

Sylvania City Council
March 5, 2012

6:30 p.m. Finance Committee – Modification of CRA District

7:30 p.m. Council Meeting

Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mr. Haynam.
3. Additions to the agenda.
4. Approval of the February 21st meeting minutes.
5. Proposed Resolution 5-2012, declaring the City of Sylvania's intent to enter into an agreement with the County of Monroe, Michigan, the Township of Whiteford and the County of Lucas permitting sewer no. 2 service area to connect to the City of Sylvania sewer system.
6. Proposed Ordinance 19-2012, approving the banner application from St. Joseph Church.
7. Proposed Ordinance 20-2012, to approve and authorize various capital improvement projects.
8. Natural Gas Aggregation;
 - a. Memorandum from Director of Law.
 - b. Proposed Ordinance 21-2012, authorizing the Mayor and Director of Finance of the City of Sylvania, Ohio to enter into an agreement with Interstate Gas Supply.
9. Proposed Ordinance 22-2012, revising certain administrative, departmental and divisional organizations of the city, by amending Sylvania Codified Ordinance Section 131.01(c) to delete the position of Assistant Prosecutor in the Department of Law.
10. Committee reports.
11. Committee referrals.

Information

- A. Monthly Cash Report for February 2012
- B. Thank you letter from S.C.A.T.

Minutes of the Meeting of Council
February 21, 2012

The Council of the City of Sylvania, Ohio met in regular session on Tuesday, February 21, 2012 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: V. Michael Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent:(0).

Roll call: all present.

Mrs. Cappellini 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.

- 4a. Report of the February 10 Committee-of-the-Whole meeting.
- 4b. Report of the February 21 Committee-of-the-Whole meeting.
- 4c. Schedule the next Committee-of-the-Whole.
- 4d. Schedule a meeting of the Utilities & Environment Committee.
- 11a. Report on the February 14 meeting of the Employee & Community Relations Committee.

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

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

Mr. Milner presented the February 6 minutes. Mr. Milner 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 February 6, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the Feb. 6 minutes.

Mr. Milner said the Committee-of-the-Whole, on February 10 heard the 2011 budget results and those of the past five years. The Finance Director recommended cuts to the 2012 capital requests. Also the IT Manager was present and explained why computers should be upgraded to Windows 7.

Feb. 10 C-O-W report.

Mr. Milner reported that the February 21 C-O-W reviewed the 2012 capital requests, and the expenditures for the last three years. Legislation was authorized to approve the requests. Mrs. Westphal moved, Mr. Luetke seconded, to authorize legislation for the 2012 capital requests as identified at the 7:00 C-O-W meeting; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Feb. 21 C-O-W report and legislation authorized.

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The Committee-of-the-Whole will meet on March 30 at 7:30 a.m. to discuss the reserves, and when we must stop drawing from them. C-O-W, March 30, 7:30 a.m.

Whiteford Township, Michigan officials are asking Sylvania to supply limited sanitary sewer services to the township. Attorney Alan Drescher discussed the status of the project, and Township Engineer David Kubiske said the Township is mandated to supply sanitary sewer service to a small area because the houses have no septic system. The Utilities & Environment Committee will meet on February 24 at 7:30 a.m. in Council Chambers to consider the request. Sanitary sewer services to Whiteford Twp., and Utilities Comm. to meet Feb. 24, 7:30 a.m.

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

Mr. Brown presented and read aloud by title only, proposed Resolution No. 4-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor to submit application(s) to participate in the State of Ohio, Local Government Innovation Fund Program concerning a Regional Water Authority Feasibility Study in collaboration with the City of Toledo, Lucas County, and the Toledo Metropolitan Area Council of Governments, and to execute applications as required; and declaring an emergency." Mr. Brown 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 4-2012, "...Regional Water Feasibility Study..."

Mr. Brown moved, Mr. Milner seconded, that Resolution No. 4-2012 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 stated that Council will now consider agenda item 6.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 17-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing an agreement with S. Vitale Pyrotechnic Industries, Inc., d/b/a Pyrotecnico for the Independence Day celebration on July 3, 2012 at Centennial Terrace and Quarry; authorizing the Mayor and Director of Finance to sign an agreement for the fireworks display which will cost twenty-eight thousand eight hundred seventy-five dollars (\$28,875); authorizing a 50% deposit payment upon the signing of the agreement which will be shared by the City, Sylvania Township, Coca-Cola Corporation, the Sylvania Area Joint Recreation District and area businesses; and declaring an emergency." Mr. Brown moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Ordinance 17-2012, "Authorizing an agreement ...Pyrotecnico... July 3..."

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Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Mr. Brown moved, Mr. Milner seconded, that Ordinance No. 17-2012 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

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

Service Director Kevin Aller's report on the Monroe Street repaving project was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 18-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Mannik & Smith Group, Inc., for professional engineering design for the Monroe Street from Erie Street to Judi Young Lane resurfacing and reconstruction project; appropriating funds therefore in an amount not to exceed \$65,219; and declaring an emergency." Mr. Milner moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Ordinance 18-2012, "...accept the proposal of Mannik & Smith ...engineering design...Monroe ..."

Mr. Milner moved, Mrs. Husman seconded, that Ordinance No. 18-2012 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 8, and Mr. Luetke moved, Mrs. Husman seconded, to excuse Mr. Haynam, at his request, due to a possible conflict; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Haynam excused.

Mr. Milner moved, Mrs. Westphal seconded, that no hearing be requested for the transfer of the D5 and D6 liquor permit from Tony Packo's, Inc. 5827 Monroe St., to TP Foods, LLC, d/b/a Tony Packo's Cafe, 5827 Monroe St., roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; (0) nays. The motion carried.

No objection to liquor permit transfer for Tony Packo's.

Mayor Stough stated that Council will now consider agenda item 9 and Mr. Haynam returned.

Haynam returns.

Mayor Stough presented a list of items no longer needed by the City. Mr. Milner moved, Mr. Haynam seconded, to authorize the sale of items on the GovDeals online

Items on GovDeals.com.

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auction site; 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 10.

Mayor Stough said the Council photo is scheduled for July 16 at 6:00 and everyone will be in attendance. Council photo.

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

Mr. Luetke reported that the Employee & Community Relations Committee met on February 14 to consider the Sylvania Community Arts Commission's request for funding. After their presentation, the committee recommended \$9,000 for 2012, down from \$10,000 for previous years. They also suggested that the commission derive its funding from earned income. Mr. Luetke moved, Mrs. Westphal seconded, to approve \$9,000 for 2012 funding for the Arts Commission; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. Arts Commission funding.

Mrs. Westphal noted that the 2011 Annual Report for the Police Division was distributed to Council.

Mayor Stough stated that all items on the agenda had been considered. Mr. Haynam moved, Mrs. Cappellini seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:25 p.m. Adjournment.

Clerk of Council

Mayor

RESOLUTION NO. 5 -2012

A RESOLUTION DECLARING THE CITY OF SYLVANIA’S INTENT TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF MONROE, MICHIGAN, THE TOWNSHIP OF WHITEFORD OF MONROE COUNTY, MICHIGAN AND THE COUNTY OF LUCAS IN THE STATE OF OHIO PERMITTING THE WHITEFORD TOWNSHIP SEWER NO. 2 SERVICE AREA TO CONNECT TO THE CITY OF SYLVANIA SEWER SYSTEM AND DISCHARGE SEWAGE TO THE SYLVANIA SYSTEM FOR ULTIMATE TREATMENT AT LUCAS COUNTY’S MAUMEE RIVER WASTE WATER TREATMENT PLANT; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 23-95, passed March 6, 1995, authorized the Mayor and Director of Finance to enter into an Agreement with the County of Monroe, Michigan and the County of Lucas in the State of Ohio permitting the Whiteford Township Sewer No. 1 Service Area to connect to the City of Sylvania Sewer System and discharge sewage to the Sylvania system for ultimate treatment at Lucas County’s Maumee River Waste Water Treatment Plant; and,

WHEREAS, Whiteford Township has requested the City of Sylvania accept discharge sewage from Whiteford Township Sewer District No. 2 that would come from the Village of Ottawa Lake and follow Memorial Highway south using a forced main to connect to Sylvania’s sewer system near the Ohio-Michigan state line; and,

WHEREAS, the Directors of Law and Public Service have met with representatives of Whiteford Township to discuss the terms of a comprehensive Agreement and the terms will include that the sewer rate ratio for in-state and out-of-state would stay the same during the term of the Agreement; the term of the Agreement would be 40 years; and the service capacity would not exceed .125 mgd; and,

WHEREAS, the proposed service area is shown on the attached "Exhibit A."

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

SECTION 1. That the City of Sylvania intends to enter into an Agreement for the discharge of Sanitary Sewage from the Service Area of Whiteford Township No. 2 maintaining the sewer rate ratio for in-state/out-of-state, the term of the Agreement will be for 40 years and the capacity will not exceed .125 mgd. This Agreement will be subject to review by the Director of Law for the City of Sylvania and approval by Sylvania City Council.

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

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

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City of Sylvania should declare its intent to enter into an Agreement with Whiteford Township for the discharge of sanitary sewage from Whiteford Township Service Area No. 2 at the earliest possible time. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

6

ORDINANCE NO. 19 -2012

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

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

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

WHEREAS, St. Joseph Church has submitted a request to hang a banner within said public right-of-way advertising its 2012 Festirama on May 18, 19, and 20; and,

WHEREAS, the banner will hang from April 18 - May 21, 2012 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000.

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

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

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

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

SECTION 4. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE

III, Section 12, of the Charter of this City.

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

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

Passed, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

City of Sylvania

Office of Zoning & Inspection

STREET BANNER APPLICATION/PERMIT

Fee: \$ 100.00

Name of Non-Profit Organization ST. JOSEPHS SYLVANIA

Event FESTERAMA

Date of Event MAY 18-20 2012

Installation & Removal Dates of Banner APRIL 18th | MAY 21st
[maximum four (4) weeks]

Banner Location Toledo Edison poles by Wendy's and Country Squire on Monroe Street

Company Installing Banner: REASON SIGN CO. LLC

Address 2115 LOXLEY RD TOLEDO, OH 43603

Telephone 419-787-3223 Fax 866-756-4014

Insurance on File _____

Edison Approval _____

City Approval _____

Text of Banner _____

The banner and installation shall meet the attached specifications.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/17/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Payak-Dubbs Insurance P.O. Box 327 Toledo, OH 43697-0327 Joe Spenthoff Ph: 419-826-5300	1-800-472-0867	CONTACT NAME: PHONE (A/C, No, Ext): E-MAIL ADDRESS: PRODUCER CUSTOMER ID #:	FAX (A/C, No):
INSURED Bishop Leonard P. Blair and Catholic Diocese of Toledo, OH 1933 Spielbusch Toledo, OH 43696	INSURER(S) AFFORDING COVERAGE		NAIC #
		INSURER A: Cincinnati Insurance Co.	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 25614109 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		SIP000073	06/01/11	06/01/12	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		SIP000073	06/01/11	06/01/12	COMBINED SINGLE LIMIT (Ea accident) \$ Included BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

St. Joseph Catholic Church, Sylvania, Ohio hanging a banner across Monroe Street in Sylvania, Ohio for their Festirama '12. The banner will hang from April 20, 2012 through May 21, 2012.

CERTIFICATE HOLDER

City of Sylvania
 6730 Monroe Street
 Sylvania, OH 43560

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Job Papp

USA

spenthoff
 ACORD 25 (2009/09)
 25614109

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6099 Angola Rd
Holland, OH 43528

February 24th, 2012

Matt Uhl;

Re : St Joe's Festerama May18th- May 20th ,2012
Banner dates Aptil 18th- May 21st

Consider this letter permission to place the above mentioned banner over Monroe St. in the area we discussed, near Wendy's during the above dates. As always, the banner must be hung in accordance with the banner agreement and NESC codes, and be hung by qualified personnel. In addition, the banner should be removed immediately after the event.

Thank you for your cooperation.

Sincerely,

Rick Knapik
Engineering Services
Toledo Edison
(419) 249-6021

ORDINANCE NO. 20 - 2012

AN ORDINANCE TO APPROVE AND AUTHORIZE VARIOUS CAPITAL IMPROVEMENT PROJECTS; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 98-2011, approved the 2012 Operating Budget for the City of Sylvania; and,

WHEREAS, Sylvania City Council, at its February 21, 2012 meeting, reported that it had reviewed the Capital Improvement requests and approved and authorized the projects as set forth on the attached "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 capital requests as set forth on the attached "Exhibit A" are hereby approved and authorized and the Mayor and Director of Finance are authorized to expend funds to make such improvements.

SECTION 2. That, to provide funds for said capital improvement projects there is hereby appropriated from the funds and accounts in the amounts set forth on "Exhibit A" attached hereto.

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 Resolution in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 5. That this 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 reason that the money should be made available immediately to provide for capital improvements throughout the City. Provided this Ordinance receives the affirmative vote of five

(5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2012 as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

Exhibit A
Capital Requests Appropriations
2012

<u>Department</u>	<u>Amount</u>	<u>Account Number</u>
Capital Improvement Fund		
Paint - Police Building	25,000	401-7110-53203
V Blade Snow Plow	6,000	401-7310-53405
Broom Attachment for Mower	4,500	401-7310-53405
Streets Building Improvements	10,000	401-7610-53203
Tree Removal Harroun Park	35,000	401-7310-53502
City-Wide PC Upgrade	60,000	401-8020-53203
Street Cleaner	220,000	401-7610-53405
Sidewalk Repair	10,000	401-7615-53530
	<u>370,500</u>	
Court		
Paint	9,000	405-7740-53203
Upgrade Municipal Court Information Sys.	10,000	405-7740-51283
Merge-Pro Software	5,000	405-7740-51283
	<u>24,000</u>	
Water		
Cargo Van	22,000	701-7525-53401
Sewer		
1/2 Ton Pickup	25,000	702-7540-53401
Sewer Cleaning and Vac truck	200,000	702-7540-53401
(Split with Ditches fund)	100,000	503-7510-53401
	<u>325,000</u>	

8a



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

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

MEMORANDUM

TO: Mayor and Members of Sylvania City Council
FROM: James E. Moan, Director of Law
RE: Natural Gas Aggregation
DATE: March 2, 2012

Interstate Gas Supply ("IGS") has provided Northwest Ohio Aggregation Coalition ("NOAC") customers natural gas service since 2002. We are currently under contract with IGS that set the rate at NYMEX plus \$1.675 per MCF that expires in April. We have sent out Request for Proposals ("RFP") to suppliers and have received several proposals. Our aggregation coalition (NOAC) in conjunction with our consultant, Palmer Energy, are recommending accepting the IGS proposal for customer service which contains a flexible contract start date between May and October, 2012. The contract will run from that start date through March 2013.

Allowing IGS a flexible start date gives them a market timing advantage for their purchase of natural gas. For that, they have submitted the lowest and best pricing for NOAC customers at NYMEX plus \$1.31 per MCF which will include an administration fee of \$0.02 which goes to our community's costs of aggregation and consultant.

There will be a gap in gas supply from IGS which will begin in April and could run to as long as October under the terms of the proposed Agreement. Our customers will become default customers of Columbia SCO. The gas cost for our customers will drop from our current aggregation pricing of NYMEX plus \$1.675 per MCF to Columbia Gas's rate of NYMEX plus \$1.53 per MCF, a reduction of \$0.145 per MCF. This arrangement suggests some potential confusion of dropping customers from our aggregation and picking them up again later in the year. However, the incremental savings to our customers over the next best proposal is estimated at over \$300,000 for the 11-month term of this Agreement.

It is my recommendation that Council authorize the Mayor and Director of Finance to enter into t subject to final review by the Director of Law.

8b

ORDINANCE NO. 21 -2012

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH INTERSTATE GAS SUPPLY, INC. ("IGS") TO ACT AS THE CITY'S NATURAL GAS AGGREGATION SUPPLIER FOR AN ELEVEN MONTH PERIOD BEGINNING IN MAY TO OCTOBER OF 2012; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania is approved by the Public Utilities Commission of Ohio ("PUCO") as an opt-out government aggregator for natural gas and is a member of the Northwest Ohio Aggregation Coalition ("NOAC"); and,

WHEREAS, since 2003, NOAC has saved residents and small business customers in the aggregation over \$12,000,000 on their natural gas bills versus the Columbia tariff price; and,

WHEREAS, NOAC's current gas supply contract with Interstate Gas Supply ("IGS") expires on March 31, 2012 and provides for a price of \$1.675 per MCF; and,

WHEREAS, Columbia Gas's February auction resulted in a Standard Choice Offer ("SCO") of NYMEX plus \$1.53 per MCF; and,

WHEREAS, following that auction, NOAC's consultant, Palmer Energy, issued a request for proposals and received several proposals; and,

WHEREAS, after review of the offers, Palmer Energy recommends that the NOAC communities enter into a new contract with IGS to provide natural gas service at a rate substantially below the Columbia SCO price; and,

WHEREAS, the Agreement with IGS will have a flexible start date between May and October, 2012 and will continue for eleven months at the rate of \$1.31 per MCF; and,

WHEREAS, during the period of time when our current Agreement with IGS expires and prior to the commencement of the new Agreement, NOAC customers will return to Columbia

Gas at a tariff rate of NYMEX plus \$1.53 per MCF.

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 the Director of Finance be, and they hereby are, authorized to enter into a new gas supply contract with IGS for an eleven month term to supply natural gas to City of Sylvania consumers enrolled in its opt-out aggregation program.

SECTION 2. Any such contract with IGS shall be in a form which is acceptable and approved by the Director of Law.

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Agreement for said natural gas services should be approved immediately so that City residents continue to receive the best possible natural gas pricing. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9

ORDINANCE NO. 22-2012

REVISING CERTAIN ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY, BY AMENDING SYLVANIA CODIFIED ORDINANCE SECTION 131.01(c) TO DELETE THE POSITION OF ASSISTANT PROSECUTOR IN THE DEPARTMENT OF LAW; AND DECLARING AN EMERGENCY.

WHEREAS, the Directors of Law and Personnel have reviewed the organizational structure of the Prosecutor's Office and have recommended that the position of Assistant Prosecutor be deleted from the Prosecutor's Office.

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

SECTION 1. That Section 131.01(c) of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached AExhibit F@ effective retroactively on and after January 1, 2012.

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 organizational changes should be provided for 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 this Charter.

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

Passed, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

131.01 DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION;
CONSULTANT EXPENSE REIMBURSEMENT.

* * *

(c) The Department of Law shall have a Division of Prosecution comprised of one full-time prosecutor, one Secretary II, and one Secretary who will be employed on a part-time basis, who shall serve under the direction of the Prosecutor. The prosecutor in the Division of Prosecution shall be primarily responsible for the prosecution of all City of Sylvania and State cases in Sylvania Municipal Court and the cases of all municipalities with whom the City of Sylvania has contracted to provide prosecutorial services, subject to the oversight of the Director of Law, the prosecutor shall be an attorney at law duly admitted to practice law in the State of Ohio. The prosecutor shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0(c) of Article IV of the Charter. The Mayor may appoint, on a case by case basis, such Special Prosecutors as may be necessary when the prosecutor has a potential conflict of interest or there exist other legal grounds why the prosecutor should not prosecute a particular case. The Prosecutor shall be compensated in accordance with the provision made for them in the Position and Compensation Plan and/or in accordance with the compensation provided for them in an ordinance of Council and/or a separate agreement authorized by an ordinance of the Council. The Prosecutor shall submit reports to the Director of Law at such frequency, in such detail and covering such matters as the Director shall require.

* * *

(Ord. ____-2012. Passed _____.)

A



City of Sylvania

DIVISION OF TAXATION
ANGELA J. KUHN, COMMISSIONER

March 1, 2012

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

Dear Mayor Stough and Council Members:

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

	Deposits	Refunds	Balance
February 29, 2012	\$735,127.49	\$0.00	\$735,127.49
February 28, 2011	\$591,589.05	\$0.00	\$591,589.05
	-----	-----	-----
Monthly Difference	\$143,538.44	\$0.00	\$143,538.44
Year to Date 2012	\$1,530,193.12	\$5,691.68	\$1,524,501.44
Year to Date 2011	\$1,432,928.73	\$0.00	\$1,432,928.73
	-----	-----	-----
Yearly Difference	\$97,264.39	\$5,691.68	\$91,572.71

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Scott Smith, Finance Director



Sylvania Community Action Team
4747 N. Holland-Sylvania Rd.
Sylvania, Ohio 43560
419-824-8588
www.sylvaniascat.org

B

Red Ribbon
Week

February 23, 2012

Walk of Light

Parents Week

City of Sylvania
Scott Smith, Finance Director
6730 Monroe St.
Sylvania, OH 43560

24 Hour Relay
Challenge

Dear Scott:

Community
Education

On behalf of the Sylvania Community Action Team board, staff and volunteers, I want to thank the City of Sylvania for the kind financial support of \$15,750. We sincerely appreciate your continued support in these challenging economic times.

Mini-Grant
Funding

Your investment in SCAT not only assists us to continue providing prevention projects and efforts regarding the risk/harm of alcohol and drug use/abuse but also validates the importance of our work in the community.

SCATACULAR

Youth Drug
Prevention

We look forward to continuing to provide our community with effective efforts to prevent drug and alcohol use amount our youth and to provide support for positive youth, family and community development for many years to come.

Healthy
Community
Healthy
Youth

Thanks again for your continued support!

Sincerely,

Mock Accident

Youth To Youth

Deb Chany
Executive Director

Community
Drug Drop-Off