Nice (Or Else!) Teams" to support their fellow students and local communities through a variety of programs and outreach activities. In addition, a portion of the cost of

every student technical kit is donated to the American Forest Global Relief Program to help replace America's trees.

For more information about Paul Mitchell The School Toledo contact Ashlee Harris, Admissions Leader at: ashlee@toledo.paulmitchell.edu or by phone at 513-769-7699 x209

About Paul Mitchell Schools

At Paul Mitchell Schools, we believe that education is an adventure and the learning experience needs to be fun. Our instructors—we call them “learning leaders”—are trained to draw out the artist in every student and prepare them to compete in the real world.

Through our annual “FUNraising” campaign, we’ve raised and donated millions of dollars in support of many charitable causes. We’ve built homes with Habitat for Humanity, fed thousands of African orphans, and supported the victims of AIDS, breast cancer, homelessness, abuse, and hundreds of other causes.

Established 30 years ago, the Paul Mitchell network is nearly 100,000 salons strong and in 81 countries worldwide; every professional hairdresser knows the Paul Mitchell name. Now, with the arrival of Paul Mitchell Schools, we’ve taken the world of cosmetology education by storm! Visit www.paulmitchell.edu to learn more.

ORDINANCE NO. 56-2013

ACCEPTING FOR ANNEXATION TO THE CITY OF SYLVANIA, OHIO, THE TERRITORY DESCRIBED IN ANNEXATION PETITION NUMBER 2013-1 FOR WHICH JAMES E. MOAN IS THE AGENT, AND AS HEREINAFTER DESCRIBED; PROVIDING FOR THE INTERIM ZONING OF SAID TERRITORY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____

members elected thereto concurring:

SECTION 1. That the petition for annexation of the following described territory, in Sylvania Township, Lucas County, Ohio, adjacent to the City of Sylvania, Ohio, to-wit:

A parcel of land being all of Lot 63 through Lot 79 and Lot 86 through 102 of Cooper Place, a subdivision recorded in Volume 45, Pages 77 and 78, Lucas County Book of Plats, and all of the public road rights-of-way of Arbor Way and Merriman Drive adjacent to said lots, all being in the Southeast ¼ of Section 11, Sylvania Township, Town 9 South, Range 6 East, Lucas County, Ohio.

Containing 7.70 acres of land, of which 1.40 acres is PRO (Present Road Occupied), more or less, and subject to all legal highways and easements of record.

having been filed with the Board of County Commissioners of Lucas County, Ohio, on March 4, 2013, presented to said Board of County Commissioners at a regular session thereof held on March 12, 2013, and acted upon favorably by said Board of County Commissioners on May 21, 2013, passed Resolution No. 13-452 to approve Annexation Petition 2013-1 together with the accompanying map of the territory and a certified transcript of the proceedings of said Board of County Commissioners, deposited with the Clerk of Council of the City of Sylvania, Ohio, by said Board of County Commissioners on the 4th day of June, 2013, and all of the same laid before this Council at its regular meeting on June 17, 2013, by the Clerk of Council, be, and the same is hereby accepted.

SECTION 2. That the Council of the City of Sylvania, Ohio, hereby finds and determines that the property is currently zoned RA – Residential Agricultural and, therefore, comparable zoning should be established for all of the hereinabove described territory, that is, R-1.

SECTION 3. That the Clerk of Council be, and she is hereby, authorized and directed to make three (3) copies of this Ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of the proceedings of the Board of County Commissioners relating thereto and a certificate as to the corrections thereof. The Clerk of Council shall then forthwith deliver one (1) copy to the County Auditor, one (1) copy to the County Recorder, and one (1) copy to the Secretary of State and shall file Notice of this annexation with the Board of Elections within thirty (30) days after it becomes effective, and the Clerk shall do all other things required by law.

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that provision for the acceptance of said annexation and establishment of interim zoning thereof should be made promptly so as to promptly establish the jurisdiction having authority over future developments of said real estate and therefore this Ordinance should be effective forthwith. 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

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ORDINANCE NO. 57 -2013

TO ASSESS A SPECIAL TAX UPON THE LOTS AND LANDS DESCRIBED IN THE SCHEDULE REFERRED TO HEREIN TO PAY A PART OF THE COST AND EXPENSE OF PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, CLEANING AND ENCLOSING OPEN DRAINAGE DITCHES WITHIN THE CORPORATE LIMITS OF THE CITY OF SYLVANIA FOR THE YEAR ENDING DECEMBER 31, 2013; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Sylvania has heretofore, by Ordinance, established one (1) district for the purpose of constructing, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania during the year 2013, and provided that part of the cost and expense connected with said work in said district in the total amount of Two Hundred Forty-Two Thousand, Nine Hundred Sixty-Three and 12/100 (\$242,963.12) shall be levied and assessed in the sum of thirty-five cents (35¢) per front foot upon all lots and lands bounding and abutting upon the streets and public right-of-way in said district as set forth in said Ordinance; and,

WHEREAS, the Clerk of Council has given notice of the passage of the Ordinance creating the Ditch District for 2013 and of the estimated assessments on file in the Office of the Clerk of Council; and,

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

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

SECTION 1. That, to pay a part of the cost and expense of the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania as described in the schedule as reported by the Clerk of Council for the year ending December 31, 2013, there be, and hereby is assessed, in one (1) installment for 2013, upon the lots and lands bounding and abutting upon the streets and public right-of-way in said district, the several sums shown in the list of assessments, as adjusted if adjusted, and set opposite the description of the respective lots and lands and do hereby determine and declare that said lots and lands are specially benefitted in the amounts so assessed against the same, which amounts and assessments are hereby confirmed and approved.

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

SECTION 3. That the Clerk of Council be, and she hereby is, directed to certify said assessments in one (1) installment within twenty (20) days of the passage hereof, to the Auditor of Lucas County, Ohio, to be, by her, placed upon the grand tax duplicate of said County for the year 2013 against said lots and lands, respectively, to be collected at the same time and in the same manner as other taxes are collected.

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

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

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

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

Passed, _____, 2013, as an emergency measure.

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

President of Council

APPROVED AS TO FORM:

Director of Law

ORDINANCE NO. 58 -2013

TO ASSESS A SPECIAL TAX UPON THE LOTS AND LANDS DESCRIBED IN THE SCHEDULE REFERRED TO HEREIN TO PAY A PART OF THE COST AND EXPENSE OF PROVIDING FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES FOR THE PURPOSE OF CONTROLLING BLIGHT AND DISEASE OF SAME; AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHT-OF-WAY OF THE CITY FOR THE YEAR ENDING DECEMBER 31, 2013; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Sylvania has heretofore, by Ordinance, established one (1) district for the purpose of removing or specially treating therein shade trees for the purpose of controlling the blight and disease of same for the planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2013, and provided that part of the cost and expense connected with said work in said district in the total amount of Two Hundred Forty-Two Thousand, Nine Hundred Sixty-Three and 12/100 (\$242,963.12) shall be levied and assessed in the sum of thirty-five cents (35¢) per front foot upon all lots and lands bounding and abutting upon the streets and public right-of-way in said district as set forth in said Ordinance; and,

WHEREAS, the Clerk of Council has given notice of the passage of the Ordinance creating the Tree District for 2013, and of the estimated assessments on file in the Office of the Clerk of Council; and,

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

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

SECTION 1. That, to pay the cost and expense of the removal or special treatment of certain shade trees for the purpose of controlling the blight and disease and for planting, maintaining, trimming and removing of other shade trees in and along the streets and within public right-of-way of the City of Sylvania described in the schedule as reported by the Clerk of Council for the year ending December 31, 2013, there be, and hereby is assessed, in one (1) installment for 2013, upon the lots and lands bounding and abutting upon the streets and public right-of-way in said district, the several sums shown in the list of assessments, as adjusted if adjusted, and set opposite the description of the respective lots and lands and do hereby determine and declare that said lots and lands are specially benefitted in the amounts so assessed against the same, which amounts and assessments are hereby confirmed and approved.

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

SECTION 3. That the Clerk of Council be, and she hereby is, directed to certify said assessments in one (1) installment within twenty (20) days of the passage hereof, to the Auditor of Lucas County, Ohio, to be, by him, placed upon the grand tax duplicate of said County for the year 2013 against said lots and lands, respectively, to be collected at the same time and in the same manner as other taxes are collected.

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

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

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

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

Passed, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

8c

ORDINANCE NO. 59 -2013

**ORDINANCE APPROVING THE ASSESSMENTS HERETOFORE
AUTHORIZED BY RESOLUTION NO. 8-2013 FOR STREET
LIGHTING; LEVYING SAID ASSESSMENTS; AND DECLARING
AN EMERGENCY.**

WHEREAS, this Council by Resolution No. 8-2013, passed May 7, 2013, declared the necessity for lighting the municipal streets, determined the basis for levying annual assessments on lots and lands in this City for such purpose, and authorized such assessments in the amount as estimated by the Clerk of Council, pursuant to said Resolution; and,

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

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

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

SECTION 1. That the assessments for the street lighting authorized by said Resolution in the aggregate amount of Three Hundred Ninety Thousand, One Hundred Eighty-Eight and 20/100 (\$390,188.20) and the assessments, as adjusted if adjusted, are hereby approved and such assessments in the amount so approved are hereby levied on the several parcels and lots of land in said City on the basis as set forth in said Resolution and the Clerk of Council is hereby directed to certify said assessments to the Auditor of Lucas County, Ohio, within the time provided therefore by the Revised Code of Ohio Section 5705.34.

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

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that immediate provision must be made for lighting the City streets. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 60 -2013

**REVISING THE JOB CREATION AND RETENTION PROGRAM
APPLICATION AND GUIDELINES; AND DECLARING AN
EMERGENCY.**

WHEREAS, Ordinance No. 54-95, passed May 15, 1995, created a Job Creation and Retention Program and established guidelines for the program; and,

WHEREAS, at the July 15, 2013 meeting of Sylvania City Council, the Job Creation and Retention Program Guidelines were referred to the Economic Development Subcommittee for its review and recommendation; and,

WHEREAS, the Economic Development Subcommittee met on August 6, 2013 and thereafter recommended that the Job Creation and Retention Program Guidelines and Application be amended to eliminate the job retention program; to make professional service companies eligible for the grant; government or non-profit entities may also be eligible based on certain criteria; to increase the minimum annual payroll from \$100,000 to \$500,000; to increase the annual payment from \$20,000 to \$50,000; reduce the number of years for the grant from ten years to five years; to raise the grant amount from \$200,000 to \$250,000; to require applicants to make a brief presentation to City Council prior to legislative action by City Council either approving or denying the grant; and,

WHEREAS, the Job Creation Program Application and Guidelines, as amended, are attached hereto as "Exhibit A."

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

SECTION 1. That the Job Creation Program Application and Guidelines as amended and as set forth in "Exhibit A" attached hereto be, and they hereby are, approved and adopted as an

official policy of the City of Sylvania, Ohio, for the promotion of economic development within the municipal boundaries of the City of Sylvania.

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 Job Creation Program Application and Guidelines, as amended, should be adopted immediately to encourage the creation of certain employment opportunities within the City of Sylvania which otherwise may be located elsewhere. 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

Exhibit A
**CITY OF SYLVANIA
JOB CREATION PROGRAM
APPLICATION & GUIDELINES**

PURPOSE: The purpose of the program is to maintain Sylvania's competitiveness as a location for new businesses and the expansion of existing businesses. This program may be used in conjunction with other financing and incentive programs available through the federal government, the State of Ohio, and / or the Toledo-Lucas County Port Authority. Job Creation Program benefits are generally not intended to be used with other City of Sylvania tax incentives. When available, property tax abatement is to be favored over the Job Creation Program as the preferred method of economic incentive.

GOAL: The goal of the Job Creation Program is to provide an incentive to companies investing in the City of Sylvania.

ELIGIBLE APPLICANTS: Any private company located or locating within the City of Sylvania, which will increase job opportunities and annual payroll, is eligible to submit an application for this Job Creation Program. Governmental or non-profit entities may also be eligible provided such applicant may not receive property tax abatement, nor occupy tax abated or tax-exempt property, during the duration of its Job Creation Program benefit. All applicants must clearly demonstrate a need for the grant above and beyond mere entitlement. Preference will be given to corporate offices and similar types of facilities. Commercial retail operations are not eligible.

APPLICATION PROCESS: Applications are available at the City of Sylvania Administration Building, 6730 Monroe Street, 2nd Floor and can be obtained from the Economic Development Director or Finance Director. There is a \$200 application fee to apply for the incentive.

FINAL APPROVAL: The Council of the City of Sylvania has the final approval of all grant applications. Grants will be awarded on a first come - first served basis, until all appropriated funds are utilized. Payments of grants in future years will be conditional upon and subject to appropriations of non-tax revenues by Council for such payments.

DETERMINATION OF GRANT AMOUNT: The specific grant to any one company will be based upon the company's gross payroll and the amount of municipal income tax such a payroll will generate in the City of Sylvania.

AMOUNT OF GRANT (Creation Projects): The amount granted will be up to one-third of the amount projected to be paid in municipal income taxes in the first year after the project is completed. The grant is based on a minimum of \$500,000 of new or increased payroll and five (5) new jobs as a result of the expansion or relocation project. The amount would increase in multiples of \$100 of annual payment per \$20,000 of payroll up to a maximum of \$50,000.

For example, a company with a "Year 1" payroll of \$1 million with a minimum of fifteen (15) employees which located in Sylvania in "Year 2" could receive a grant of \$5,000 ($\$1 \text{ million} \times .015 = \$15,000$ divided by 3 = \$5,000). Note that grant payments are made one year in arrears for payroll and employment verification purposes.

An existing company which is expanding is also eligible for the grant based upon the increased payroll and additional employees resulting from the expansion.

The dollar amount of the grant is calculated based on information provided to the City at the time of the grant request. Once the grant amount is determined, it will not be increased during the grant period. However, if the annual payroll decreases, the grant payment would be decreased proportionally.

The projected annual payroll must be maintained throughout the duration of the grant period in order to maintain the amount of the annual grant payment.

No grant award will exceed \$250,000, payable in five (5) annual payments of up to \$50,000 each.

TERMS OF THE GRANT:

Applicant company must complete and submit an application form, with documentation as required by the City.

All applicants must make a brief presentation to Sylvania City Council prior to legislative action by Council approving or disapproving the jobs grant application. The presentation should briefly explain the nature of the company, project, and the necessity of the jobs grant.

To be eligible for jobs grant benefits, applicant must have submitted a jobs grant application to the City of Sylvania prior to the start of their project. The execution of a lease, purchase agreement or construction contract is generally considered to denote the start of a project. Submission of an application does not give special status in awarding the grant.

The grant will be for a fixed number of years, not to exceed five (5). The number of years will be determined by the number of jobs created by the company locating or expanding. All grant projects and payments will be adjusted to a calendar year basis.

Should the number of jobs decrease during the grant period, the number of years that the payments will be awarded will be decreased accordingly. The maximum years of eligibility are five (5).

If any company receiving a grant award is considering a second expansion project, it is eligible to apply for a second grant award. However, Council will make the final decision as to whether or not to grant a second award to a company.

The acceptance of jobs grant benefits from the City of Sylvania will require a contractual commitment on the part of the applicant to substantially maintain the subject project operations in the City of Sylvania for a period of time equal to a ratio of 1.5 years per approved grant year (example: 5 year jobs grant = 7 ½ year commitment to remain in Sylvania). Failure by the applicant to abide by this commitment may require the applicant to reimburse the City of Sylvania 100% of said job grant benefits paid to the applicant in relation to the approved project.

Job grant benefits may only be assigned to a successor company (in the event of a transfer in ownership) by action of the Sylvania City Council.

COMPLIANCE REQUIREMENTS:

In order to receive approved jobs grant benefits, the company must annually make application to the Director of Finance on forms that he may from time to time prescribe. Such payment application shall provide job creation documentation and related information for the preceding grant year.

The company must be current on all other taxes, assessments, and Revolving Loan Fund payments, if applicable, and must certify that it will remain so.

The company and the City of Sylvania will execute a contract stating the amount of the grant award, the term of the award, any other terms and conditions, and what the company must do to receive the remaining grant payments.

If there are any potential conflicts of interest, the State of Ohio ethics rules will apply.



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

August 14, 2013

To: The Mayor and Members of Sylvania City Council

Re: **SAFE ROUTES TO SCHOOLS (PID 90975)**
CHANGE ORDER NO. 2 (FINAL)

Dear Mr. Mayor and Council Members:

The Safe Routes to Schools project was recently completed. Midwest Contracting, Inc.'s original contract amount for the project was \$212,662.20 and received Council approval on August 20, 2012.

Due to a change in the Ohio Department of Transportation's requirements for the type of ADA compliant materials for sidewalk ramps, additional concrete removal, replacement and restoration work was necessary. Change Order No. 1 for this work in the amount of \$35,683.50 received Council approval on February 19, 2013 and the total adjusted contract price was increased to \$248,305.70.

Now that the project is completed, the final installed quantities have been resolved and a change order is necessary to adjust the final contract price. Various pay items were installed at less than the anticipated bid quantity. As a result Change Order No. 2 is a deduction in the amount of \$13,020.42.

We have reviewed the request and recommend approval of Change Order No. 2 which will reduce the final contract amount from \$248,305.70 to \$235,325.28.

Please call if you have any questions.

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

Joseph E. Shaw, P.E., P.S.
Deputy Director of Public Service
JES/dsw

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 2 (FINAL)

Project Ordinance No.: 47-2012 Purchase Order No. 46319

Contract: Safe Routes to Schools (PID 90975)

Title of Change Order: _____

Date: 7/31/2013

Description of Change: See attached.

RECOMMENDED FOR APPROVAL BY: Kevin G. Aller, P.E. *Date*
Public Service Director

Original Contract Amt	\$ 212,662	20	REVIEWED BY: _____ <i>Engineer</i>
Previous Changes (+ or --)	\$ +35,683	50	DATE: _____
This Change (+ or --)	\$ -13,020	42	SUBMITTED BY: _____ <i>Engineers Signature</i>
Adjusted Contract Amt	\$ 235,325	28	DATE: _____ <i>Name of Contractor</i> <i>Contractor's Signature</i>

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor *Date* Toby Schroyer, Finance Director *Date*

10 b.

ORDINANCE NO. 61 -2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 2 (FINAL) TO THIS CITY'S AGREEMENT WITH MIDWEST CONTRACTING, INC. FOR THE SAFE ROUTES TO SCHOOLS PROJECT WHICH REFLECTS THE ACTUAL QUANTITIES USED ON THIS PROJECT; DECREASING THE CONTRACT AMOUNT BY \$13,020.42; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 40-2011, passed May 16, 2011, accepted the proposal of DGL Consulting Engineers, LLC to prepare construction documents and signal warrants for the Safe Routes to School Project and appropriated \$24,915 for said documents; and,

WHEREAS, Ordinance No. 47-2012, passed August 20, 2012, accepted the bid of Midwest Contracting, Inc. for the Safe Routes to Schools Project, which bid was in the amount of Two Hundred Twelve Thousand Six Hundred Twenty-Two and 20/100 Dollars (\$212,622.20); and,

WHEREAS, Ordinance No. 21-2012, passed February 19, 2013, authorized the Mayor and Director of Finance to approve Change Order No. 1 to this City's Agreement with Midwest Contract, Inc. for the Safe Routes to Schools Project which reflects additional materials used and additional work performed on this project and increased the contract amount by \$35,683.50; and,

WHEREAS, the Deputy Director of Public Service, by report dated August 14, 2013, has recommended the acceptance of Change Order No. 2 (Final) of Midwest Contracting, Inc. for said Safe Routes to Schools Project to reflect the actual quantities of materials used on this project; and,

WHEREAS, the actual quantities of materials used and work performed on the project resulted in a net decrease to the contract of Thirteen Thousand Twenty and 42/100 Dollars

(\$13,020.42), for a total contract amount of \$235,325.28.

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

SECTION 1. That said change order decreasing the contract amount by the sum of Thirteen Thousand Twenty and 42/100 Dollars (\$13,020.42), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That 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 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the adjustments in the contract for said additional improvements should be approved immediately so as not to delay the project completion. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

SECTION 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.

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

ORDINANCE NO. 62 -2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE, ON BEHALF OF THE CITY OF SYLVANIA, OHIO, TO ENTER INTO AN AGREEMENT WITH SYLVANIA HISTORICAL VILLAGE, INC. FOR THE MANAGEMENT OF SYLVANIA HISTORICAL VILLAGE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 139-98, passed December 7, 1998, authorized the Mayor and Director of Finance to enter into a Management/Maintenance Agreement with Sylvania Historical Village, Inc. for the day-to-day management and operation of the Maplewood Marketplace; and,

WHEREAS, Ordinance No. 76-2012, passed December 27, 2012, authorized a lease between the City of Sylvania, as lessor, and Interrupt, LLC, d/b/a Interrupt Marketing, as lessee, of Suites F and G in the Maplewood Marketplace, 5703 N. Main Street, Sylvania, Ohio; and,

WHEREAS, Ordinance No. 71-2012, passed December 27, 2012, accepted the bid of Paul Avery Company, Inc. and awarded the contract for the Maplewood Marketplace Improvement Project to same; and,

WHEREAS, also at that time, it was determined that the Management Agreement between the City of Sylvania and Sylvania Historical Village should be revised to more accurately reflect the ongoing mission of Sylvania Historical Village to educate and promote the history of the Sylvania Community; and,

WHEREAS, the Sylvania Historical Village, Inc. will provide the following management and maintenance services for the Historical Village properties, 5723, 5725 and 5727 N. Main St., Sylvania, Ohio: marketing and leasing; budgeting and expense control; tenant relations and

property inspection; service contracting and management; collections and disbursements; reporting; and maintenance services; and,

WHEREAS, a copy of the Management Agreement between the City of Sylvania and the Sylvania Historical Village, Inc. for the management of the Sylvania Historical Village is attached hereto as Exhibit A; and,

WHEREAS, the Building and Grounds Committee met on August 6, 2013 to review the proposed Management Agreement and thereafter recommended approval of the attached agreement.

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, on behalf of the City of Sylvania, Ohio, to enter into a Management Agreement with the Sylvania Historical Village, Inc. for the management of the 5723, 5725, and 5727 N. Main Street, as well as all of the buildings located in Sylvania Historical Village, including the restroom facilities, the Sylvania Heritage Center Museum and the Sister City Garden.

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 commencement of the management of the properties should take place 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

AGREEMENT

THIS AGREEMENT, ("Agreement") is made and entered into as of September 1, 2013, by and between the City of Sylvania, ("City") and Sylvania Historical Village, Inc., ("SHV").

RECITALS

- A. SHV is a not for profit corporation organized under the laws of the State of Ohio and is qualified as a tax exempt organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and City is the sole member of SHV.
- B. SHV's mission is to educate residents and visitors about, and promote the history of, the Sylvania community and SHV accomplishes this mission in part by preserving and operating historic buildings and grounds on property owned by the City and further described in Section 1.2 below (the "Historic Village").
- C. Historically, SHV has derived the vast majority of its revenues through financial support and services provided directly and indirectly by the City.
- D. The City and SHV desire to enter into this Agreement to assist SHV in furthering its mission and to assist the City in management of the Historic Village.

AGREEMENT

Now, therefore, in consideration of the mutual promises and covenants set forth herein, the parties hereby agree as follows:

ARTICLE 1 - EXCLUSIVE AGENCY

Section 1 - Appointment: City hereby appoints SHV as sole and exclusive agent of City to lease, manage, and maintain the Historic Village (as defined in Section 1.2) upon the terms and conditions provided herein. SHV accepts such appointment and agrees to provide the services for the leasing, management and maintenance of the Historic Village.

Section 1.2 - Description of the Historic Village: The properties to be managed and maintained by SHV under this Agreement (the "Historic Village") are: 5723 N. Main St., Sylvania, Ohio; 5725 N. Main St., Sylvania, Ohio; 5727 N. Main St., Sylvania, Ohio; all of the buildings located in the Sylvania Historical Village, including the restroom facilities, the Sylvania Heritage Center Museum, and the Sister City Garden as shown on the map attached hereto as Exhibit A, consisting of the land, buildings and other improvements.

Section 1.3 - Term: The initial term of this Agreement shall be for one (1) year commencing August 1, 2013 and terminating at midnight on July 31, 2014, which term thereafter shall be automatically renewed from year to year unless terminated as provided in Article 15 herein. Each of said one-year renewal periods is referred to as a "term year".

Section 1.4 – Use of Historic Village: The use and maintenance of the Historic Village shall be consistent with the purposes for which SHV exists and the provisions of Internal Revenue Code Section 501(c)(3) and the regulations promulgated thereunder.

ARTICLE 2 - OPERATING AND ADDITIONAL ACCOUNTS

Section 2.1 - Operating Account: Funds received by SHV in regard to operation of the Historic Village pursuant to this Agreement shall be retained in an operating account with a financial institution determined by SHV. SHV may use funds in such operating account for SHV's general operating and/or capital expenditures. City shall release to SHV any interest the City has in all funds currently on deposit in accounts used by SHV in the management of the Historic Village or the former management by SHV of the Maplewood Marketplace. In addition to the noted operating account, SHV may maintain such additional accounts (e.g. capital, endowment, member, etc.) as SHV's Board may from time to time determine appropriate.

ARTICLE 3 - OVERVIEW OF MANAGEMENT/MAINTENANCE SERVICES; SUPPORT OF SHV

Section 3.1 - Services to be Provided: SHV shall provide the following management and maintenance services for the Historic Village:

1. Marketing and Leasing
2. Budgeting and Expense Control
3. Tenant Relations and Property Inspection
4. Service Contracting and Management
5. Collections and Disbursements
6. Reporting
7. Maintenance Services

Section 3.2 - City Support of SHV: SHV currently has no employees and the Curator, who is primarily responsible for the operations of SHV, currently is an employee of City. City also currently provides significant services to SHV for building and grounds maintenance as requested by SHV. City and SHV acknowledge that in order for SHV to perform the services required under this Agreement, SHV will need to rely upon the efforts of the Curator, members of SHV or volunteers, or retain independent contractors. While the Board of Trustees of SHV intends to seek alternative funding sources, including grants and fundraising efforts, it is likely that the support of the City will be crucial for the foreseeable future if SHV is to be able to operate the Historic Village.

ARTICLE 4 - MARKETING AND LEASING

Section 4.1 - Sylvania Historical Village's Authority to Lease the Historic Village: SHV shall use all reasonable efforts to market the Historic Village and keep the buildings specified on Exhibit A as regular rental properties in the Historic Village fully-occupied by procuring tenants. SHV also shall have the authority to rent on a daily or other limited basis the other buildings comprising the Historic Village, provided that such rentals shall not significantly interfere with the mission of SHV or the operation of the Historic Village. In furtherance of the intent of this Agreement, SHV is authorized to negotiate, prepare and execute all leases, including all renewals and extensions of leases (and expansions of space in the Historic Village, if applicable) and to cancel and modify existing leases. All costs of leasing shall be paid out of the Operating Account. A standard form of lease shall be agreed upon by City and SHV and any and all modifications to the standard form of lease shall be approved by the City's Director of Law.

Section 4.2 - Exclusive Listing: During the term of this Agreement, City shall not authorize any other person, firm or corporation to negotiate or act as leasing agent with respect to any leases for space in the Historic Village. City agrees to promptly forward all inquiries about leasing to SHV.

Section 4.3 - Rental Rates: Rental rates for space in the Historic Village shall be established by SHV. SHV shall, promptly following the execution of this Agreement and from time to time thereafter, inform the City about the rental rates being charged at the Historic Village.

Section 4.4 - Collections and Evictions: SHV shall collect all rents, charges and other amounts receivable on City's account in connection with the management and operation of the Historic Village. Such receipts shall be deposited in the Operating Account. SHV is authorized to institute, in City's name, all legal actions or proceedings for the enforcement of any lease terms, for the collection of rent or other income from the Historic Village, or for the evicting or dispossessing of tenants or other persons from the Historic Village.

Section 4.5 - Advertising and Marketing Expenses: SHV shall advertise such space as is available for rent in the Historic Village and arrange for signs, floor plans, brochures and other forms of advertising.

ARTICLE 5 - BUDGETING AND EXPENSE CONTROL

Section 5.1 - Budgets: Within sixty (60) days following the commencement of the term, SHV shall provide City with a suggested operating budget for the remainder of the initial term. Prior to September 15th of each year thereafter, SHV shall provide City with a suggested operating budget for the following calendar year. City shall review and approve the budget, and thereafter it shall be the "Approved Budget" for such period.

Section 5.2 - Variance Reporting and Corrective Action: SHV will track progress against the Approved Budget on a quarterly basis through variance reports, and will recommend timely, appropriate corrective actions when necessary.

Section 5.3 – Capital Expenditures: City understands and contemplates that ongoing capital expenditures will be necessary for the improvement/maintenance and repairs to the Historic Village. SHV agrees to prepare and submit to City an annual report on or before September 15th of each calendar year setting forth its capital project budget requests for the Historic Village for the following calendar year. It is understood that the City retains authority in determining the final approval of the projects and amounts to be appropriated for said projects, if any, for each calendar year.

ARTICLE 6 - TENANT RELATIONS AND PROPERTY INSPECTION

Section 6.1 - Tenant Relations and Inspections: SHV shall use all reasonable efforts to ensure complete and consistent tenant satisfaction. Such efforts will include, but not be limited to, the following:

1. Maintaining regular, face-to-face contact with tenants
2. Overseeing any projects conducted in the Historic Village
3. Inspecting the Historic Village on a periodic basis and taking appropriate corrective action to improve operating conditions and assure quality services.

ARTICLE 7 - SERVICE CONTRACTING AND MANAGEMENT

Section 7.1 - Services to the Historic Village: SHV shall, in its name and at its expense, contract for electricity, gas, telephone, fuel, water, janitorial services, pest control, and such other services as SHV shall deem necessary or prudent for the proper operation of the Historic Village. It is acknowledged that City currently provides lawn and grounds maintenance, snow removal and additional services to the Historic Village. The City will continue to provide lawn maintenance and snow removal for the Historic Village. All utility deposits shall be SHV's responsibility, except that SHV may pay same from the Operating Account at SHV's expense, not to exceed One Thousand Dollars (\$1,000.00).

Section 7.2 - Repairs and Maintenance: SHV is authorized to make or cause to be made, through contracted services or otherwise, all ordinary repairs and replacements reasonably necessary to preserve the Historic Village in its present condition and for the operating efficiency of the Historic Village, and all alterations required to comply with lease requirements, governmental regulations, or insurance requirements. SHV is also authorized to decorate the Historic Village and to purchase or rent, on City's behalf, all items necessary for the management, maintenance, or operation of the Historic Village. Such maintenance and decorating expenses shall be paid out of the Operating Account.

Section 7.3 - Approval for Maintenance Expense: The expense to be incurred for any one item of maintenance, alteration, refurbishing or repair shall not exceed the sum of Five Thousand Dollars (\$5,000.00), unless such expense is (i) approved as part of the Approved Budget under Section 5.1 hereof, (ii) approved as a capital expense pursuant to Section 5.3 hereof, (iii) otherwise authorized by City, or (iv) is incurred under such circumstances as SHV shall reasonably deem to be an emergency. For purposes of this Agreement, the term "emergency" is defined as a situation

where repairs are immediately necessary for the preservations and safety of the Historic Village, or to avoid the suspension of any essential service to the Historic Village, or to avoid danger to life or property, or to comply with federal, state, or local law.

ARTICLE 8 - COLLECTIONS AND DISBURSEMENTS

Section 8.1 - Collections: SHV shall invoice and collect all security deposits, rents, common area charges and other amounts receivable under the leases. SHV shall also monitor all collections and receivables through procedures designed to keep tenants current.

Section 8.2 - Security Deposits: SHV shall collect, deposit and disburse tenants' security deposits in accordance with the terms of each tenant's lease. SHV shall pay tenants interest upon such security deposits from the Operating Account only if required by law or the terms of the specific lease to do so. SHV shall comply with all applicable state or local laws concerning the responsibility for security deposits and interest, if any.

Section 8.3 - Operating Expenses: SHV is hereby authorized to pay or reimburse itself from the Operating Account for all expenses and costs of operating the Historic Village and for all other sums due SHV under this Agreement.

Section 8.4 - Proceeds: SHV shall retain all proceeds accumulated under this Agreement and shall expend the proceeds as deemed appropriate by SHV for the capital expenditures and other improvements to the Historic Village and the operations of SHV. Proceeds are defined as the balance of funds from gross receipts from rents, fees, ticket/event proceeds generated from the use and operation of the Historic Village.

Section 8.5 - City's Right to Advance Funds: SHV shall monitor cash flow to give City timely notice of additional cash requirements or disbursements. In the event that the balance in the Operating Account is at any time insufficient to pay disbursements due and payable, City may, remit to SHV sufficient funds to cover the deficiency and replenish the Operating Account.

Section 8.6 – Real Estate Taxes: To the extent that any of the Historic Village is taxable, City shall be responsible for the payment of the real estate taxes.

ARTICLE 9 - REPORTING

Section 9.1 - Reports: By the 15th day of September in each year during the term hereof, SHV shall furnish City with a statement of cash receipts and disbursements from the operating of the Historic Village during the previous reporting period. Such statement shall compare financial performance of the Historic Village against the Approved Budget. In addition, SHV shall, on a mutually agreed upon schedule, prepare and submit to City such other reports (e.g., rent roll, occupancy report, etc.) as are reasonably requested by City.

ARTICLE 10 - MAINTENANCE SERVICES

Section 10.1 - Scope of Services: In addition to making or contracting for repairs, SHV will also contract for or otherwise provide maintenance services to the Historic Village.

Section 10.2 - Periodic Walk Throughs and Inspections: SHV will conduct periodic "walk-throughs" to ensure building cleanliness and tenant comfort and to inspect all building equipment and operating systems, including furnaces, air conditioners, ceiling fans (and related equipment), building lights, parking lot lights and restroom facilities. SHV will also inspect the cleanliness of the buildings and the condition of the grounds.

Section 10.3 - Preventative Maintenance Program: SHV will initiate a preventative maintenance ("PM program") on furnaces, air conditioners and other equipment serving tenant suites. The PM program will generate work orders on a scheduled basis and retain a total accounting of all work done for the Historic Village and for individual items of equipment. All maintenance will be scheduled per manufacturers' specifications and annually City shall receive, upon request, a full accounting of all preventative maintenance activity that took place in the preceding year.

Section 10.4 - Daily Response Program: SHV will use reasonable efforts to promptly respond to tenants' maintenance requests.

ARTICLE 11 - INDEMNIFICATION

Section 11.1 - Indemnification: City hereby indemnifies and agrees to defend and hold SHV and its officers, employees, trustees, directors and agents harmless from all loss, damage, costs, expenses (including attorney's fees), liability or claims for personal injury or property damage incurred or occurring in, on, or about the Historic Village.

ARTICLE 12 - CITY'S LIABILITY INSURANCE

Section 12.1 - City's Liability Insurance: City shall obtain and keep in force adequate insurance against physical damage (e.g., fire with extended coverage endorsement, boiler and machinery, etc.) and against liability for loss, damage, or injury to property or persons which might arise out of the occupancy management, operation, or maintenance of the Historic Village. The amounts and types of insurance shall be acceptable to both City and SHV and any deductible required under such insurance policies shall be City's expense. SHV shall be named as an additional insured on all liability insurance maintained with respect to the Historic Village. Liability insurance shall be adequate to protect the interest of both City and SHV and in form, substance and amounts reasonably satisfactory to SHV. City agrees to furnish SHV with certificates evidencing such insurance or with duplicate copies of such policies within thirty (30) days of the execution of this Agreement. If City fails to do so, SHV may, but shall not be obligated to, place said insurance and charge the cost thereof to the Operating Account. Said policies shall provide that notice of default or cancellation shall be sent to SHV as well as City and

shall require a minimum of ten (10) days' written notice to SHV before any cancellation or, or changes to said policies.

ARTICLE 13 - SHV'S LIABILITY

Section 13.1 - SHV's Liability: SHV assumes no liability whatsoever for any acts or omissions of City, or any previous owners of the Historic Village, or any previous management or other agent of either. SHV assumes no liability for any failure of, or default by any tenant in the payment of any rent or other charges due City pursuant to any lease or otherwise. SHV assumes no liability for previously unknown violations or environmental or other regulations which may become known during the period this Agreement is in effect. Any such regulatory violations or hazards discovered by SHV shall be brought to the attention of City in writing, and City shall promptly cure same.

ARTICLE 14 - BUILDING COMPLIANCE

Section 14.1 - Compliance with Codes and Ordinances: SHV does not assume and is given no responsibility for compliance of the Historic Village or any building thereon or any equipment therein with the requirements of any building codes or with any statute, ordinance, law or regulation of any governmental body or of any public authority or official thereof having jurisdiction, except to notify City promptly or forward to City promptly any complaints, warnings, notices or summons received by SHV relating to such matters. City represents that to the best of City's knowledge the Historic Village and all such equipment comply with all such requirements, and City authorizes SHV to disclose the ownership of the Historic Village to any such officials and indemnifies and holds SHV, its representatives, servants and employees harmless of and from all loss, cost, expense and liability whatsoever which may be imposed by reason of any present or future violation or alleged violation of such laws, ordinances, statutes or regulations.

ARTICLE 15 - TERMINATION

Section 15.1 - Termination: This Agreement may be terminated by either City or SHV, with or without cause, at the end of the initial term or any subsequent term by giving thirty (30) days' prior written notice.

ARTICLE 16 - FORCE MAJEURE

Section 16.1 - SHV Not Responsible in Certain Circumstances: Any delays in the performance of any obligation of SHV under this Agreement shall be excused to the extent that such delays are caused by wars, national emergencies, natural disasters, strikes, labor disputes, utility failures, governmental regulations, riots, adverse weather and other similar causes not within the control of SHV, and any time periods required for performance shall be extended accordingly.

ARTICLE 17 - COMPLETE AGREEMENT

Section 17.1 - Complete Agreement: This Agreement, including any specified attachments, constitutes the entire Agreement between City and SHV with respect to the management and maintenance and operation of the Historic Village and supersedes and replaces any and all previous management agreements entered into and/or negotiated between City and SHV relating to the Historic Village covered by this Agreement. No changes to this Agreement shall be valid unless made by supplemental written agreement executed and approved by City and SHV. Except as otherwise provided herein, any and all amendments, additions or deletions to this Agreement shall be null and void unless approved by City and SHV in writing. Each party to this Agreement hereby acknowledges and agrees that the other party has made no warranties, representations, covenants or agreements, express or implied, to such party, other than those expressly set forth herein, and that each party, in entering into and executing this Agreement, has relied upon no warranties, representations, covenants or agreements, express or implied, to such party, other than those expressly set forth herein.

ARTICLE 18 - NOTICES

Section 18.1 - Notices: Any notices, demands, consents and reports necessary or provided for under this Agreement shall be in writing and shall be addressed as follows, or at such other address as City and SHV individually may specify hereafter in writing:

Sylvania Historical Village: Chairperson
5717 North Main Street
Sylvania, Ohio 43560

City: Director of Finance, City of Sylvania
6730 Monroe Street
Sylvania, Ohio 43560

Such notice or other communication may be mailed by United States registered or certified mail, return receipt requested, postage prepaid, and may be deposited in the United States Post Office or a depository for the receipt of mail regularly maintained by the Post Office. Such notices, demands, consents and reports may also be delivered by hand or by any other receipted method or means permitted by law. For purposes of this Agreement, notices shall be deemed to have been "given" or "delivered" upon personal delivery thereof or two business days after having been deposited in the United States mails as provided herein.

ARTICLE 19 - BINDING EFFECT

Section 19.1 - Binding Effect: This Agreement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have affixed their respective signatures as of the date first written above.

CITY:

by: _____ by: _____
Craig A. Stough, Mayor Toby A. Schroyer, Director of Finance

Date: _____ Date: _____

SYLVANIA HISTORICAL VILLAGE, INC.:

by: _____ by: _____

Date: _____ Date: _____

EXHIBIT A
MAP OF HISTORIC VILLIAGE

12

ORDINANCE NO. 63 -2013

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A 3-YEAR COLLECTIVE BARGAINING AGREEMENT COMMENCING JANUARY 1, 2013 WITH THE FRATERNAL ORDER OF POLICE/OHIO LABOR COUNCIL, INC. ON BEHALF OF THE SYLVANIA POLICE TELECOMMUNICATORS; AND DECLARING AN EMERGENCY.

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

WHEREAS, Ordinance No. 88-2011, passed October 17, 2011, authorized the Mayor and Director of Finance to enter into a one-year Collective Bargaining Agreement with the Sylvania Police Telecommunicators; and,

WHEREAS, the City received notice from the Fraternal Order of Police/Ohio Labor Council, Inc. on behalf of the Sylvania Police Telecommunicators that they wished to negotiate; and,

WHEREAS, the City, through its Chief of Police, and the collective bargaining unit of telecommunicators represented by the Fraternal Order of Police/Ohio Labor Council, Inc., have negotiated a Collective Bargaining Agreement, a copy of which is now on file with the Clerk of this Council; and,

WHEREAS, as reported by the Chief of Police, negotiations with the telecommunicators have resulted in a settlement allowing wage increases of 1%, 1% ,and 1% for the years 2013, 2014, and 2015, respectively together with other terms all as set forth in a Collective Bargaining Agreement; and,

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

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, on behalf of this City, authorized and directed to enter into a Collective Bargaining Agreement in the form and substance of said Agreement now on file with the Clerk of this Council for the years 2013, 2014, and 2015, with the Sylvania Police Telecommunicators representing all telecommunicators, and the Mayor and Director of Finance be, and they hereby are, authorized to make any incidental changes in the language of said Collective Bargaining Agreement now on file with the Clerk of this Council if the Director of Personnel approves said Collective Bargaining Agreement as modified as to content and, both the Collective Bargaining Agreement now on file with said Clerk and/or the Agreement as modified and approved as to content by the Director of Personnel, are approved as to form by the Director of Law.

SECTION 2. That said Collective Bargaining Agreement authorized by Section 1. hereof shall be effective on and after January 1, 2013 in accordance with Article XXXVII thereof.

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that authorization for signing the Collective Bargaining Agreement should be given forthwith to permit implementation of wage adjustments at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2013, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

RESOLUTION NO. 10 -2013

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO FILE AN APPLICATION WITH THE OHIO DEPARTMENT OF DEVELOPMENT, OFFICE OF COMMUNITY DEVELOPMENT, FOR FISCAL YEAR 2013 OHIO SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT DISCRETIONARY GRANT PROGRAM; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Development allocated \$1,500,000 for FY2013 Ohio Small Cities Community Development Block Grant (CDBG) Discretionary Grant Program; and,

WHEREAS, the CDBG Discretionary Grant Program provides communities with a means to fund worthwhile “targets of opportunity” projects and activities that do not fit within the structure of existing programs, and to provide supplemental resources to resolve immediate and unforeseen needs that are eligible CDBG activities and qualify under the national objective of low-to-moderate income benefit or the elimination of slum and blight conditions; and,

WHEREAS, the City of Sylvania held the first required public meeting for general CDBG Program funding and the City of Sylvania will hold the second required program specific public meeting for CDBG Discretionary Grant Program funding prior to the Office of Community Development approving the application; and,

WHEREAS, the meeting indicates a significant need and interest in utilizing CDBG funds to assist the community with necessary and useful programs responsive to State and national program objectives and qualification criteria.

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

SECTION 1. That the Mayor and Director of Finance of the City of Sylvania are hereby authorized to file an application for the FY2013 Ohio Small Cities Community Development Block Grant (CDBG) Discretionary Grant Program.

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

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

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should file its application for the grant immediately and therefore this Resolution should be made 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 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:

Clerk of Council

APPROVED:

Mayor

Date

President of Council

APPROVED AS TO FORM:

Director of Law



City Of Sylvania

SYLVANIA CITY COUNCIL
SHARON M. BUCHER, CLERK

To: Mayor Craig A. Stough and Members of City Council

From: Sharon Bucher, Clerk of Council

Certificate of Notice

- ZA-1-2013, Renee Mason, 5441 Main St
- ZA-2-2013, Edifice Rex, Ltd., 5445 Main St.
- ZA-3-2013, Edifice Rex, Ltd., 5453 Main St.
- ZA-4-2013, Edifice Rex, Ltd., 5457 Main St.

The undersigned Clerk of Council hereby certifies as follows:

- A. Thirty (30) days of time and place of public hearings were published in the Toledo Free Press on July 12, 2013.
- B. Written notice of hearings were mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed as follows:

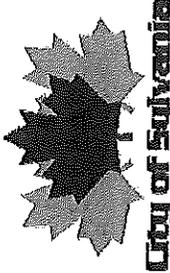
<u>Owner</u>	<u>Property Address</u>	<u>Owner Address</u>
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See attached properties listing. (3 pages)

Sharon Bucher 8/15/13
 Clerk of Council Date

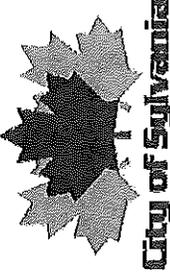
**CITY OF SYLVANIA
DEPARTMENT OF PUBLIC SERVICE**

**ZONING CHANGE FOR 5441, 5445, 5453 & 5457 MAIN STREET
PROPERTY OWNER NOTIFICATION LIST**



NO.	ADDRESS	OWNER	MAILING ADDRESS	CITY	STATE	ZIP
1	5220 Main Street	Louisville Title Agency for NW Ohio	River Center LLC, 3536 Secor Road	Toledo	OH	43606
2	5470 Main Street	Sylvania Main Street Properties, LLC	6711 Monroe Street, Suite 4C	Sylvania	OK	43560
3	5460 Main Street	Sylvania Main Street Properties, LLC	6711 Monroe Street, Suite 4C	Sylvania	OK	43560
4	5448 Main Street	Sylvania Development Group LTD	C/O Wilcox Financial, Attn: Patrick Kenney, 3400 Executive Parkway	Toledo	OH	43606
5	5442 Main Street	Phillip William Tillotson	5442 Main Street	Sylvania	OH	43560
6	5432 Main Street	Donald A. Beebe	5432 Main Street	Sylvania	OH	43560
7	5428 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
8	5408 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
9	5422 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
10	5402 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
11	5362 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
12	5340 Main Street	Midland Agency of Northwest Ohio, Inc.	5373 Main Street	Sylvania	OH	43560
13	5336 Main Street	Midland Agency of Northwest Ohio, Inc.	5373 Main Street	Sylvania	OH	43560
14	5334 Main Street	H. L. & M. D. Smith	5334 Main Street	Sylvania	OH	43560
15	5328 Main Street	Paula D. Reinhard	5328 Main Street	Sylvania	OH	43560
16	5324 Main Street	Midland Agency of Northwest Ohio, Inc.	5373 Main Street	Sylvania	OH	43560
17	5318 Main Street	Justin J. & Erin A. Tiell	5318 Main Street	Sylvania	OH	43560
18	5314 Main Street	Kimberly A. Starr	5314 Main Street	Sylvania	OH	43560
19	5308 Main Street	Anthony R. Garzony	4519 Bennett Road	Toledo	OH	43612
20	5302 Main Street	Cheryl A. Nosker	5302 Main Street	Sylvania	OH	43560
21	5262 Main Street	Thomas R. & Kathleen M. Hooker	5262 Main Street	Sylvania	OH	43560
22	5250 Main Street	R.P. & A. L. Schuster	5250 Main Street	Sylvania	OH	43560
23	5244 Main Street	Jonee L. Wandersee	5244 Main Street	Sylvania	OH	43560

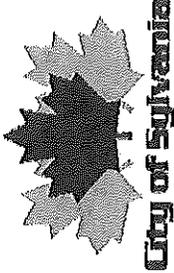
CITY OF SYLVANIA
DEPARTMENT OF PUBLIC SERVICE
ZONING CHANGE FOR 5441, 5445, 5453 & 5457 MAIN STREET
PROPERTY OWNER NOTIFICATION LIST



NO.	ADDRESS	OWNER	MAILING ADDRESS	CITY	STATE	ZIP
24	5226 Main Street	Zachary & Andrea Brown	5226 Main Street	Sylvania	OH	43560
25	5218 Main Street	Julie Broetje Higgins	5218 Main Street	Sylvania	OH	43560
26	5210 Main Street	Jim Karahalios	Jim Karahalios, C/O Chris Markos, 7996 Ivory Hills Drive	West Chester	OH	45069
27	5200 Main Street	Mark A. Nelson	5200 Main Street	Sylvania	OH	43560
28	5211 Main Street	Lourdes Main Street Properties, LLC	6832 Convent Boulevard	Sylvania	OH	43560
29	5219 Main Street	Lourdes Main Street Properties, LLC	6832 Convent Boulevard	Sylvania	OH	43560
30	5227 Main Street	Nour of Ohio, LLC	5227 Main Street	Sylvania	OH	43560
31	5231 Main Street	Brenda S. Childers	5231 Main Street	Sylvania	OH	43560
32	5237 Main Street	Sharon L. Haley-Dudgeon	9562 Saint Christine Court	Sylvania	OH	43560
33	5243 Main Street	Rathbun Properties, LLC	C/O Wells Real Estate Co., 2820 Rathbun Road	Toledo	OH	43606
34	5263 Main Street	Rathbun Properties, LLC	C/O Wells Real Estate Co., 2820 Rathbun Road	Toledo	OH	43606
35	5301 Main Street	Kal-B Investments	C/O Robert Dunlap, 4927 Courville Avenue	Toledo	OH	43623
36	5303 Main Street	Mitchell P. & Barbara A. Gorsha	5303 Main Street	Sylvania	OH	43560
37	5307 Main Street	Thomas Wilkinson, LTD	3655 Centennial Road	Sylvania	OH	43560
38	5309 Main Street	Courtney L. & Brian E. Stutz	5309 Main Street	Sylvania	OH	43560
39	5321 Main Street	Rathbun Properties, LLC	C/O Wells Real Estate Co., 2820 Rathbun Road	Toledo	OH	43606
40	5329 Main Street	Rathbun Properties, LLC	C/O Wells Real Estate Co., 2820 Rathbun Road	Toledo	OH	43606
41	5339 Main Street	Midland Agency of Northwest Ohio, Inc.	5373 Main Street	Sylvania	OH	43560
42	5343 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
43	5351 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
44	5359 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
45	5365 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560

**CITY OF SYLVANIA
DEPARTMENT OF PUBLIC SERVICE**

**ZONING CHANGE FOR 5441, 5445, 5453 & 5457 MAIN STREET
PROPERTY OWNER NOTIFICATION LIST**



NO.	ADDRESS	OWNER	MAILING ADDRESS	CITY	STATE	ZIP
46	5425 Main Street	Leonard Paul Blair, Bishop of the Roman Catholic Diocese of Toledo in America	5373 Main Street	Sylvania	OH	43560
47	5431 Main Street	Drewso LTD	C/O Douglas Dymarkowski, 5431 Main Street	Sylvania	OH	43560
48	5441 Main Street	Blonde Ambition Enterprises, LTD	6038 Wild Ivy Court	Sylvania	OH	43560
49	5445 Main Street	Edifice Rex LTD	5019 Rolanddale Avenue	Toledo	OH	43623
50	5453 Main Street	Edifice Rex LTD	5465 Main Street	Sylvania	OH	43560
51	5453 Main Street	Edifice Rex LTD	C/O David Garner, 5465 Main Street	Sylvania	OH	43560
52	5465 Main Street	Edifice Rex LTD	C/O David Garner, 5465 Main Street	Sylvania	OH	43560
53	5457 Main Street	Edifice Rex LTD	5465 Main Street	Sylvania	OH	43560
54	5505 Main Street	Toledo Edison Co.	C/O First Energy Tax Department, 76 S. Main Street	Akron	OH	44308
55	5519 Main Street	Food King Supermarket, Inc.	(Sautters Food Center) 5519 Main Street	Sylvania	OH	43560
56	6520 Convent Blvd.	Franciscan Sisters	6832 Convent Boulevard, Unit 2	Sylvania	OH	43560

B



City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

August 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
July 31, 2013	\$734,776.19	\$11,229.05	\$723,547.14
July 31, 2012	\$714,114.52	\$6,075.97	\$708,038.55
Monthly Difference	<u>\$20,661.67</u>	<u>\$5,153.08</u>	<u>\$15,508.59</u>
Year to Date 2013	\$5,913,771.57	\$138,078.24	\$5,775,693.33
Year to Date 2012	<u>\$5,586,822.72</u>	<u>\$121,656.32</u>	<u>\$5,465,166.40</u>
Yearly Difference	\$326,948.85	\$16,421.92	\$310,526.93
			5.68%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

City of Sylvania
Bank Reconciliation
July 2013

C

CHECKBOOK BALANCE

Ending balance for Jun 2013 \$ 22,251,185.66

Add: Monthly Receipts 1,962,045.36

Subtotal \$ 24,213,231.02

Less: Monthly Disbursements 2,234,900.10

Ending balance for Jul 2013 \$ 21,978,330.92

Less:

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

Star Ohio (76,943.49)

Petty Cash (1) (2,050.00)

Cemetery Savings (1,062.86)

Toledo Community Fund (28,386.02)

PNC MoneyMarket (1,027,198.66)

Key Bank Securities (1,007,394.29)

5/3rd Securities (12,114,624.65)

SJS Account (5,215,499.71)

Sylvania Township Bonds (680,000.00)

 \$ 825,171.24

Less:

Voided Ck # 63289 in Aug 140.00

\$ 825,311.24

(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

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance \$ 1,111,563.63

Deposits in Transit 2,415.63

Subtotal \$ 1,113,979.26

Less: Outstanding Checks (2) 288,668.02

Adjusted Bank Balance \$ 825,311.24

(2)

Jun Outstanding Checks \$ 16,140.56

Checks written this month 1,402,858.72

Subtotal \$ 1,418,999.28

Checks Cleared (1,130,331.26)

Jul Outstanding Checks \$ 288,668.02



Toby Schroyer
Director of Finance, City of Sylvania

D

MEMO

August 15, 2013

To: City Council Members and Administration
From: Laura Bigelow
Re: 2nd Quarter Reports

Please find enclosed the 2nd Quarter Reports for 2013. Please call me at 885-8926 with any questions.

City of Sylvania Management Report
For The Division of Streets
Second Quarter - 2013

Key Statistics

Road Repairs & Maintenance:

	<u>2013</u>	<u>2012</u>
Remove & Replace Existing Concrete As Needed	12.5 cu.yds	37.5 cu.yds
Asphalt Placed for Repairs	21.5 tons	26.5 tons
CDF Low Density Backfill used	9 cu.yds	0
Street Sweeping Hours	284 hrs	328 hrs
Street Sweeping Tonnage Hauled	68 tons	87.5 tons
Catch Basin Repair Hours	1319 hrs	2409 hrs
Crack-Fill Roadways Hours	224 hrs	396 hrs
Repairs to Berm within the City Limits	80 hrs	0
Tons of Small Berm Used for Repair	23 tons	0
Cold Patch Hours	94 hrs	82 hrs
Cold Patch Used in Tons	3 tons	7.5 tons

Traffic Signs Repaired and / or Replaced:

Sign Maintenance Hours	481 hrs	420 hrs
Regulatory Signs	17	36
Warning Signs	7	2
Street Name & Informative Signs	13	47

Miscellaneous:

Dead Animals Removed From Right - of - Way	41	67
Snow Plow Damage Repair (Mail Box & Yard Repair)	64 hrs	0
Hours Helping SAJRD	32 hrs	0
Hours Helping Other Dept. (Water, Sewer, etc...)	58 hrs	38 hrs
Work on or Around Salt Storage Buildings		
(5509 Harroun Rd, 8425 Sylvania-Metamora Rd)	8 hrs	0
Stack Salt (Sylvania-Metamora Salt Storage)	96 hrs	0
Sylvania Safety City Program	16 hrs	8 hrs
Equipment Maintenance (sweepers, Crafcu, Roller, Paint Machine)	848 hrs	232 hrs
Clean Up Accidents In The Roadways	13 hrs	33 hrs
Haul Used Concrete to C.S Burge Inc.	40 tons	50 tons
Cleaning and Inspecting Catch Basins	243 hrs	116 hrs
Curb and Sidewalk Repairs	14 hrs	33 hrs
Clean Brine Mixing Tank for Storage	16 hrs	16 hrs
Safe Routes to School (S.R.T.S)	32 hrs	0

Special Event Set Up:

2013
147 hrs

2012
155 hrs

Glass City Marathon
Paper Shred Day at City Hall
St. Joseph Church Festival
Chamber of Commerce Street Festival
Memorial Day Parade
St. Joseph School Walk / Run
Safety City Program
Chamber of Commerce Family Movie Event
Treo Restaurant Fundraising Event
24 Hour Challenge @ Timberstone Jr. High
Toledo Roadrunners Club
Maple & Main 2 Day Art Show
Block Party

Activities to be Performed Third Quarter:

Street Sweeping
Crack-Fill Pavement
Painting of Streets
Thermoplastic Repairs
Concrete Repairs
Catch Basin Repairs
Road Repairs
Traffic Sign Maintenance

Patrick Livingston
Superintendent of Streets
7/10/2013

SYLVANIA POLICE DIVISION
2ND QUARTER 2013
Management Report Worksheet

	<u>2013</u>	-	<u>2012</u>
Crime Reports	358		384
Crime Offenses	413		427
Criminal Arrests - Juvenile/Adult	196		191
Traffic Citations	412		416
Written Warnings	290		498
Parking Ticket	31		59
OVI	16		17
Traffic Crashes	110		103
Traffic Crash injuries/fatalities	23/0		26/0
Calls for Police Service	3,104		3,504
Hours Spent Handling Police Calls	1,320		1,421
Emergency Response Time – Priority 1	2.1		2.4
Overtime Hours - Police	1,299.75		1,020
Overtime Hours - Dispatch	314.5		294.25
Training Hours	599.25		759.5
Vehicle Lockouts	116		107
Motorist Assists	73		93
False Alarms - Commercial	51		50
False Alarms - Residential	33		30
Child Safety Seats Installed	30		20

Community Affairs

Sylvania Police Division Office of Community Affairs

Quarterly Report – 2nd Quarter 2013

"The mission of the Office of Community Affairs is to support the Sylvania Police Division in its efforts to maintain an atmosphere of safety and security for members of the community. To be effective in assisting in this mission, the Office of Community Affairs shall provide education in the areas of substance abuse and positive decision-making in all Sylvania Schools. The Office of Community Affairs shall also provide crime prevention programs and services to educate our citizens and businesses."

Introduction

Officer Hendricks finished presenting the elementary D.A.R.E curriculum to Sylvania Franciscan Academy, St. Joseph's School, and the Toledo Islamic Academy. We also presented the 3rd grade seatbelt safety program and the kindergarten bicycle safety program to all schools in the City of Sylvania.

The 2012-2013 school year for the Sylvania School System has come to a close. The school year was successful without any significant issues to report. The City of Sylvania Police Division, the Sylvania Township Police Division, and the Sylvania School System continue to coordinate and train school staff members and students of the Sylvania School System in the A.L.I.C.E. Program.

The Community Affairs staff coordinated and conducted the Safety City Program at Maplewood Elementary School. The program was a success and has received numerous positive responses from parents and children involved in the program.

The Sylvania Police Explorer Program continues to be an excellent resource for our community. We provide the opportunity for our youth to learn about law enforcement as they develop lifelong skills that will serve them well as they become adults. The current members of our program have been diligently training and developing their skills and knowledge. The Explorers have developed and grown significantly over the last year, and I am very proud of their dedication and the advancement of their skills and knowledge from their hard work. Explorer Chris Kiefer was selected and attended the week long DEA Leadership Academy in Washington DC. Explorer Kiefer advised that the academy was an incredible honor and his attendance provided him skills and knowledge to become an excellent police officer and leader in the future.

Youth Programs / DARE Events

- Officer Roe gave several presentations to health classes at Southview High School.
- Officer Gallup gave several presentations to various school and community groups.
- Officer Hendricks gave numerous presentations to various school and community groups
- Officer Hendricks completed the elementary DARE program at the Toledo Islamic Academy, at the Sylvania Franciscan Academy and at St. Joseph School.
- Officer Hendricks presented the 3rd Grade Seat Belt Safety Classes at all the elementary schools in the City of Sylvania.

- Officer Hendricks presented the Kindergarten Bicycle Helmet Safety program to all the elementary schools in the City of Sylvania.

Community Involvement

- Sgt. Music attended several community events or meetings.
- Officer Hendricks attended several community events or meetings.
- The Community Affairs staff assisted with the organization and working at the SCAT 24 hour challenge.

RUOK Program

Alerts: 9, non-emergency

Community Affairs Comp Time Used

Officer	SA Hours Earned	SA Hours Used
Sgt. Music #851	20.11	13
Ptlm. Hendricks #818	18.5	10.25
Ptlm. Roe #816	3.38	16
Ptlm. Gallup #836	0	0

School Resource Officer Programs

Northview High School - Officer Gallup	
Presentations	6
Meetings	26
General Offense Reports	1
Accident Reports	0
Citations / Warnings	1
School Related Complaints	25
Parking Lot Assists	4
Court Appearances	1

Southview High School – Officer Roe	
Presentations	6
Meetings	31
General Offense Reports	6
Accident Reports	0
Citations / Warnings	1
School Related Complaints	17
Parking Lot Assists	0
Court Appearances	0

Explorer Program

- Explorers have trained in several topics this quarter:
 - Legal review – Search and Seizure/Miranda
 - Traffic Direction and Control.
 - Participation in the Monroe County Fairgrounds Mock Disaster day.
 - Explorers participated in several Traffic Stop classes with scenarios.

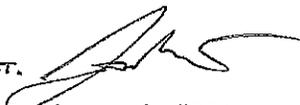
- Explorers assisted with the following events this quarter:
 - Assisted with Active Shooter Training for Sylvania PD and Sylvania Twp PD.
 - Delivering flyers to advise residents of road closures for the Marathon.
 - The Glass City Marathon
 - The 24 hour challenge
 - Festirama (Two Nights)
 - Pacesetter Soccer Invitational Tournament.
 - Safety City and Safety Town – Both weeks

Volunteer Program -2nd Quarter Report - Summary

Hour Summary	
Total Patrol Volunteer hours for April 2013 - Jun 2013	244
Total Event Volunteer hours for April 2013 - June 2013	90
Total	334

Volunteer Patrol Log	
Lockouts	5
House Checks	25
Road Patrol/Traffic Assists	23
Citizen/Motorist Assists	0
Business Checks	55
Business Surveys	0
Juvenile Court Runs	3
Special Assignments:	
A. Chris Roby / SRT assist's - 3 times	
B. Events:	
<ul style="list-style-type: none"> • Glass City Marathon • Drug Drop Off Event • Memorial Day Parade • St. Joes Positive Directions Run • Toledo Road Runners Frantic Finish 5K Run • Festirama – Two (2) Nights • Assisted with Active Shooter Training for SPD And STPD Officers. • Assisted picking up new patrol cars in Van Wert OH 	

Respectfully,

Sgt. 

Sgt. Justin Music #851
Sylvania Police Division
Office of Community Affairs



Sylvania Police Division
Detective Bureau
6635 Maplewood Ave
Sylvania, OH. 43560
419-885-8907

2013 Second Quarter

First Quarter Detective Bureau Summary

Active investigations monthly average: 50

Active Case Load by Investigator:

<u>Detective</u>	<u>Assigned in QTR</u>	<u>Cleared in QTR</u>	<u>Monthly Avg. Load</u>
Sgt. Seney	17	24	15 (non-drug)
Det. Bliss	8	14	13 (non-drug)
Det. Papenfuss	15	15	10 (non-drug) 9 (drug)
Unf. Inv. Gibbs	4	6	3 (non-drug)
<u>Quarterly Case Totals:</u>	44	59	41 (non-drug) 9 (drug)

Number of Call In's and Hold Overs in QTR:

Call In:	5
Hold Over:	5

Narrative:

- The detective bureau responded with road patrol to a robbery of the Subway on Monroe Street. Det. Papenfuss working with other investigators was able to quickly identify the suspect who committed the offense. The getaway vehicle was also recovered locally a few days later and processed by Det. Papenfuss and Unf. Inv. Gibbs. The suspect has been identified and is actively being pursued by the fugitive unit.
- The detective bureau executed 2 child pornography search warrants based on case referrals to our agency by BCI and the Ohio Internet Crimes Against Children Task Force.
- The detective bureau responded and assisted dayshift officers with a robbery/stabbing. Det. Bliss' subsequent findings were that the robbery had not happened. At this point the victim has become uncooperative and it is not known if his injuries were inflicted by and "unnamed" friend or himself.
- Inv. Gibbs continues to look into the vandalism and arson cases assigned to him regarding the Olander Park incidents. He is working closely with the Ohio Fire Marshal's Office and the STPD arson investigator following up on tips that we have received.
- The detective bureau executed 2 drug search warrants bases on Det. Papenfuss' drug investigations that are still active at this time.
- Det. Bliss, Det. Papenfuss and Sgt. Seney are all working separate cases relating to the theft of items from the Flower Hospital campus.

Forfeitures:

- \$198.26 GO#4-4244 was ordered forfeited to the Sylvania Police Division
- \$130.00 GO#11-4357 was ordered forfeited to the Sylvania Police Division
- \$40.00 GO#12-3829 was ordered forfeited to the Sylvania Police Division
- \$837.00 GO#13-1863 Seized during a search warrant
- \$302.00 GO#13-1952 Seized suspect arrest at St. Joe's Festirama
- \$255.23 GO#12-5060 was forfeited over to SPD by Sylvania Court
- \$837.00 GO#13-1863 seized on 5/10/13 was emailed to LCCC for filing
- \$302.00 GO#13-1952 seized on 5/17/13 was emailed to LCCC for filing
- \$1,991.00 GO#13-2441 was seized during a search warrant

Drug Evidence Seizures:

(monthly estimate of drug seizures as listed in Emergitech Drugs/Narcotics Property Report-not lab tested at time of report)

- 864.8 grams (1.90 lbs) marijuana
- 2.2 grams crack cocaine
- 3 ¼ pills acetaminophen oxycodone hydrochloride 325mg
- 2x heroin shoot kit
- suboxone sublingual film 8mg/2mg
- Small plastic container of liquid marijuana
- 1.2 g cocaine
- 1x Alprazolam pill
- 8x 50mg Tramadol pills
- 119x Cyclobenzaprine pills
- < 1gr Methamphetamine
- 19x Hydrocodone pills
- 2x unknown capsules
- 20x Fluoxetine HCL Pills
- 4x 300mg Seroquil pills
- 1x 7.5mg Meloxicam pill
- 20x Amitriptyline HCL
- 13x 100mg Allopurinol pills
- 40x syringe bodies & 20x needles
- 3x glass jars of liquid Tamoxifen Citrate
- 1x glass jar liquid HCG
- 1x glass jar liquid Letrozole
- 1x glass jar liquid Tadalafil
- 40x 25mg Tadalafil
- 40x 5mg Cabergoline
- 1x jar liquid Clenbuterol
- 1x jar bacteriostatic water

- 40x 90mg Sildenafil Citrate
- 1x jar liquid Clomiphene Citrate
- 1x syringe w/Testosterone (micro)
- DEA/SPD pharmaceutical turn in at station produced 49.5 lbs misc pharmaceuticals

Respectfully Submitted,

Sgt. Joshua R. Seney

cc: Operations Captain

Management

The mission of the Sylvania Police Division is to serve the citizens of Sylvania in a professional and efficient manner by providing comprehensive law enforcement services to the community, so that each citizen may be safe and secure to enjoy their pursuit and enjoyment of all lawful activities.

During the 2nd Quarter 2013, a couple of special events took place. The Glass City Marathon was held during April in Toledo with runners going through parts of our city during the course of this event. In May, the St. Joseph's Festival was held. Very minor problems were experienced and the event was a tremendous success to all. As we move forward into July and August, we have several more special events that will challenge the Police Division. They are the July 4th Fireworks, the Sylvania Cycling Classic and the Marathon Golf Tournament aka the Jamie Farr Golf Classic. In August we have the Sylvania Kids and Adult Triathlons taking place. The Sylvania Police Division enthusiastically looks forward to these challenges.

This quarter we experience no changes in our personnel. As we move into the summer months, I along with my command staff, officers, telecommunicators and administrative secretary look forward to serving the needs of our citizens and our wonderful community. We also look forward to our continued working relationship with city council.

We are at our authorized strength of 34 Police Officers, 6 Telecommunicators, and 1 Administrative Secretary. We ended this quarter with no vacancies, no suspensions, one officer on Family Medical Leave and one telecommunicator on Medical Leave recovering from surgery.

William H. Rhodus
Chief of Police



City of Sylvania

Division of Taxation

Management Report - Second Quarter - 2013

Key Statistics:	2013	2012
Number of tax returns processed	7146	3398
Number of e-filed returns	558	597
Number of withholding payments processed	2146	2111
Number of online payments	92	86
Number of refunds processed	256	345
Delinquent totals	\$443635.31	\$314,916.75
Amount of money collected by attorney or due to collection	\$10966.72	\$8903.61
Number of accounts turned over for collection	34	20

Items of Special Interest:

The second quarter is a very busy time for our office. It begins in April with a high volume of assisting taxpayers file before the April 15 deadline. Once the due date of the tax returns passes, we have the duty of processing the all return payments and opening all mail, followed by auditing the returns that were received. There is no time for projects or special programs in the second quarter.

We continue to look for ways to improve our productivity and increase revenues.

Respectfully submitted,

Christy M. Golis
Commissioner of Taxation

Parks & Forestry Quarterly Report : April - June, 2013

Green Yard Waste

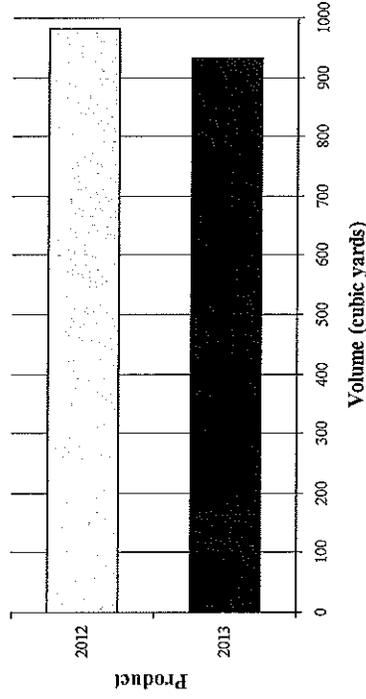
Volume Collected (cubic yards)

* Route A 290.0~

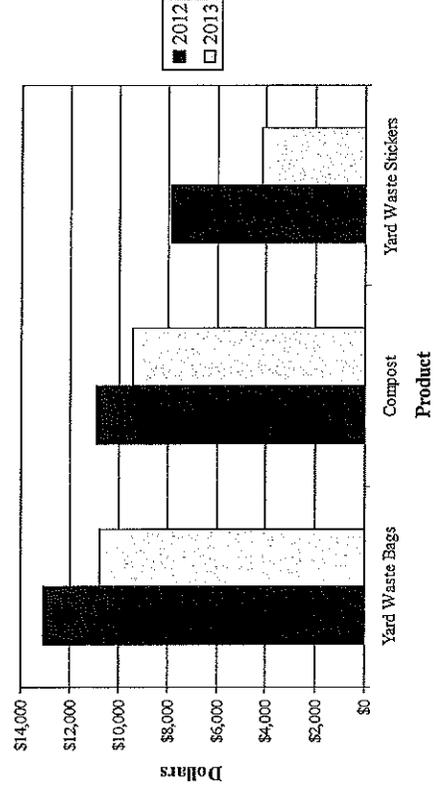
* Route B 296.0~

~ Processed Volume

2012 - 2013 Cu Yds. of Compost Sold

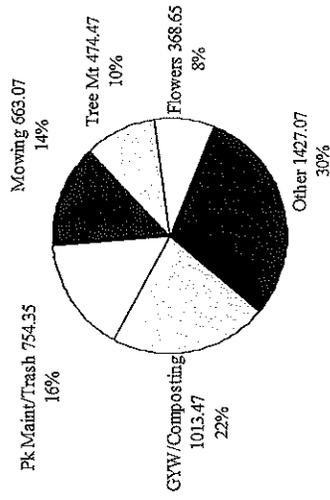


2012 - 2013 Revenue Comparison

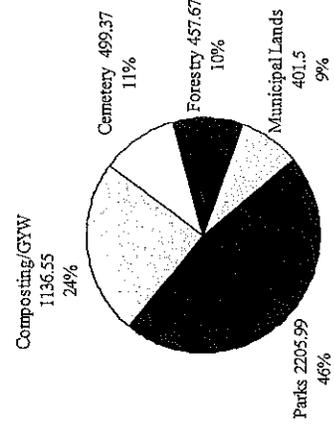


Parks & Forestry Quarterly Report : April - June, 2013

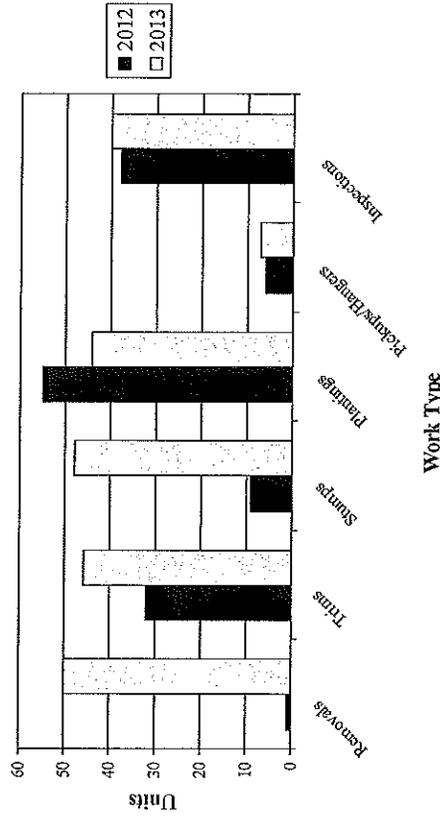
Man-Hours by Work Type



Man-Hours by Account



2012 - 2013 Work Comparison



**SECOND QUARTER REPORT
2013**

Division: **Zoning**

<u>Zoning Office Key Statistics:</u>	<u>This year (2013)</u>	<u>Last Year (2012)</u>
Residential Additions & Accessory New Dwelling	9 0	20 1
Estimated Valuation		\$189,000
New Commercial	1	0
Commercial Additions & Alterations	11	13
Sign Permits Issued	8	12
Demolition Permits	1	0
Swimming Pool Permits	8	9
Sidewalk Permits Issued	0	5

Municipal Planning Commission:

Lot Splits
Council Referrals

Architectural Board of Review:

Regulated District		
Unregulated District		
Regulated Signs	5	14

Zoning Complaints & Violations:

On-site Inspections	20	32
Letters & Warnings Sent	4	5

Respectfully,


Robert H. Oberly
Zoning Department

**COMMERCIAL PERMITS ISSUED
SECOND QUARTER - 2013**

<u>ADDRESS</u>	<u>PURPOSE OF PERMIT</u>	<u>OWNER/BUSINESS</u>
6832 Convent	Interior Remodel	Lourdes Marie Hall
5629 Main	Interior Remodel	AYA Downtown
5551 Monroe	Commercial Remodel	Monroe Retail
5690 Monroe	Int/Ext Remodel	Monroe LLC
6633 Monroe	New Building	STFD
5641 Main	Deck	Jeff Unverferth
6601-6625 Brint	Interior Remodel	Lourdes University
5200 Harroun	Interior Remodel	Flower Hospital
6392 Monroe	Interior Remodel	PNC
5577 Monroe	Interior Remodel	Miller Diversified
5651 Main	Interior Remodel	Sylvan Studio



City Of Sylvania

DIVISION OF UTILITIES

2nd Quarter 2013

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Y-T-D	Prior Year
Number of Water Accounts	7,145	7,148				
Number of Sewer Accounts	8,446	8,378				
Number of Water Tap Permits	4	4			8	8
Number of Sanitary Tap Permits	10	11			21	23
Number of Storm Tap Permits	3	3			6	8
Number of Second Meter Permits	0	4			4	24
Utilities						
Number of Payments Received	19,524	19,356			38,880	78371
Total Collection Water	\$745,999.71	\$793,304.08			\$1,539,303.79	\$3,813,062.62
Total Collection Sewer	\$507,801.45	\$486,229.60			\$994,031.05	\$2,094,610.02
Total Collection Refuse	\$110,962.49	\$107,908.54			\$218,871.03	\$436,802.26
Total Collection On/Off	\$350.00	\$400.00			\$750.00	\$751.29
Total Collection Fire	\$934.33	\$901.34			\$1,835.67	\$3,629.11
Total Collection Misc	\$2,947.50	\$3,529.10			\$6,476.60	\$14,284.74
Total Collection Water Tap Pay Plan	\$85.61	\$296.74			\$382.35	\$855.51
Total Collection Sewer Tap Pay Plan	\$1,434.71	\$1,246.28			\$2,680.99	\$81,760.87
Utility/Zoning Permit Sales						
Water Tap Permits	\$3,600.00	\$4,223.63			\$7,823.63	\$7,200.00
Sanitary Tap Permits	\$1,200.00	\$2,120.00			\$3,320.00	\$2,280.00
Sanitary Connections Fees	\$6,500.00	\$4,700.06			\$11,200.06	\$24,630.00
Storm Tap Permits	\$190.00	\$285.00			\$475.00	\$570.00
Second Meter Permits	\$0.00	\$1,250.00			\$1,250.00	\$6,300.00
Hydrant Permits	\$0.00	\$2,700.00			\$2,700.00	\$2,250.00
Zoning Permits	\$1,115.65	\$2,033.00			\$3,148.65	N/A
Sewer and Sidewalk Licenses	\$875.00	\$785.00			\$1,660.00	N/A
Refuse/Green Yard Waste						
Refuse Extra Bag Tags	\$234.00	\$188.00			\$422.00	N/A
Refuse Bulk Item Sticker	\$700.00	\$371.00			\$1,071.00	N/A
Green Yard Waster Stickers/Bags	\$1,410.00	\$9,176.00			\$10,586.00	N/A
Misc.						
Misc.	\$1,249.28	\$4,963.17			\$6,212.45	\$15,302.27
					\$0.00	
Total Collection	\$1,387,589.73	\$1,426,610.54			\$2,814,200.27	\$6,504,288.69

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Y-T-D	Prior year
Total Water Purchased (Gallons)	133,678,000	172,879,000			306,557,000	726,550,000
Average Daily Water Purchased	1,485,311	1,920,878			3,406,189	1,990,547
Total Sewer Flow (Gallons)	284,630,000	339,480,000			624,110,000	1,112,700,000
Average Daily Sewer Flow	3,162,555	3,772,000			6,934,555	3,048,493
Estimated Population Served-Water	21,400					
Estimated Population Served-Sewer	25,300					

Activities To Be Performed

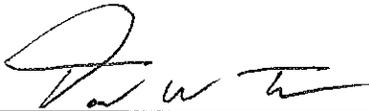
Various water and sewer projects, training and equipment upgrading

Progress This Period

Systematic Cleaning of sewer collection system
 Online utility account availability and email billing
 Finished updating of data collection units and handheld programmers
 Maintenance of water distribution system

Management Considerations/Problems/Comments*

Training



David W. France
 Utility Manager



City of Sylvania Management Report
for the Division of Vehicle Maintenance
Second Quarter 2013

Key Statistics

No. of vehicles serviced and repaired:

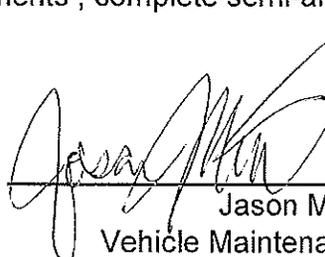
This Quarter	131
Last Quarter	157

	<u>Unit count</u>	<u>Parts \$</u>	<u>Labor \$</u>	<u>Hours</u>
<u>Fleet Condition:</u>				
<u>SPD:</u> Good, routine maint.	70	2,557.00	\$4,695.00	117
<u>Streets:</u> Good, routine maint.	43	4,997.00	\$5,220.00	131
<u>Water:</u> Good, routine maint.	6	632.00	\$420.00	11
<u>Sewer:</u> Good, routine maint.	6	147.00	\$300.00	8
<u>Parks:</u> Good, routine maint.	3	172.00	\$420.00	11
<u>Other Depts:</u> Good, routine Maint.	3	198.00	\$1,035.00	26
<u>Totals</u>	131	8,703.00	\$12,090.00	302

Misc Repairs (sublet): All Dept. **11,574.00**

Total Vehicle Maintenance cost: **32,367.00**

Second Quarter 2013 activities: Provide revolving repair and maintenance for all departments. Ready and maintain seasonal equipment for all departments , complete semi-annual services for Streets and Utilities departments.



 Jason Music
 Vehicle Maintenance Manager
 July 31,2013



**City of Sylvania
Division of Information Technology**

Management Report – Second Quarter - 2013

The Division of Information Technology's primary areas of responsibility include information asset security, information availability and customer service. The City's infrastructure, policies and procedures are under constant evaluation so that we can provide the most effective use of technology as well as excellent customer service to City departments and residents.

Information Security and Availability:

Software and hardware upgrades to our Microsoft Exchange email server were completed this quarter by IT. This version offers more advanced functionality and better resiliency.

Frontier Communications and IT has completed the new Wide Area Network upgrade. This new network provides connection of our Parks & Forestry, Harroun Maintenance, Administration, Court and Police buildings to our communications hubs and the Internet at twice the speed, with disaster failover, but at a 17% reduction in cost. IT is presently converting the City's telephone service from American Broadband and Telecommunications to Frontier Communications for additional monthly savings.

A new printer service contract was awarded to Perry Corporation this quarter. The new contract will keep the existing quality Perry service, yet reduce our printing maintenance costs an average of 20%.

Customer Service

The website refresh was recently awarded to R/P Marketing Public Relations. Laura Bigelow and I have met with R/P's Brian Tipping and Adam Strizzi and are finalizing the development timeline and process. The next step will be to refine the planning survey, which all stakeholders can complete. This is everybody's website and their input is welcomed.

Respectfully submitted,

Mike Tansey
Information Technology Manager

Sylvania Municipal Planning Commission

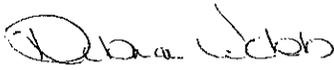
Minutes of the regular meeting of August 14, 2013. Mr. Lindsley called the meeting to order.

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

Mr. Marciniak moved, Mayor Stough seconded to approve the Minutes of the July 10, 2013, meeting as submitted. Vote being: (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

Board of Architectural Review

Minutes of the regular meeting of August 14, 2013. Mr. Lindsley called the meeting to order.

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

Mr. Marciniak moved, Mayor Stough seconded to approve the Minutes of the July 10, 2013, meeting as submitted. Vote being: (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 3 – Regulated Sign – app. no. 17-2013 requested by Denny McSign for McGuire Insurance, 6387 Monroe Street, Sylvania, Ohio 43560. Dennis McClintock and Theresa Misenroth of Denny McSign present. Application is for 2' x 8' internally illuminated wall sign. Sign is within the limits of the Sylvania Sign Code. Mayor Stough moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 4 – Regulated Sign – app. no. 18-2013 requested by Marygrove Awnings for Lock-It-Up, 7840 Sylvania Avenue, Sylvania, Ohio 43560. Tony Lockard of Marygrove Awnings present. Application is to recover the existing 3' x 12'6" awning with 3' x 10' graphics. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mayor Stough seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 5 – Regulated Sign – app. no. 19-2013 requested by Art & Sign, Inc. for Paul Mitchell, 5549 Monroe Street, Sylvania, Ohio 43560. Ron Hornyak of Art & Sign, Inc. present. Application is for a new internally illuminated 10' x 8' multi-tenant monument sign. Sign is within the limits of the Sylvania Sign Code. Mayor Stough moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 6 – Regulated Sign – app. no. 20-2013 requested by Art & Sign, Inc. for Mattress Firm, 5555 Monroe Street, Sylvania, Ohio 43560. Application is for a new internally illuminated 10' x 8' multi-tenant monument sign. Sign is within the limits of the Sylvania Sign Code. Ron Hornyak of Art & Sign, Inc. present. Mr. Marciniak move, Mayor Stough seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 7 – Regulated Sign – app. no. 21-2013 requested by Pamela Kwiatkowski for Sheer Perfection Hair Studio, 6381 Monroe Street, Sylvania, Ohio 43560. Owner Pam Kwiatkowski present. Application is for a wall sign. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mayor Stough seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 8 – Regulated Sign – app. no. 22-2013 requested by Toledo Sign for Paul Mitchell, 5549 Monroe Street, Sylvania, Ohio 43560. Myra Gueli of Toledo Sign present. Application is for two 5' x 12'2" internally lit wall signs and one 6" x 51.25" non-lit sign mounted to a 5' x 17' canopy. Signs are within the limits of the Sylvania Sign Code. Mayor Stough moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

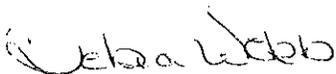
Item 9 – Regulated Sign– app. no. 23-2013 requested by John Zelasko for Allied Motor Works, 6820 Sylvania Avenue, Sylvania, Ohio 43560. Application is for two 8' x 5' wall signs. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mayor Stough seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 10 – Regulated Sign– app. no. 24-2013 requested by Toledo Sign for Key Bank, 5604 N. Main Street, Sylvania, Ohio 43560. Myra Gueli of Toledo Sign present. Application is for 2 wall signs and a monument sign with a brick base. There will also be some directional signs installed. Ms. Gueli stated that the present pole sign will be removed. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mayor Stough seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 11 – Regulated Sign– app. no. 25-2013 requested by Tessa Mossing for TK Lane's Boutique, 5675 N. Main Street, Sylvania, Ohio 43560. Owner Tessa Mossing present. Application is for a 20" x 30" suspended/swinging sign. Sign is within the limits of the Sylvania Sign Code. Mayor Stough moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Marciniak, Stough and Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

OFFICIAL COMPLAINT ABOUT COUNTY MOSQUITO SPRAYING IN LUCAS COUNTY

TO: Matt Beal, Chief of Plant Industry, and James Belt, Manager of Inspections, Ohio Department of Agriculture -- Pesticide Regulation Section, 8995 E. Main Street, Plant Industry Building #23, Reynoldsburg OH 43068, with copies to other agencies which have supported mosquito spraying in Lucas County and elsewhere.

FROM: Susan Claire Searles, 5357 Claxton, Toledo OH 43615, 419-537-0878, scsearles@gmail.com, representing the Say Nay to Spray campaign - 7/31/13

What follows is the Official Written Complaint which you said you would need in order to take any action on the problems of Lucas County's mosquito spraying carried out by Toledo Area Sanitary District (TASD) Mosquito Control. This is not a complaint specifically about the June 21 negligent triple spraying of patrons at Manhattan's restaurant in "uptown" Toledo (verified by staff of Toledo-Lucas County Health Department), since I was not a witness to that incident. (You can refer to the two *Toledo Blade* articles enclosed and my Opinion Letter citing legal violations). However, the Manhattan's incident serves as a vivid example of the commonplace "accidental" exposure of ordinary citizens who happen to be "within the truck's vicinity."

This incident shows that drivers, while focused on circuitous routes, road signs, and traffic conditions, can be totally blind to people around them, and thus neglect to turn off the spray to avoid harming these people. The contention of this Complaint is that human exposure to TASD's nerve-poisoning insecticides happens repeatedly, possibly every night that TASD sprays. It doesn't matter whether a resident is working late in the yard, or conversing with friends, or relaxing on the porch, or walking a pet dog along the sidewalk, or driving home with open windows, or inside the home with windows open and/or air-conditioner drawing in the outside air. The toxic fumes are entering people's bodies and creating long-term health risks which the federal EPA acknowledges -- cancer, nerve damage, fetal birth defects,, hormone dysfunction, developmental problems, reproductive problems, and suppression of immunity [www.epa.gov/pesticides/factsheets/kidpeptide.htm]. The active ingredient of TASD's past and current night-fogging spray, Chlorpyrifos, has been detected in the bodies of 95 percent of Americans tested. This constitutes "chemical trespass" without consent. Enclosed is a blue sheet entitled "Close Encounters with Mosquito Spray" -- local residents who tell about getting TASD-sprayed at close range, and being very upset about it. I too was very upset when in August 2011 a TASD truck 50 feet away assaulted me with choking fumes, so that my breathing passages and lungs were irritated for months afterward. Citizens thus assaulted usually do not even know the name of the chemical(s) that hit them, and thus cannot inform a doctor, so the pesticide poisoning may receive incorrect treatment which makes things worse. * (switching to "Duet" in August?)

An official website "Safety Training Guide" used by ODA for the training and testing of pesticide applicators states, "Too much exposure... may make you feel tired and dizzy... cause stomach cramps, vomiting, diarrhea, headaches, or blurred vision... pains in your chest, or trouble breathing... skin rashes... irritate your eyes or make them burn." [www.pested.osu.edu/documents/TrainedServiceperson2011-pdf] These are the short-term or "acute" symptoms. *If a TASD driver exposed nightly to these nerve gases, experienced blurred vision, dizziness, or trouble breathing, it could cause an accident... and a chemical spill that could suffocate and paralyze thousands of people in the vicinity! Who would be responsible for reparations?* In 2011 a man in Newark, Ohio shot at a spray-truck driver to alert the driver not to spray the man and his dog. The man was jailed on several charges. The incident served as a warning of security risks involving spray trucks.

It is our understanding that your Pesticide Regulation Section of ODA investigates and prosecutes violations of the Ohio Pesticide Law, which is Ohio Revised Code (ORC) 921, and specifically violations of 921.24 -- Pesticide Prohibitions. Below are listed what we consider as TASD's violations of ORC 921.24. We ask that you hold TASD accountable for these violations:

ORC 921.24(E) prohibits “falsely or fraudulently representing pesticide effects...” To our knowledge, TASD has been in violation of this law since 1947 when it first started mosquito-fogging with DDT and calling it “safe.” After 1962 and the publication of Rachel Carson’s *Silent Spring*, public pressure caused TASD to switch to Malathion, and around 1995 to Chlorpyrifos. Both Malathion and Chlorpyrifos are “organophosphates” (OPs) and are chemically related to the OP Sarin recently used by the Syrian government as a chemical weapon against its citizens – “crossing a red line,” according to President Obama, and meriting U.S. intervention in the Syrian conflict. Yet the U.S. Environmental Protection Agency (EPA) has not yet stopped the use of OPs in the U.S. even though they have been banned in parts of Europe and Canada, and are linked with fetal brain damage, ADHD, autism, nerve disease, diabetes, obesity, asthma, reproductive damage, birth defects, hormone dysfunction, and immune suppression -- and have been the subject of lawsuits against the EPA filed by farm-workers and environmental organizations. *According to a worldwide study by the World Resources Institute (WRI) called “Pesticides and the Immune System,” there is a definite lowering of the body’s immune responses after repeated exposure to pesticides. This means that people exposed to pesticides in commercial foods, lawn treatments, contaminated water, and/or mosquito sprays, become more susceptible not only to chronic diseases like cancer and diabetes, but also to infectious diseases like colds, flu, hepatitis, tuberculosis, food poisoning, and West Nile Virus!* (The very pesticides supposed to be conquering West Nile Virus are actually increasing it!) [see www.wri.org/pesticides-and-immune-system-public-health-risks] *Immune suppression from mosquito spray and other pesticides is one major reason why Lucas County, two years in a row, was ranked 72 or “worst in the state” in health effects,* in an annual report on 1000 U.S. counties from the University of Wisconsin and Robert Wood Johnson Foundation [Toledo Blade of Nov. 4, 2012, “Lucas County again ranked 72nd in state”] The present manager, director, and advisory board of TASD have apparently ignored all the complaints from citizens and scientific studies brought to their attention, because TASD staff have consistently denied any hazards from their sprays and loudly proclaimed their “safety” despite the federal EPA’s policy that claims of “safety” constitute false and fraudulent advertising.

ORC 921.24((V) & (W) prohibit pesticide use that produces adverse effects on the environment. TASD has also consistently denied that its sprays have any damaging effect on the environment or wildlife – to public officials at a city-council hearing and to people who call in to opt out. Yet for several years university studies and media have focused attention on pesticides’ role in pollinator die-off, and the consequent threat to our food system, since pollinators are crucial to the production of all fruits, vegetables, nuts, beans, seeds, alfalfa for livestock, etc. The labels of TASD’s chemical products, Chlorpyrifos “MosquitoMist” and Sumithrin/PBO “Duet” both instruct the applicator to avoid contaminating the blooms where bees might be foraging because the product is “highly toxic to bees.” Such blooms are all over Lucas County. Drivers cannot see them at night.

ORC 921.24(A) prohibits pesticide use inconsistent with label instructions. The U.S. EPA admits on numerous websites that pesticides damage the environment [see my federal case]. The Ohio Department of Natural Resources (ODNR) publishes online a “Position Paper on Pesticide Use” which states, “Pest control is never a simple matter because other living things beside the target pest may be destroyed and the environment contaminated.” [www.ohiodnr.com/directives/pesticideusedirective/tabid/9795/Default.aspx]

ORC 921.24(W) prohibits pesticide contamination of adjacent food, feed, or other products. This would apply, of course, to the June 21 contamination of patrons' food and drink at Manhattan's restaurant, and to pesticide drift onto picnic areas in parks and other public or private properties. *Generally it applies to pesticide contamination of garden produce in Lucas County's thousands of private gardens, and current 160 community gardens or "Victory Gardens" endorsed by Congresswoman Marcy Kaptur, Toledo Botanical Garden/Toledo-area Metroparks, OSU Extension at TBG, "Toledo Grows" (which provisions and counsels community gardens), food banks (which receive surplus produce), and the Multifaith Council of Northwest Ohio. These organizations sponsor regular gardening workshops throughout the year which emphasize the "sustainable" and "ecological" methods of organic gardening without synthetic chemicals.* In 2011 TASD rejected a request to automatically opt out about 70 community gardens in Lucas County, when "Toledo Grows" offered TASD a list of their names, locations, addresses, and sponsors. Instead, TASD made opting out more difficult by requiring that a form be filled out. Since TASD's forms contained threatening language about opt-outs being subject to neighbor disputes and search of "public records," it discouraged many from opting out. This was a huge disservice to all the gardeners who labored in community gardens and the needy people who consumed food from these gardens. *TASD has not only contaminated foods grown in gardens, but jeopardized Lucas County's present and future food production by destroying the pollinators on which growers depend. This is a national security issue. The Pentagon has been studying how to respond if continuing food shortages lead to "civil unrest" -- which has happened already in other countries where famine struck unexpectedly as a result of storms and flooding, or droughts and crop failures, or spreading deserts, or wildfires, or exhaustion of the soil which is a problem worldwide. If produce prices quadrupled, it would not only spark riots and hoarding, it would degrade the health of every single citizen. The World Health Organization already warns of impending famines worldwide due to the above causes. Thus TASD's violation of ORC 921.24(W) assumes monumental importance in Lucas County.*

ORC 921.24(F) prohibits use of a pesticide known to be ineffective. An online publication of the Centers for Disease Control (CDC) called "Insecticides and Vector Control" states that in areas where there has been regular or "intensive" spraying for mosquitoes, the mosquito populations have developed immunity or "resistance" to the sprays. "Cross-resistance" has developed to multiple kinds of pesticides used, especially in the Midwest. The same deduction appears in a college textbook by two Iowa State University professors, *Entomology and Pest Management 6th edition*, in which the whole of Chapter 17 is devoted to pest resistance, and mosquitoes are said to be among the species most resistant to pesticides.

ORC 921.24(L) prohibits use of a misbranded or adulterated pesticide. It is our contention that TASD's chemicals are "misbranded" because the product labels are misleading, omitting many environmental hazards and human-health hazards which have been revealed in the last decades of research, such as "hormone disruption" which prompted Congress's 1996 "Food Quality Protection Act" (FQPA) directing EPA to drastically lower its "safe tolerance levels" on food, because of children's greater vulnerability to pesticides from the womb onward. Studies had shown that a woman's lifetime accumulation of pesticide residues in her fat tissues and elsewhere, during gestation could enter the fetus and cause mental and physical damage.

ORC 921.24(U) prohibits fraudulent business practices. This has been discussed above, but the main point is that the hazards of TASD's pesticides have been kept secret from the public, and TASD has encouraged

residents to order "extra spray" from T ASD (called "day-misting") without mentioning all the side-effects on the environment and human health.

ORC 921.24(G) prohibits operating in a negligent manner. This would apply to the T ASD driver's failure to turn off the spray when passing the well-lit patio with a dozen patrons eating and drinking on June 21. More generally, it would apply to T ASD's negligence in examining relevant research on pesticides, and its insistence on spraying nerve gases with documented damage to the environment and human health.

ORC 921.24(Z) prohibits any failure to properly supervise a trained serviceperson (driver), which would apply to T ASD's failure to instill in the new driver its "treatment standard" to turn off the spray when passing people "in the truck's vicinity." (A) also prohibits the ignoring of "treatment standards."

ORC 921.24(I) prohibits making a false or fraudulent report. It seems obvious that T ASD made a false report to the *Blade* when it denied that Manhattan's was sprayed three times from different directions, which contradicted the reports of four witnesses to the incident – the owner, the manager, the patron Jemma Hostetler (quoted in the *Blade*, who later sent a written complaint to T ASD), and the patron and author of the blog site who described the Manhattan's incident *as it was happening*, at www.ToledoTalk.com/cgi-bin/tt.pl/article/156090/21Jun2013/Questioning_timing_of_mosquito_spraying/ and quoted Mrs. Hostetler's letter of complaint verbatim.

Please consult my Opinion Letter for other Ohio laws which T ASD has violated, not only by the negligent spraying of Manhattan's restaurant, but in general. "Inducing panic" calls to mind those who notice a spray truck coming down the street and rush in fear and panic to gather family and pets inside, close windows, turn off air-conditioners, etc. "Criminal Mischief" and "Criminal Damaging or Endangering" by means of poison gas are *prohibited*, period.

Enclosed is a copy of my Complaint to the U.S. District Court (which was dismissed ~~on technicalities~~ with a recommendation to turn again to State authorities). Obviously, you are now under no legal obligation to answer the many allegations. However, we consider you under a moral obligation to consider each one and ask yourselves whether you would be capable of answering it as a co-defendant, given the information presented by numerous governmental authorities. Please remember the adage that "one generation's truth is the next generation's falsehood." We now know that the spraying of pesticides causes mosquitoes to mutate an immune response – which gets passed down to all the offspring, and continued spraying causes mutations which lead to more insidious and vicious pests. Worse, the pesticides cause mosquito populations to multiply faster because of the die-off of their natural predators, the birds, bats, amphibians, dragonflies, fish, and other species which normally consume mosquitoes as part of their diet. (This is further explained in my blog site, <http://sites.google.com/site/saynaytospray/>.)

We of the "Say Nay to Spray" campaign in Lucas County request that ODA call T ASD to account for the preceding violations of the Ohio Pesticide Law, and/or that you stop the spraying altogether, which is the purpose of this Official Complaint. There is plenty for T ASD to do that is environmentally friendly, such as helping residents clean up the mosquito-breeding rain-collectors in their yards, and building bat-houses, since each bat eats thousands of mosquitoes every single night. Please notify me by e-mail that you have received this Official Complaint and the federal filing, and are considering the ramifications. Best regards,

Susan Claire Searles

Are We “Doing Nothing” About Mosquitoes?

North Fork Mosquito Abatement, published August 6, 2012 in *The North Fork Merchant Herald* serving the communities of Hotchkiss, Crawford and Paonia, Colorado. [emphases added]

Some have complained that the Mosquito District has not been spraying this year, saying that the District is “doing nothing” about the mosquitoes. Irrigation in the North Fork Valley has enabled the valley to flourish. However, irrigation can also cause mosquitoes to flourish. This year, the combination of irrigation, unseasonably hot weather, and an early drop in the flow of the river has resulted in high mosquito populations. This makes the Mosquito District look bad, and **to some, the lack of the smell of poison in the air means the District must be “doing nothing.”**

Of course, if you wish to see for yourself how the District is “doing nothing,” you may call the District field office at 527-6681 and volunteer to ride along with one of the District’s four full-time technicians, as they scour the 50 square miles of the District, monitoring and treating over 500 mosquito breeding sites. To ride along, you will need to be at the “shed” on O Road, just south of Matthews Lane in Paonia, no later than 6 a.m. Bring your irrigation boots. **Depending on the route, you may want to wear waders. Of course, long pants are preferable to shorts. We recommend that you wear a hat and use insect repellent. Bring plenty of drinking water. And possibly, carry a machete.** It can be a long day.

At the end of the day, you can decide which is closer to “doing nothing” — hiking through ravines and underbrush and swampy fields of cattails, carrying a 40-to-50-lb backpack blower of larvicide, five days a week, every week of the hot summer months, killing juvenile mosquitoes *before* they hatch into flying adults... or driving each area once a week, fogging the streets with poison.

If you are wondering why the “doing nothing” District is going to so much trouble to tramp through so many practically impassible areas of brush and undergrowth, ask some of the people who remember **just a few years back, when the District was spraying weekly. Several locals lost their honeybees. Birds and frogs and butterflies were scarce, too. Some residents fled the valley for the entire summer due to the way the spray affected their health. Others huddled behind closed doors and windows, with air conditioning shut off, in 90+ degree weather.**

So what is the benefit of weekly fogging? Well, the benefit is that residents see and hear and smell that the District is “doing something.” This comforts residents, so they conclude that they do not need to protect themselves. There is peace of mind. **Yet, during that time of weekly fogging, our valley had the highest per capita incidence of West Nile Virus in the entire state. Some trade-off — exposing ourselves and our children to toxins that kill beneficial wildlife and result in high rates of human WNV, in exchange for a false sense of security, a fraudulent peace of mind.**

Depending on the wind speed and direction, fogging may kill no more than 10 to 30 percent of the adult mosquitoes within a few dozen feet of the pickup, on the downwind side of the fogger. It has a kill rate of zero for the mosquito larvae that will become adults over the next few days, no matter where they are. To kill, the fog has to encounter a mosquito *in flight*. That is why the spray is called “fog.” The fogger emits Ultra-Low Volume particles in an attempt to suspend them in the air for as long as possible. This improves the chances that the fog will hit a

flying adult mosquito. It also means chances of inhaling these particles are increased. These toxins, derived from nerve gas, affect *your* nervous system just as they do the mosquito's.

Some mistakenly believe that fog kills mosquitoes for up to two weeks. The truth is that, once the fog settles, which is anywhere from a few minutes to a few hours after the truck goes by, there is no residual killing effect on mosquitoes. Soon, fresh adults will hatch to take the place of any mosquito that might have been dropped by the fog. **Residual chemical should be washed from playground equipment, food products, birdbaths, etc., because the toxic effect is still there for humans and other animals – just not mosquitoes!**

There is also the problem of resistance. A study in the North Fork in 2007 concluded that **regular spraying resulted in mosquitoes that were immune to the spray.** According to the study's author, Malathion is rarely used any more because *Culex* mosquitoes, the kind that carry WNV, readily develop resistance to organophosphates. He noted that calendar spraying is simply ineffective and only exacerbates the development of resistance.

The District has used permethrin in its fogging operations in recent years as an alternative to organophosphates. However, **the EPA fact sheet on Permethrin says it is "highly toxic" to aquatic organisms and to honeybees.** A 2007 report done in Paonia summarizing 108 peer-reviewed studies found significant human health effects from Permethrin ranging from Parkinson's to childhood brain cancers.

Experience has shown that a much more effective approach is to prevent mosquitoes from becoming adults. This requires much more time and effort – remember your trek through those boggy marshes at 6 a.m. with the intrepid crew? And yes, it takes tax money. However, it is effective. We are actually getting benefit from our tax dollars and killing mosquitoes by the millions.

You are not smelling mosquito spray in the air this summer; but that does not mean that the District is doing nothing. In fact, the reports of mosquitoes with WNV are proof that the District *is* doing something. Without the trapping performed by the District, the County Board of Health would have no idea that WNV is in the North Fork. The District is finding it because they're looking for it – in the mosquito pools – and not waiting until local hospitals report the disease in humans.

Notably, there have been no reports of West Nile in humans since the District started its current style of "doing nothing." The District prefers to use non-toxic methods, mainly because they are actually effective. Spraying has an overall counter-productive effect: A false sense of protection coupled with the destruction of helpful mosquito predators, essential pollinators and other non-targeted species, including you.

To see what others have learned about mosquito spraying, just take a look at:
<https://sites.google.com/site/saynaytospray/>

<http://www.merchantherald.com/are-we-doing-nothing-about-mosquitoes/>



OFFICE OF THE MAYOR
CRAIG A. STOUGH, MAYOR

August 16, 2013

TO THE MEMBERS OF SYLVANIA CITY COUNCIL:

RE: Appointments to the Housing Councils for Community
Reinvestment Areas 1, 6, and 8

Dear Council Members:

Mr. Bill Sanford, Economic Development/Administrative Services Director and Mr, Kevin Aller, Director of Public Service, have expressed their interest in serving on the Housing Councils for Community Reinvestment Areas 1, 6, and 8.

Therefore, I am pleased to announce the appointments of Mr. Bill Sanford and Mr. Kevin Aller to the Housing Councils for Community Reinvestment Areas 1, 6, and 8 for terms commencing on January 1, 2014 and expiring on December 31, 2016, and request that you confirm these appointments.

Respectfully submitted,

Craig A. Stough
Mayor

CAS/lb