

Sylvania City Council
August 20, 2012

6:30 p.m. Parks & Forestry Committee- management of Plummer Pool/Burnham Park

7:30 p.m. Council Meeting
Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Husman.
3. Additions to the agenda.
4. Approval of the meeting minutes;
 - a. regular meeting on July 16; and,
 - b. special meeting on July 31.
5. Claire Proctor, Sylvania Community Services, will give an update on the Senior Center.
6. Safe Routes to Schools;
 - a. Service Director's report on the bids received; and,
 - b. proposed Ordinance 47-2012, accepting the bid of Midwest Contracting in the amount of \$212,662.20.
7. Proposed Ordinance 48-2012, entering into an agreement with the Sylvania School District for School Resource Officers.
8. Proposed Ordinance 49-2012, approving and adopting the Comprehensive Downtown Market Strategy.
9. Proposed Ordinance 50-2012, entering into an agreement with Lucas County for the Suburban Court Services Program.
10. Proposed Ordinance 51-2012, entering into a Customer Supply Agreement with DPL Energy Resources, Inc., for the provision of electric energy to municipal consumers within the City of Sylvania.
11. Annual assessing ordinances;
 - a. proposed Ordinance 52-2012, assessing a special tax for street lighting.
 - b. proposed Ordinance 53-2012, assessing a special tax for ditch maintenance, etc.
 - c. proposed Ordinance 54-2012, assessing a special tax for tree maintenance, etc.
12. Authorization to auction Police Division unneeded items on GovDeals.com.

13. Notice from the Ohio Division of Liquor Control of the transfer of the D1, D2, D3, and D6 liquor license from Major Magic's, 5838 Monroe St., to China One Restaurant, 5834 Monroe St., Suite L-M.
14. Committee reports.
15. Committee referrals.

Information

- A. July cash report from the Division of Taxation.
- B. July bank reconciliation.
- C. Minutes of the August 15 Board of Architectural Review meeting.
- D. 2nd Quarter Management reports.

NOTE: Council's next regular meeting is Tuesday, September 4 at 7:30 p.m.

Minutes of the Meeting of Council
July 16, 2012

The Council of the City of Sylvania, Ohio met in regular session on Monday, July 16, 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.

Scout Ben from Troop 154 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. Letter from the President of Council.
- 5a. Downtown Sylvania plan report.
- 5b. Discussion of the website update.
- 7a. Service Director's report on the increased amount for the culvert project.
- 14a. Schedule a Zoning & Annexation Committee meeting.
- 15a. Schedule a Committee-of-the-Whole meeting.
- 15b. Committee referral on the TARTA issue.
- D. June bank reconciliation statement.

Mrs. Husman moved, Mr. Haynam 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 June 18 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 June 18, 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 June 18 minutes.

Mr. Milner read from his letter dated July 16, 2012, stepping down as Council President due to job demands and his work on a Master's Degree. He will continue to serve as a Council member.

Milner resigns as Council President.

Mr. Milner moved, Mr. Brown seconded, to nominate Mary Westphal as President of Council for the remainder of the term through December 31, 2013. There were no other nominations, and all present voted yea (7); (0) nays. The motion carried.

Westphal voted Council President.

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

Mayor Stough presented a Proclamation to Lexi Aughenbaugh who is the 2012 Indoor/Outdoor State Champion in the 3200 meter run. He declared July 16, 2012 as Lexi Aughenbaugh Day.

Proclamation to
Lexi
Aughenbaugh.

Mr. Luetke reported that the Economic Development sub-Committee met on July 10 to follow up on the Downtown Sylvania Plan. He said that he and Mrs. Cappellini previously met with several Erie Street residents who expressed concern about a portion of the plan, fearing that a parking lot will be built adjacent to their property. They were assured that this is a concept only, and the City will not take private property through eminent domain for this project. He recommends approving the plan as revised. Mr. Luetke moved, Mr. Haynam seconded, to authorize a resolution approving the revised plan; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Resolution
approving
Downtown Plan
authorized.

Mr. Luetke noted that updates, enhancements, and upgrades are necessary for the City's website to be compatible with today's technology. IT Manager Mike Tansey gave a brief report explaining the current shortcomings to keep traffic on the site. Mr. Luetke moved, Mr. Milner seconded, to refer updating the City's website to the Employee & Community Relations Committee; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Update of City's
website.

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

Service Director Kevin Aller's report on the additional amount for the record drawings for the Highland Meadows and Griffith Park East Project was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 40-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve the amendment to the City's agreement with Northwest Consultants, Inc., to reflect the additional drawings requested; increasing the proposal amount by \$4,946.00; appropriating funds therefore; 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: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Ordinance 40-
2012, "...approve
amendment...
additional draw-
ings..."

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 40-2012 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.

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

The Service Director's report on the design services for the Erie Street Bridge No. 122 Replacement was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 41-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve the amendment to the City's agreement with DGL Consulting Engineers, LLC to reflect the additional time required due to a change in scope of the Erie Street Bridge over Schreiber Ditch Culvert Replacement Project; increasing the proposal amount by \$19,704.00; appropriating funds therefore; and declaring an emergency." Mr. Milner moved, Mr. Haynam 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.

Ordinance 41-2012, "...approve amendment...Erie Street Bridge... Schreiber Ditch Culvert..."

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 41-2012 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. Haynam presented and read aloud by title only, proposed Ordinance No. 42-2012, a written copy of same having been previously furnished to each member of Council, "Amending Part 11 - Planning and Zoning Code of the Sylvania Codified Ordinances by adding Section 1103.022; modifying the recommendation of the Municipal Planning Commission; and declaring an emergency." Mr. Haynam moved, Mrs. Husman 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.

Ordinance 42-2012, "Amending Part 11 - Planning and Zoning Code ..."

Mr. Haynam moved, Mrs. Husman seconded, that Ordinance No. 42-2012 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. Milner presented and read aloud by title only, proposed Ordinance No. 43-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance of the City of Sylvania, Ohio to enter into an agreement with the Ohio Department of Transportation for the purchase of roadway de-icing salt; and declaring an emergency." Mr. Milner moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said

Ordinance 43-2012, "...agreement...roadway de-icing salt..."

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Ordinance; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 43-2012 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 10.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 44-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with CompManagement, Inc., for an annual fee of \$3,505.00 for consulting services with respect to Workers' Compensation; and declaring an emergency." Mr. Luetke moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Ordinance 44-2012, "...agreement with Comp-Management... Workers' Compensation..."

Mr. Luetke moved, Mr. Milner seconded, that Ordinance No. 44-2012 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 11.

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 45-2012, a written copy of same having been previously furnished to each member of Council, "Approving the banner application of Sylvania Area Family Services; authorizing the Deputy Director of Public Service to indicate such approval on behalf of the City of Sylvania; and declaring an emergency." Mr. Haynam 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 45-2012, "Approving the banner application..."

Mr. Haynam moved, Mrs. Husman seconded, that Ordinance No. 45-2012 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 12.

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Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 10-2012, a written copy of same having been previously furnished to each member of Council, "A Resolution of the Council of the City of Sylvania expressing the City's intent to sell property by Internet auction; and declaring an emergency." Mrs. Westphal moved, Mr. Milner seconded, the Council dispense with the Second and Third Reading of said Resolution; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.	Resolution 10-2012, "...expressing the City's intent to sell property by Internet auction.."
Mrs. Westphal moved, Mr. Haynam seconded, that Resolution No. 10-2012 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.	
Mayor Stough presented a list of items no longer needed by the City. Mr. Milner moved, Mr. Luetke seconded, to authorize the sale of items on the GovDeals online auction site; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.	Items on GovDeals.com.
Mayor Stough stated that Council will now consider agenda item 13.	
Mrs. Westphal moved, Mrs. Husman seconded, that no hearing be requested for the change of corporate stock ownership for the D1, D2, D3, and D6 liquor permit for Pearl River, Inc., d/b/a Gourmet Garden, 5817 Monroe Street; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.	No hearing requested for Gourmet Garden liquor permit.
Mayor Stough stated that Council will now consider agenda item 14.	
Mr. Haynam set a Zoning & Annexation Committee meeting for July 31 at 7:30 a.m. to consider modifying the zoning code to address the issue of facade lighting.	Zoning Comm., July 31 7:30 a.m.
Mayor Stough stated that Council will now consider agenda item 15.	
Mrs. Westphal set a meeting of the Committee-of-the-Whole for July 31 at 8:30 a.m. to consider the Parks & Forestry budget.	C-O-W, July 31, 8:30 a.m.
The Employee & Community Relations and the Utilities & Environment Committees will meet jointly to consider the TARTA issue on August 10 at 8:00 a.m.	TARTA issue, Aug 10 8:00 a.m.
The Employee & Community Relations Committee will then meet on August 10 at 8:45 a.m. to review an update of the City's website.	Website upgrade.

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Mayor Stough stated that all items on the agenda had been considered. Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:35 p.m. Adjournment.

Clerk of Council

Mayor

Minutes of the Special Meeting of Council
July 31, 2012

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The Council of the City of Sylvania, Ohio met in special session on Tuesday, July 31, 2012 at 8:15 a.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).

Mr. Haynam led the Pledge of Allegiance to the United States of America.

Mayor Stough stated that the purpose of the meeting is to fill the upcoming vacancy for the Finance Director position. Finance Director Scott Smith said he had not planned to retire at this time, but is doing so because of planned pension cuts for future retirees. Mayor Stough noted that there could be more retirements in the near future since employees with the qualified years are contemplating retirement before the new pension rules are adopted. He asked Council's approval of an ordinance covering the time the new director and current director work together.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 46-2012, a written copy of same having been previously furnished to each member of Council, "Revising the administrative, departmental and divisional organization of the City and the Codified Ordinances thereof by creating the new position of 'Assistant Director of Finance'; amending Sylvania Codified Ordinance Section 129.01(d) to delete the position of 'Data Processing Coordinator' and to add the position of 'Assistant Director of Finance under the supervision of the Director of Finance from July 31, 2012 through August 31, 2012 at which time the position of 'Assistant Director of Finance' shall be eliminated; amending Sylvania Codified Ordinance Section 139.03(e)(3) to set the salary of the 'Assistant Director of Finance' at \$94,000 annually and to change the salary of the Director of Finance to \$94,000 annually effective September 1, 2012; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Mrs. Westphal moved, Mr. Milner seconded, that Ordinance No. 46-2012 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 said he interviewed with a qualified candidate for the position and has made the appointment. Mrs. Westphal and Mr. Luetke also interviewed him and agree with the Mayor's assessment. Mr. Luetke moved, Mrs. Westphal seconded, to confirm Mayor Stough's appointment of Toby Schroyer as Director of Finance effective September 1, 2012; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

There were no further items for consideration or discussion and Mr. Luetke moved, Mrs. Westphal seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:35 a.m.

Clerk of Council

Mayor

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City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

August 16, 2012

To: The Mayor and Members of Sylvania City Council

Re: **Safe Routes to Schools**

Dear Mr. Mayor and Council Members:

Bids for this project were opened on August 15, 2012. The list of bidders and their bid price is as follows:

Midwest Contracting, Inc.	\$212,662.20
PHC, Inc.	226,748.50
ET Electric Company, Inc.	235,599.61

The engineer's estimate for the project was \$210,000.

We would recommend that the bid of Midwest Contracting, Inc., 1428 Albon Road, Holland, Ohio 43528 in the amount of \$212,662.20 be accepted and that they be awarded the contract for our Safe Routes to Schools project.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service
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ORDINANCE NO. 47 -2012

**ACCEPTING THE BID OF MIDWEST CONTRACTING, INC. AND
AWARDING THE CONTRACT FOR THE SAFE ROUTES TO SCHOOLS
PROJECT TO SAME; AUTHORIZING THE EXPENDITURE FOR THE
IMPROVEMENTS IN THE AMOUNT OF \$212,662.20; APPROPRIATING
FUNDS THEREFORE; 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, the plans have been completed and are now on file with the Clerk of this Council; and,

WHEREAS, the Clerk of Council was authorized to advertise for bids at the May 21, 2012 Council meeting and thereafter the Clerk advertised for bids, and one bid was received that was well over 10% of the engineer's estimate and thereafter, the Director of Public Service, at the June 18, 2012 meeting of Sylvania City Council reported that that bid should be rejected and the project re-bid; and,

WHEREAS, the Clerk of Council was authorized to re-advertise for bids at the June 18, 2012 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on August 15, 2012, and thereafter, the Director of Public Service, by report dated August 16, 2012, stated that the total estimate for the Safe Routes to Schools Project was \$210,000 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Midwest Contracting, Inc.	\$212,662.20
PHC, Inc.	226,748.50
ET Electric Company, Inc.	235,599.61

WHEREAS, the three (3) bids offered by the above bidders meet all of the City's specifications and the Director of Public Service, by report dated August 16, 2012, has recommended acceptance of the low bid of Midwest Contracting, Inc. and that the contract for the Safe Routes to Schools Project be awarded to same.

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

SECTION 1. That the bid of Midwest Contracting, Inc., 1428 Albon Road, Holland, Ohio 43528, for said Safe Routes to Schools Project, in the amount of Two Hundred Twelve Thousand Six Hundred Sixty-Two and 20/100 Dollars (\$212,662.20), is hereby determined to be the best bid received and the same is hereby accepted.

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

SECTION 3. That to provide funds for said project hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7110-53575 – McCord School Travel Plan**, the total sum of Two Hundred Twelve Thousand Six Hundred Sixty-Two and 20/100 Dollars (\$212,662.20).

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

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

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

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

Passed, _____, 2012, as an emergency measure.

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

ORDINANCE NO. 48 -2012

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE OF THE CITY OF SYLVANIA, OHIO, TO ENTER INTO AN AGREEMENT WITH THE SYLVANIA SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICERS; AND DECLARING AN EMERGENCY.

WHEREAS, the Safety Committee met on May 24, 2012 to discuss the provision and funding of the two School Resource Officers to the Sylvania School District; and,

WHEREAS, thereafter, the Chief of Police met with representatives from the School District to discuss changes in the funding of the School Resource Officers; and,

WHEREAS, the School District wishes to continue to ensure a safe and secure learning environment and the Police Division will continue to provide two School Resource Officers pursuant to the terms set forth in the attached Agreement; and,

WHEREAS, the Chief of Police has recommended the City and School District enter into the attached Agreement regarding the provision of School Resource Officers and provides for funding the officers to be split by the City and School District, with 25% of the School Resource Officers' salaries to be paid by the City and 75% to be paid by the Schools through June 12, 2013 and thereafter, the School Resource Officers' salaries will be solely responsible for the salaries of the School Resource Officers.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to enter into, on behalf of this City, a School Resource Officer Agreement in the form and substance of said "Exhibit A."

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Agreement regarding the provision and funding of the School Resource Officers should be entered into prior to the start of the 2012-2013 School Year to ensure the continued safety of the students. 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

**SCHOOL RESOURCE OFFICER AGREEMENT
BETWEEN THE CITY OF SYLVANIA POLICE DIVISION
AND
THE SYLVANIA SCHOOL DISTRICT**

This Agreement is entered into this _____ day of _____, 2012 by and between the Sylvania City School District ("School"), 4747 Holland-Sylvania Rd., Sylvania, OH 43560 and the City of Sylvania Police Division ("Police"), 6635 Maplewood Ave., Sylvania, OH 43560.

RECITALS:

WHEREAS, School wishes to continue to provide its students with a safe and secure learning environment; and,

WHEREAS, Police desires to improve the relationship between law enforcement officers and students and maintain the safe and secure learning environment and, therefore, has agreed to provide two (2) School Resource Officers ("SRO") to School.

NOW, THEREFORE, the parties hereto agree as follows:

1. Police will provide two (2) School Resource Officers to carry out specific duties as outlined in the attached policy, procedures, duties and responsibilities. The SROs will remain employees of the Sylvania City Police Division and not employees of the Sylvania City School District. SROs shall abide by the policies of School when they are not in conflict with the policies and procedures of Police.
2. Salary. From August 23, 2012 through June 12, 2013, Police will pay twenty-five percent (25%) of the SROs' salary and School will be responsible for the remaining seventy-five percent (75%).

Commencing June 13, 2013 and thereafter, School will be solely responsible for the salaries of the SROs. The salary is the total compensation and includes salary and benefits as agreed to between the City of Sylvania and the Fraternal Order of Police, Lodge No. 129.

3. Term. The initial term of this Agreement will remain in effect from August 23, 2012 until June 12, 2013. This Agreement shall be automatically renewed each August 1st thereafter for a twelve month period unless written notice to terminate is given by either party pursuant to the terms of the Agreement.
4. Qualifications. Each SRO shall have the following qualifications:
 - A. Be a certified law enforcement officer by the State of Ohio and an employee of the Sylvania Police Division;

- B. Have a minimum of five (5) years of full-time law enforcement experience as a certified police officer;
 - C. Must meet all certifications for a school resource officer that the Chief of Police deems necessary;
 - D. Must project a positive and professional image and demonstrate a high commitment to positive police/community relations;
 - E. Must demonstrate ability to work with little supervision and be self-motivated in job performance;
 - F. Must have the physical and mental ability to perform all duties and functions of the school resource officer;
 - G. Have excellent communication skills;
 - H. Be able to relate well to children of all ages;
 - I. Possess good coordinating and planning skills;
 - J. An individual who poses a direct threat to the health and safety of himself/herself or others in the workplace will be deemed not qualified for this position.
5. Goals.
- A. The goals of the SRO Program are to assist the School in providing a safe learning environment and to improve relationships between law enforcement officers and students. The program also attempts to promote a better understanding of the law enforcement officer's role in society while educating students, parents, and school personnel which will build a better community while also providing a role model in the educational system.
 - B. Provide a positive role model to the students and foster a better understanding between the law enforcement community and the students and staff.
6. Instructional Responsibility. The SRO will teach law enforcement related topics at the request of the School.
7. Duties and Responsibilities.
- A. Protect students and staff from negative influences and assist in the maintenance of order in the school.
 - B. Advise the school staff in safety matters, violence reduction strategies and legal aspects of the activity of students.
 - C. Facilitate learning in citizenship and related law education.
 - D. Assist students through counseling in law related problems and assist by mediating disputes. Attempts will be made to identify problems with students and guidance will be provided to them in addressing their problems in a non-violent manner.
 - E. Complete reports and investigate crimes committed on campus.
 - F. Develop expertise in presenting various subjects, such as understanding laws, the police officers and the police mission.
 - G. Encourage individual and small group discussions about law enforcement related matters with students, faculty and parents.
 - H. The SRO is not a school disciplinarian and will not become involved in any form of school administered punishment. If the School staff believe a violation of a

law has occurred, they shall contact the SRO who will determine whether law enforcement action is appropriate.

- I. The SRO will, whenever possible, attend meetings of the school's parent and faculty groups to solicit their support and understanding of the SRO program and promote awareness of law enforcement functions.
- J. The SRO will, whenever possible, be available for conferences with students, parents and faculty members to assist them with problems of a law enforcement or crime prevention nature.
- K. The SRO will be familiar with the community agencies which offer assistance to students and their families, such as mental health clinics, drug treatment centers, etc.
- L. The SRO shall be armed at all times.
- M. The SRO shall act as an instructor for specialized, short-term programs when invited to do so by the superintendent or the superintendent's designee.
- N. The SRO shall coordinate all activities with the administrative staff and seek permission, advice and guidance prior to enacting any program within the school.
- O. The SRO will assist the superintendent and/or principal in developing plans and strategies to prevent and/or minimize dangerous situations which may result from student unrest.
- P. Should it become necessary to conduct formal police interviews with students, the SRO shall adhere to school board policy, police policy and legal requirements with regard to such interviews.
- Q. The SRO shall take law enforcement action as required. As soon as practical, the SRO shall make the superintendent and/or principal of the school aware of such action. At the superintendent and/or principal's request, the SRO shall take appropriate law enforcement action against intruders and unwanted visitors who may appear at the school and related school functions, to the extent the SRO may do so under the authority of the law.
- R. The SRO shall give assistance to other police officers in matters regarding his school assignment whenever necessary.
- S. The SRO may be expected to participate in school functions such as athletic events, dances, PTA programs and other school sponsored events when requested by the school administration.

8. Rules and Guidelines.

Although SROs have been placed in a formal educational environment, they are not relieved of the official duties as a law enforcement officer. The SRO shall intervene when it is necessary to prevent any criminal act or maintain a safe school environment. Citations shall be issued and arrests made when appropriate in accordance with Ohio State law, City of Sylvania Municipal Ordinances and departmental policy. School authorities and the parents of any child involved shall be notified as quickly as possible when the SRO takes any direct law enforcement action involving a student, on- or off-campus during school hours. The SRO will make the final decision on whether criminal charges shall be filed. Additionally, the SRO will:

- A. Adhere to all state and federal laws and the policy/procedure manual of the Sylvania Police Division.

- B. Keep documentation of all in-office counseling sessions.
- C. Keep a copy of all policy and school reports regarding criminal incidents at the school.
- D. Not take part in any school disciplinary actions. The SRO will only accompany the school interviewer if there is a threat of violence. If the incident is a violation of the law, the SRO may assist in determining if law enforcement action is appropriate.
- E. Not transport a sick or injured child for medical assistance or provide escort with police vehicle for school personnel. The SRO will have a patrol unit transport students to the alternative school or in a situation related to their law enforcement functions (i.e., arrest, etc.) . The SRO may assist the administration in escorting students who are violent or have threatened violence toward school administration from the campus. It shall be the school's responsibility to release the juvenile according to school policy.
- F. The SRO shall wear the appropriate uniform of the Sylvania Police Division during their working hours unless otherwise approved by a Sylvania Police Division Supervisor.
- G. The SRO shall be equipped with a radio that will enable them to have direct contact with the Sylvania Police Division. The SRO will be responsible for determining the need for additional police presence or assistance on campus and will make such request when needed. In the event the SRO requests additional units on campus, he/she will act as the primary unit and direct assisting units.

9. Termination. This Agreement may be terminated by either party upon seven (7) days written notice to the other party.

IN WITNESS WHEREOF, the City of Sylvania, by its Mayor and Director of Finance, pursuant to Ordinance No. ____-2012, adopted on the ____ day of _____, 2012 and the Sylvania City School District by its _____ and _____ have affixed their signatures respectively.

SYLVANIA CITY SCHOOL DISTRICT

CITY OF SYLVANIA

By _____

By _____

Craig A. Stough, Mayor

Its: _____

By _____

By _____

Scott S. Smith, Director of Finance

Its: _____

By _____

William Rhodus, Chief of Police

ORDINANCE NO. 49 -2012**AN ORDINANCE APPROVING AND ADOPTING THE CITY OF SYLVANIA'S COMPREHENSIVE DOWNTOWN MARKET STRATEGY; AND DECLARING AN EMERGENCY.**

WHEREAS, for a number of years, the City has been retained various consultants to prepare and propose marketing/development plans for the City's downtown area; and,

WHEREAS, Ordinance No. 70-2007, passed August 20, 2007, authorized the Mayor and Director of Finance to accept the proposal of JJR, LLC to provide planning consultation services for the Central Business District and appropriated \$13,700 for said services; and,

WHEREAS, Ordinance No. 95-2010, passed November 1, 2010, authorized the Mayor and Director of Finance to accept the proposal of Boulevard Strategies to provide a downtown retail market study and appropriated \$15,000 for said study; and,

WHEREAS, Ordinance No. 104-2010, passed December 6, 2010, accepted the proposal of Poggemeyer Design Group to assist with downtown planning services and assisting the City in preparing the Tier 1 CDBG and appropriated \$7,500 for said services; and,

WHEREAS, Ordinance No. 9-2012, passed January 18, 2012, accepted the proposal of Land Use USA, LLC to develop a downtown market strategy and appropriated \$12,000 for the preparation of the study; and,

WHEREAS, Land Use USA, LLC has prepared the City of Sylvania's Downtown Market Strategy with input from the City of Sylvania's Economic Development Subcommittee and the Economic Development Subcommittee has met numerous times over the last several months to review the downtown market strategy; and,

WHEREAS, the Committee-of-the-Whole and the Economic Development Subcommittee met several times to review the downtown market strategy, most recently on May 24, 2012 and thereafter recommended adoption of said plan; and,

WHEREAS, this marketing plan will not be used as a tool for taking property through eminent domain procedures by the City of Sylvania.

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

SECTION 1. That City Council hereby approves and adopts the Downtown Market Strategy prepared by LandUse USA, LLC, a copy of which is attached hereto and incorporated herein.

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 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, Sections 11(c) and 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 Downtown Market Strategy should be adopted immediately so that the strategies and suggestions outlined therein can be implemented immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2012, as an emergency issue.

President of Council

ATTEST:

Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

ORDINANCE NO. 50 - 2012

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, by Ordinance No. 16-2012, passed February 6, 2012, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2011 through September 30, 2012 in the amount of \$25,000; and,

WHEREAS, the City of Sylvania has received a request for funding Suburban Court Services in the amount of \$25,000.00 for October 1, 2012 through September 30, 2013.

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

SECTION 1. That City of Sylvania hereby agrees to participate in funding a portion of the local share in an amount of not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for the year 2013.

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

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

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

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

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

Vote dispensing with the second and third readings: Yeas _____ Nays _____
Passed, _____, 2012, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 51 -2012

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A CUSTOMER SUPPLY AGREEMENT WITH DPL ENERGY RESOURCES, INC. FOR THE PROVISION OF ELECTRIC ENERGY TO MUNICIPAL CONSUMERS WITHIN THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, Sylvania has been a Public Utilities Commission of Ohio ("PUCO") certified governmental aggregator since 2000 and has offered various programs to residential and small commercial users over the years; and,

WHEREAS, the Sylvania is also a member of the Northwest Ohio Aggregation Coalition as are several other neighboring communities; and,

WHEREAS, Ordinance No. 115-2009, passed November 16, 2009, authorized the Mayor and Director of Finance to enter into an Agreement with FirstEnergy Solutions Corp. to provide lower-cost electricity for municipal customers in the City of Sylvania; and,

WHEREAS, NOAC received four proposals for the provision of lower-cost electricity to municipal consumers; and,

WHEREAS, NOAC has met with Palmer Energy to review the proposals and has determined that the DPL Energy Resources, Inc. proposal represents the best savings for the municipal consumers in the City of Sylvania and therefore recommends acceptance of the proposal; and,

WHEREAS, the Agreement provides that the term of the Agreement is for twenty months commencing September 1, 2012 and will result in approximately \$32,000 in savings over the term of the Agreement over Toledo Edison's rate for the term of the 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 to enter into a Customer Supply Agreement with DPL Energy Resources, Inc., 1065 Woodman Dr., Dayton, Ohio on behalf 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 Customer Supply Agreement should be executed immediately so as to provide uninterrupted service to the municipal customers in the City of Sylvania. 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

11a

ORDINANCE NO. 52 -2012

**ORDINANCE APPROVING THE ASSESSMENTS HERETOFORE
AUTHORIZED BY RESOLUTION NO. 8-2012 FOR STREET
LIGHTING; LEVYING SAID ASSESSMENTS; AND DECLARING
AN EMERGENCY.**

WHEREAS, this Council by Resolution No. 8-2012, passed May 7, 2012, 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 *amount to be provided at meeting* 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, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

11b

ORDINANCE NO. 53 -2012

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, 2012; 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 2012, and provided that part of the cost and expense connected with said work in said district in the total amount of *amount to be provided at meeting* 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 2012 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, 2012, there be, and hereby is assessed, in one (1) installment for 2012, 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 2012 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, _____, 2012, as an emergency measure.

ATTEST:

President of Council

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

11c

ORDINANCE NO. 54 -2012

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, 2012; 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 2012, and provided that part of the cost and expense connected with said work in said district in the total amount of *amount to be provided at meeting* 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 2012, 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, 2012, there be, and hereby is assessed, in one (1) installment for 2012, 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 2012 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, _____, 2012, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ITEMS TO BE OFFERED FOR SALE BY AUCTION ON GOVDEALS.COM

-All items listed below are from the Sylvania Police Division:

- Four (4) IBM ThinkPad Laptop Computers (to be sold separately)
- One (1) HP LaserJet 2550LN Black & White Printer
- One (1) Nikon Nikkormat 35mm Film Camera Set
- One (1) Samsung Flat Panel Computer Monitor
- One (1) Neovo Flat Panel Monitor
- One (1) set of 12 Motorola Police Radio Speakers
- Two (2) Metal Index Card Files (to be sold separately)
- Four (4) New Mille Trunion Radio Brackets
- One (1) Box of Miscellaneous Radios & Brackets
(contains various Uniden & Motorola items)
- One (1) Box of Miscellaneous Motorola Dispatch Parts
- One (1) Fujitsu B-series Lifebook Computer (was seized property)
- One (1) Box of Miscellaneous Video System Parts
(contains Panasonic, Phillips and Pelco parts)
- One (1) Toshiba VHS Recorder
- One (1) Sharp VHS Recorder
- One HP LaserJet 1300 Black & White Printer
- One (1) I.D. Card Printer w/ Signature Pad
- One (1) Sharp Adding Machine
- One (1) Viewsonic Flat-panel Monitor

13

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

6367841		TFOL	NEW CHINA 1 RESTAURANT INC
PERMIT NUMBER		TYPE	DBA CHINA ONE RESTAURANT
06	01	2011	SUITE L-M
ISSUE DATE			5834 MONROE ST
07	23	2012	SYLVANIA OH 43560
FILING DATE			
D1	D2	D3	D6
PERMIT CLASSES			
48	077	A	F08031
TAX DISTRICT			RECEIPT NO.

FROM 07/25/2012 SAFEKEEPING

44227010005			KIF MAJOR MAGICS LTD
PERMIT NUMBER		TYPE	DBA MAJOR MAGICS ALL STAR PIZZA REVUE
06	01	2011	5838 MONROE ST
ISSUE DATE			SYLVANIA OH 43560
07	23	2012	
FILING DATE			
D1	D2	D3	D6
PERMIT CLASSES			
48	077		
TAX DISTRICT			RECEIPT NO.



MAILED 07/25/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/27/2012

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A TFOL 6367841

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF SYLVANIA CITY COUNCIL
6730 MONROE ST
SYLVANIA OHIO 43560



a

City of Sylvania

DIVISION OF TAXATION

ANGELA J. KUHN, COMMISSIONER

August 6, 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
July 31, 2012	\$714,114.52	\$6,075.97	\$708,038.55
July 31, 2011	\$610,989.74	\$26,489.26	\$584,500.48
Monthly Difference	\$103,124.78	-\$20,413.29	\$123,538.07
Year to Date 2012	\$5,586,822.72	\$121,656.32	\$5,465,166.40
Year to Date 2011	\$5,359,720.19	\$142,862.83	\$5,216,857.36
Yearly Difference	\$227,102.53	-\$21,206.51	\$248,309.04

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Scott Smith, Finance Director

City of Sylvania

Bank Reconciliation

July 2012

B

CHECKBOOK BALANCE

Ending balance for June 2012 \$ 24,255,582.12
 Add: Monthly Receipts 4,992,765.88
 Subtotal \$ 29,248,348.00
 Less: Monthly Disbursements 4,922,879.02
 Ending balance for July 2012 \$ 24,325,468.98

Less:

Certificates of Deposit \$ (1,000,000.00)
 Star Ohio (76,889.86)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (27,743.82)
 5/3rd Securities (14,161,129.86)
 SJS Account (5,192,125.67)
 PNC MoneyMarket (1,025,440.94)
 Key Bank Securities (1,006,039.03)
 Sylvania Township Bonds (735,000.00)
 \$ 1,097,986.94

Less:

OPERS pmt / fractions 0.03
 Bank encoding error 0.30

\$ 1,097,987.27

(1)

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

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance \$ 1,095,803.43
 Deposit in Transit 3,247.40

Subtotal \$ 1,099,050.83

Less: Outstanding Checks (2) 1,063.56

Adjusted Bank Balance \$ 1,097,987.27

(2)

June Outstanding Checks \$ 10,866.26

Checks written this month 975,546.81

Subtotal \$ 986,413.07

Checks Cleared (985,349.51)

July Outstanding Checks \$ 1,063.56



Treasurer, City of Sylvania

Board of Architectural Review

Minutes of the regular meeting of August 15, 2012. Mr. Lindsley called the meeting to order.

Members present: Read Backus, Ken Marciniak (arrived late), Thomas Lindsley, Mayor Craig Stough, (4) present. Mr. Robert Oberly present.

Dr. Backus moved, Mayor Stough seconded to approve the Minutes of the July 11, 2012, meeting as submitted. Vote being: Lindsley, Stough, Backus (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

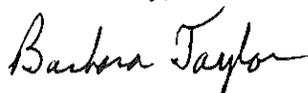
Item 3 - Regulated Sign - app. no. 24-2012 requested by Harmon Sign Co. for Dave White Used Vehicles, 5849 Alexis Road, Sylvania. Mr. Joe Mehling and Mr. Scott Brady present. Mr. Brady presented an alternate drawing with Dave White in blue instead of red, but Mr. White has not decided which version he wants to use. They will install new faces in the two existing pole signs. Mayor Stough mentioned that existing pole signs are "grand fathered" but will become illegal in 2026. Mr. Mehling said the new sign faces are to direct customers to the used vehicle lot. Later they will decide what they want to do for permanent signage for the site. Mayor Stough moved, Dr. Backus seconded to give a Certificate of Appropriateness for the sign faces changes on the existing pole signs at 5849 Alexis Road, for Dave White Used Vehicles, as depicted on the drawing and alternate drawing submitted with app. no. 24-2012. Vote being: Backus, Lindsley, Stough (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

Item 4 - Regulated Sign - app. no. 25-2012 requested by Harmon Sign Co. for Everest Heights, 3780 King Road, Sylvania. Mr. Scott Brady present. They are proposing removing the existing signs on the brick wall and installing a new sign for Dr. Matt Maley with a message center above. The sign could be compared to a double face sign with the faces at an angle, one facing northerly and the other facing southerly direction. They will add the address and name on the front of the wall. When the area has additional buildings, the section of the sign shown for Dr. Maley may need to be changed to tenant panels. The tenants could also be shown on the message center portion of the sign. Dr. Backus moved, Mayor Stough seconded to grant a Certificate of Appropriateness for app. no. 25-2012 for Everest Heights, 3780 King Road as shown on the drawing. Vote being: Stough, Backus, Lindsley (3) aye; (0) nay. Motion passed by a 3 to 0 vote. Mr. Marciniak arrived at this time.

Item 5 - Regulated Sign - app. no. 26-2012 requested by Harmon Sign Co. for Element 112, 5735 Main Street, Sylvania. Mr. Scott Brady present. The sign will be brushed aluminum with cut out lettering above the entrance. You will see the brick through the letters. They will hide some spotlights to illuminate the sign. The brushed aluminum will match the door trim and the band along the front of the overhang. Mayor Stough commented that this is a stylized sign, very classy. Mayor Stough moved, Mr. Marciniak seconded to grant a certificate of Appropriateness for the new wall sign for Element 112 at 5735 Main Street as depicted on the drawing submitted with app. no. 26-2012. Vote being: Marciniak, Lindsley, Backus, Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Barbara Taylor, Secretary
Municipal Planning Commission