

Sylvania City Council
May 18, 2015

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Mishka, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Luetke.
3. Additions to the agenda.
4. Approval of the meeting minutes of May 4, 2015.
5. Mayor's presentation of proclamation declaring Poppy Day, May 23. Miss & Mr. Poppy will be present to be introduced and distribute poppies.
6. Proposed Ordinance 33-2015, Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances.
7. Proposed Ordinance 34-2015, Entering into agreements for Safety City personnel.
8. Erie Street Waterline Replacement Project
 - a. Service Director's report on bids.
 - b. Proposed Ordinance 35-2015, Accepting bid of PHC, Inc. and awarding contract for project.
9. Storm Water Management Plan
 - a. Service Director's report.
 - b. Proposed Ordinance 36-2015, Amending Part Nine by adding Chapter 931-Sediment and Erosion Control.
10. Notice of the transfer of the D5, Spirituous liquor on the premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30a.m and D6, Sale of intoxicating liquor on Sunday between the hours 10:00 a.m. and midnight., permit from Pastrokos & Skiadas, LLC, 7625-27 Sylvania Ave. to Vardean, LLC, d/b/a Smokehouse Bistro, 7625 Sylvania Ave.
11. Committee reports.
 - a. Report of Finance Committee held May 5th.
 - b. Report of Safety Committee held May 5th.

12. Committee referrals.

INFORMATION

- A. April 2015 Bank Reconciliation.
- B. Municipal Planning Commission minutes from May 13, 2015.
- C. Board of Architectural Review minutes from May 13, 2015.

Minutes of the Meeting of Council
May 4, 2015

The Council of the City of Sylvania, Ohio met in regular session on May 4, 2015 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary Westphal (7) present; (0) absent.

Roll call:
All present.

Mr. Haynam 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.

- 11. Service Director’s Report-Water Dept. Work Truck
- 11a. Proposed Ordinance 31-2015
- 11b. Proposed Ordinance 32-2015
- A. April 2015 Division of Taxation Report.
- B. 1st quarter 2015 Department Reports.

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

Approval of the agenda amended.

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

Mrs. Westphal presented the April 20, 2015 minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of April 20, 2015 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the April 20, 2015 minutes.

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

Service Director’s Report on the King Road Right Turn Lane & Resurfacing Project was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 28-2015, a written copy of same having been previously furnished to each member of Council, “Accepting the proposal of Tetra Tech, Inc. to provide engineering services for the King Road Right Turn Lane and Resurfacing Project; appropriating funds therefore in an amount not to exceed \$9,000; and declaring an emergency.”; Mr. Frye moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 28-2015, “..accepting proposal of Tetra Tech...King Rd. Right Turn Lane & Resurfacing Project.”

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Mr. Frye moved, Mr. Haynam seconded, that Ordinance No. 28-2015 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 29-2015, a written copy of same having been previously furnished to each member of Council, "Amending Chapter 139 – Position and Compensation Plan, of the Sylvania Codified Ordinances, 1979, as amended; and declaring an emergency."; Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 29-2015, "Amending Chapter 139 – Position and Compensation Plan...."

Mr. Luetke moved, Mr. Mishka seconded, that Ordinance No. 29-2015 be enacted as an emergency measure as declared therein; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

Mr. Mishka presented and read aloud by title only, proposed Resolution No. 4-2015, a written copy of same having been previously furnished to each member of Council, "Declaring the necessity of lighting the streets in the City of Sylvania, Ohio; determining the manner of providing street lighting and the basis for the property owner's share of the cost and annual assessment; and declaring an emergency"; Mr. Mishka moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Resolution No. 4-2015, "declaring the necessity of lighting the streets..."

Mr. Mishka moved, Mrs. Husman seconded, that Resolution No. 4-2015 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 25-2015, 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 amendment for the Work Release CAD Program Agreement, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of Court

Ordinance No. 25-2015, "Authorizing Work Release CAD Program

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Addiction Diversion Services through the Lucas County Court of Common Pleas Work Release Court Addiction Diversion Program to Sylvania Municipal Court; 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: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried. Agreement....”

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance No. 25-2015 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mr. Luetke reported on the Economic Development Sub-Committee meeting from 7:00p.m. He reported on the topics of discussion of NOIC request for signage reimbursement and job creation grant, downtown trees update, Main-Maplewood Par suggestion, Lourdes Campus downtown access and overall Economic Development update.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 30-2015, 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 Economic Development Grant Agreement with the Northern Ohio Investment Company (“NOIC”); and declaring an emergency”; Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried. Ordinance No. 30-2015, “Authorizing... Econ Dev Grant Agreement with “NOIC”....”

Mr. Luetke moved, Mr. Frye seconded, that Ordinance No. 30-2015 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

There being no matters for agenda item 10, Mayor Stough stated that Council will now consider agenda item 11.

Service Director Aller’s report on the Water Department Work Truck purchase was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 31-2015, 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 Selking International for the purchase of one new 2016 International 4300 SPA Work Ordinance No. 31-2015, “...purchase 2016 International

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Truck for the Division of Water, Department of Public Service; appropriating \$64,448 therefore; and declaring an emergency.”; Mr. Mishka moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being; Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried. truck for Division of Water...”

Mr. Mishka moved, Mrs. Westphal seconded, that Ordinance No. 31-2015 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 32-2015, 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 Kalida Truck for the provision of a truck box, work boxes and work equipment installation for the new 2016 International 4300 SPA Work Truck for the Division of Water, Department of Public Service; appropriating \$75,000 therefore; and declaring an emergency.”; Mr. Mishka moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being; Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried. Ordinance No. 32-2015, “...purchase of boxes and work equipment for 2016 International truck....”

Mr. Mishka moved, Mr. Haynam seconded, that Ordinance No. 32-2015 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mrs. Cappellini seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:12 p.m. Adjournment.

Clerk of Council

Mayor

Office of the Mayor

Proclamation

Whereas: America is the land of freedom, preserved and protected willingly and freely by citizens soldiers; and

WHEREAS: millions who have answered the call to arms have died on the field of battle; and

WHEREAS: a nation at peace must be reminded of the price of war; and

WHEREAS: the red poppy has been designated as a symbol of sacrifice of lives in all wars; and

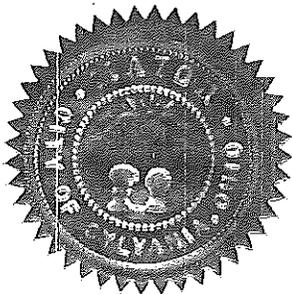
WHEREAS: the American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower;

NOW, THEREFORE, I, Craig A. Stough, Mayor, do hereby proclaim Sunday, May 23, 2015 as:

AMERICAN LEGION AUXILIARY POPPY DAY

in the City of Sylvania and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Day Poppy on this day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Sylvania to be set this 18th day of May, 2015.



Craig A. Stough, Mayor
City of Sylvania
State of Ohio

ORDINANCE NO. 33 -2015

AN ORDINANCE TO APPROVE, ADOPT AND ENACT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and,

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and,

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision; and,

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council.

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

SECTION 1. That the ordinances of the City of Sylvania, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections with the 2015 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

- 301.161 Highway Maintenance Vehicle. (Added)
- 301.162 Highway Traffic Signal. (Added)
- 303.04 Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
- 303.081 Impounding Vehicles on Private Residential Property. (Amended)
- 303.082 Tow Away Zones. (Amended)
- 331.45 Vehicular Operation on Street Closed Due to Rise in Water Level. (Added)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Amended)
- 333.031 Approaching a Stationary Public Safety, Emergency or Road Service

- 337.16 Vehicle. (Amended)
- 337.17 Number of Lights; Limitations on Flashing. (Amended)
- 337.17 Focus and Aim of Headlights. (Amended)

General Offenses Code

- 501.07 Requirements For Criminal Liability. (Amended)
- 501.08 Culpable Mental States. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 533.09 Soliciting. (Amended)
- 533.15 Unlawful Advertising of Massage. (Added)
- 537.05 Aggravated Menacing. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.06 Menacing. (Amended)
- 545.01 Theft and Fraud Definitions. (Amended)
- 545.02 Determining Property Value in Theft Offense. (Amended)
- 545.05 Petty Theft. (Amended)
- 545.15 Securing Writings by Deception. (Amended)
- 549.01 Weapons Definitions. (Amended)

A summary of the amendments to the sections listed above is set forth in Appendix A which is attached to this ordinance.

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, Sections 11(e) and 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 there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements. 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, _____, 2015, as an emergency measure.

President of Council

ATTEST:

Clerk of Council
APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

Summary of 2015 Model Changes

Traffic Code

301.161 Highway Maintenance Vehicle. Adds new definition of highway maintenance vehicle.

301.162 Highway Traffic Signal. Adds new definition to Traffic Code.

303.04 Road Workers, Motor Vehicles and Equipment Excepted. Transfers definition of highway maintenance vehicle formerly contained in subsection (d) to new Section 301.161.

303.081 Impounding Vehicles on Private Residential Property. Revises procedures for impounding vehicles from private residential or agricultural property.

303.082 Tow-Away Zones. Revises section to authorize towing companies and storage locations to obtain title to unclaimed vehicles.

331.45 Vehicular Operation on Street Closed Due to Rise in Water Level. Adds new section prohibiting the operation of a vehicle on a street or highway closed due to a rise in water level.

335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. Adds subsection (d)(3) pertaining to providing the court with proof of financial responsibility; amends subsection (e) to add presentation of electronic wireless communication devices.

335.074 Driving Under License Forfeiture or Child Support Suspension. Adds last sentence to subsection (c)(2) pertaining to providing the court with proof of financial responsibility.

333.031 Approaching a Stationary Public Safety, Emergency or Road Service Vehicle. Adds vehicles used by the Public Utilities Commission and highway maintenance vehicles to vehicles being approached by the driver of a motor vehicle.

337.16 Number of Lights and Limitations on Flashing, Oscillating and Rotating Lights. Deletes traffic line strippers and snow plows and adds "highway" to maintenance vehicles and removes "Ohio Department of Transportation" in subsection (c)(1).

337.17 Focus and Aim of Headlights. Adds subsection (b) requiring the headlights on a motor vehicle to comply with federal motor vehicle safety standards.

General Offenses Code

501.07 Requirements for Criminal Liability. Clarifies when strict criminal liability is imposed and modifies the concept of acting recklessly.

501.08 Culpable Mental States. Modifies the concept of acting recklessly and makes stylistic changes.

525.05 Failure to Report a Crime, Injury or Knowledge of Death. Expands the listing of professional persons enumerated in Section 525.05(f)(1) and (g)(1).

533.09 Soliciting. Adds “who is eighteen years of age or older” to subsection (a) and adds new subsection (d).

533.15 Unlawful Advertising of Massage. Adds new section prohibiting the unlawful advertising of massage with the promise or suggestion of sexual activity.

537.05 Aggravated Menacing. Adds words or conduct directed at another person that refer to an organization to which the person belongs.

537.051 Menacing by Stalking. Adds words or conduct directed at another person that refer to an organization to which the person belongs.

537.06 Menacing. Adds words or conduct directed at another person that refer to an organization to which the person belongs.

545.01 Theft and Fraud Definitions. Adds subsection (ll) definition of “active duty service member”.

545.02 Determining Property Value in Theft Offense. Adds language pertaining to a series of offenses committed against an active duty service member or spouse in subsections (b)(1) and (2).

545.05 Petty Theft. Adds “active duty service member or spouse” to subsection (b)(2).

545.15 Securing Writings by Deception. Adds “active duty service member or spouse” to subsection (b)(2).

549.01 Weapons Definitions. Deletes second sentence in subsection (e); changes “silencer” to “suppressor” in subsection (k)(5); adds subsections (p) and (q).

7

ORDINANCE NO. 34 -2015

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AGREEMENTS WITH A HEAD TEACHER, TEACHERS, AND AIDES FOR THE SYLVANIA SAFETY CITY PROGRAM BEING CONDUCTED BY THE SYLVANIA DIVISION OF POLICE; PROVIDING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, this Council passed Resolution No. 4-86 establishing the SYLVANIA SAFETY CITY FUND for the purpose of receiving funds for educating the preschool children of this City by initiating and maintaining a high quality safety education program through proper and effective teaching techniques, the name of which fund was, by Resolution No. 29-90, passed November 15, 1990, changed to POLICE COMMUNITY AFFAIRS PROGRAM FUND; and,

WHEREAS, the Sylvania Division of Police, as the lead agency, in cooperation with, and through the support of, the Sylvania City Schools, service clubs, citizens and others, have planned the educational safety program for the period beginning and ending in June of 2015; and,

WHEREAS, attached hereto as "Exhibit A" is a list of the persons and their general duties, with amounts designated for each person for the accomplishment of their respective duties at a total cost of Four Thousand Fifty-Five Dollars (\$4,055.00); and,

WHEREAS, agreements for the providing of such services should be authorized and payment therefore should be authorized.

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 and directed to enter into agreements for the providing of services for the Safety City Program for the period beginning and ending in June of 2015, at a total cost of not to exceed Four Thousand Fifty-Five Dollars (\$4,055.00), with each of the persons listed on "Exhibit A" at an amount for each as designated on said Exhibit for each, which written agreements shall be approved as to form by the Director of Law.

SECTION 2. That the Mayor and Director of Finance be, and they are hereby are, authorized and directed to enter into agreements for the services of persons for the said Safety City Program for the period beginning and ending in June of 2015, and for such substitute and additional persons as the Mayor and Director of Finance may deem necessary, which written agreements shall be approved as to form by the Director of Law, but no agreements shall be made that will exceed the amount currently appropriated for such purpose.

SECTION 3. That the amounts payable pursuant to agreements for said services so provided shall be charged to and paid from **Account No. 810 7160 1250-Contracts, Safety City.**

SECTION 4. That the Director of Finance of this City be, and hereby is, authorized and directed to draw his warrant or warrants against said account in payment of services to be provided under the agreements hereby authorized in the total sum of the amount appropriated to said account, upon presentation of proper voucher or vouchers therefore, duly approved by the Director of Public Safety.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the agreements must be authorized immediately to provide the services required. 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, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council
APPROVED:

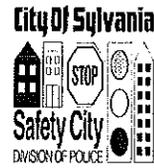
Director of Law

Mayor

Date



**Sylvania Police Division
Office of Community Affairs
2015 Safety City Staff**



<u>Staff</u>	<u>Wage</u>
Sharon Van Hove, Education Coordinator 14397 Carroll Rd. Blissfield, MI 49228 SSN: 279-68-2993	\$685.00
Marsha Hawley, Teacher 7758 Denali Ct. Sylvania, Ohio 43560 SSN: 278-66-5234	\$520.00
Kelly Snyder, Teacher 6024 Brainard Sylvania, Ohio 43560 SSN: 270-86-8820	\$520.00
Angela Lawson, Teacher 4621 Framingham Dr. Sylvania, Ohio 43560 SSN: 317-90-2542	\$520.00
Valerie Shnider, Teacher 5100 Brint Crossing Blvd. Sylvania, Ohio 43560 SSN: 277-76-3349	\$520.00
Brook Snead, Teacher Aide 4104 Boynton Dr. Sylvania, Ohio 43560 SSN: 300-96-6444	\$215.00
Samantha Sarmento, Teacher Aide 6050 Deepwood Sylvania, Ohio 43560 SSN: 295-96-7525	\$215.00
Zachary Music, Teacher Aide 5232 Turnberry Ln. Sylvania, Ohio 43560 SSN: 282-98-2773	\$215.00
Maggie Eding, Teacher Aide 5927 Garden Park Sylvania, Ohio 43560 SSN: 278-04-0361	\$215.00
Emma Hawley, Teacher Aide 7758 Denali Ct. Sylvania, Ohio 43560 SSN: 299-98-2903	\$215.00
Tiffany Allore, Police Aide 5837 Sugar Hill Sylvania, OH 43560 SSN: 294-98-3641	\$215.00
Total.....	\$4055.00

Pa.



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 18, 2015

To: The Mayor and Members of Sylvania City Council

Re: **ERIE STREET WATERLINE REPLACEMENT PROJECT**

Dear Mr. Mayor and Council Members:

We received bids on May 13, 2015 for the above referenced project. There were a total of four (4) bids received.

The lowest bid was submitted by PHC, Inc. of Toledo, Ohio. Their bid of \$175,617.50 was approximately 3.5% under the Engineer's Estimate of \$182,000.

Therefore, it is our recommendation that the contract be awarded to PHC, Inc. of Toledo, Ohio 43617, in the amount of \$175,617.50.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kevin G. Aller". The signature is written in a cursive style and is positioned above a horizontal line.

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

8b.

ORDINANCE NO. 35 -2015

ACCEPTING THE BID OF PHC, INC. AND AWARDING THE CONTRACT FOR THE ERIE STREET WATERLINE REPLACEMENT PROJECT TO SAME; AUTHORIZING THE EXPENDITURE FOR THE IMPROVEMENTS IN THE AMOUNT OF \$175,617.50; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, plans for the Erie Street Waterline Replacement Project have been completed and are now on file with the Clerk of this Council; and,

WHEREAS, the Clerk of Council was authorized to advertise for bids at the April 20, 2015 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on May 13, 2015, and thereafter, the Director of Public Service, by report dated May 18, 2015, stated that the Engineer's Estimate for the Erie Street Waterline Replacement Project was \$182,000 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
PHC, Inc.	\$175,617.50
Cash Services	178,500.70
Crestline Paving	178,689.85
Vernon Nagel	200,054.10

WHEREAS, the four (4) bids offered by the above bidders meet all of the City's specifications and the Director of Public Service, by report dated May 18, 2015, has recommended acceptance of the lowest and best bid of PHC, Inc. and that the contract for the Erie Street Waterline Replacement Project be awarded to same.

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

SECTION 1. That the bid PHC, Inc. of Toledo, Ohio, for said Erie Street Waterline Replacement Project, in the amount of One Hundred Seventy-Five Six Hundred Seventeen and 50/100 Dollars (\$176,517.50), is hereby determined to be the lowest and best bid received and the same is hereby accepted.

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

SECTION 3. That to provide funds for said improvement project hereby authorized, there is hereby appropriated from the **WATER FUND** from funds therein not heretofore appropriated to **Account No. Account No. 701-7525-53501 – Utility Improvements**, the total sum of One Hundred Seventy-Five Six Hundred Seventeen and 50/100 Dollars (\$176,517.50).

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 PHC, Inc. should be accepted immediately so as to provide for the replacement of the Erie Street Waterline 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, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 12, 2015

To: The Mayor and Members of Sylvania City Council

Re: **Storm Water Management Plan**

Dear Mr. Mayor and City Council Members:

The City of Sylvania is considered a Small Municipal Separate Storm Sewer System (MS4) by the Ohio EPA. As such, we are required to comply with the most current National Pollutant Discharge Elimination System (NPDES) permit.

The NPDES permit was renewed in September of 2014. One of the requirements in the permit is that the City included a codified ordinance that regulates Construction Site Storm Water Runoff Control as well as Post-Construction Storm Water Management.

We have prepared proposed Chapter 931 to satisfy the permit requirement and recommend approval of the same.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kevin G. Aller".

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

CHAPTER 931
Sediment and Erosion Control

931.01	Standards for Construction Site Storm Water Control and Post-Construction Storm Water Management for New Development and Redevelopment.	931.02	Enforcement.
		931.03	Violations.
		931.99	Penalty.

931.01 **STANDARDS FOR CONSTRUCTION SITE STORM WATER CONTROL AND POST-CONSTRUCTION STORM WATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT.**

All requirements set forth in the Ohio EPA NPDES General Storm Water Permit for Construction Activities, as occasionally revised by the Ohio EPA, apply as the applicable standard for construction site storm water control and post-construction storm water management in new development and redevelopment.

- (a) Before any construction, new development, or redevelopment may take place in the City, the proposed operators (as defined by the OEPA NPDES General Storm Water Permit for Construction Activities) shall provide to the City's Department of Public Service a copy of the operator's Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWP3).
- (b) As part of the overall process of issuing permits and approving planned development, redevelopment, and construction, the City shall review the NOI and SWP3 to ensure compliance with all applicable storm water control and management provisions, and failure to comply with such provisions may lead to denial of permits and approvals as well as any other legal or equitable remedy available to the City under this Chapter or any other local, state, or federal law.

(Ord. _____-2015. Passed _____-2015.)

931.02 **ENFORCEMENT.**

- (a) All development areas are subject to external inspections by City of Sylvania Department of Public Service to ensure compliance with the approved SWP3 and the performance criteria detailed in Section 931.01.
- (b) After each external inspection, the Department of Public Service shall prepare and distribute a status report to the applicant.
- (c) If an external inspection determines that operations are being conducted in violation of the approved SWP3 the Department of Public Service may issue a Notice of Violation ("NOV").

(Ord. _____-2015. Passed _____-2015.)

931.03 **VIOLATIONS.**

- (a) No person shall violate or cause or knowingly permit to be violated any of the foregoing provisions, or fail to comply with any of such provisions or with any lawful requirements of any public authority, or knowingly use or cause or permit the use of any lands in violation of these provisions or in violation of any permit granted under these

- provisions.
- (b) If it appears that a violation of any of these provisions has occurred, the owner and developer will be notified by the City of Sylvania, Ohio, Department of Public Service of deficiencies or noncompliance in the form of a Notice of Violation (NOV), return receipt requested. If within 3 working days after receipt of the NOV the owner has failed to provide the City with a reasonable plan for resolving the issue, or in the alternative provides a basis for its position that it is not in violation, the owner and developer may be considered in violation of these provisions.
 - (c) Where there is a violation of these provisions, the City may take all reasonable actions necessary to enforce its code and correct any violations, including but not limited to seeking an injunction or other appropriate relief to abate excessive erosion or sedimentation and secure compliance with these Rules. In granting relief, a court may order the construction of sediment control improvements or implementation of other control measures.

(Ord. _____-2015. Passed _____-2015.)

931.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a minor misdemeanor on the first offense, with a fine of not less than One Hundred Fifty (\$150.00); a misdemeanor of the fourth degree on the second offense, with a fine of not less than Two Hundred Fifty Dollars (\$250.00); and a misdemeanor of the first degree on the third offense, with a fine of not less than One Thousand Dollars (\$1,000.00). A separate offense shall be deemed committed each day during or on which a violation or non-compliance occurs or continues.

(Ord. _____-2015. Passed _____-2015)

10

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

92267670005 <small>PERMIT NUMBER</small>			TRFO <small>TYPE</small>	VARDEAN LLC DBA SMOKEHOUSE BISTRO 7625-27 SYLVANIA AV SYLVANIA OH 43560
06	25	2013 <small>ISSUE DATE</small>		
04	27	2015 <small>FILING DATE</small>		
D5 D6 <small>PERMIT CLASSES</small>				
48	077	A	F14024 <small>RECEIPT NO.</small>	

FROM 04/29/2015 SAFEKEEPING

6740743 <small>PERMIT NUMBER</small>				PASTRIKOS & SKIADAS LLC 7625-27 SYLVANIA AV SYLVANIA OH 43560
06	25	2013 <small>ISSUE DATE</small>		
04	27	2015 <small>FILING DATE</small>		
D5 D6 <small>PERMIT CLASSES</small>				
48	077			



MAILED 04/29/2015

RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/01/2015

IMPORTANT NOTICE

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

A TRFO 9226767-0005

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF SYLVANIA CITY COUNCIL
6730 MONROE ST
SYLVANIA OHIO 43560

City of Sylvania

Bank Reconciliation

April 2015

A

CHECKBOOK BALANCE

Ending balance for Mar 2015 \$ 19,945,506.76

Add: Monthly Receipts 5,419,287.47

Subtotal \$ 25,364,794.23

Less: Monthly Disbursements 4,478,332.32

Ending balance for Apr 2015 \$ 20,886,461.91

Less:

Certificates of Deposit \$ (2,000,000.00)

Star Ohio (76,990.18)

Petty Cash (1) (2,050.00)

Cemetery Savings (1,062.86)

Toledo Community Fund (31,027.58)

PNC MoneyMarket (1,028,318.74)

Key Bank Securities (1,008,119.87)

5/3rd Securities (5,927,855.81)

SJS Account (4,221,342.55)

Morgan Stanley Investment (2,016,832.01)

Sylvania Township Bonds (565,000.00)

\$ 4,007,862.31

Less:

(1)

Division of Public Service \$ 150.00

Department of Finance 100.00

Division of Water 600.00

Division of Police 200.00

Municipal Court 700.00

Division of Taxation 150.00

Division of Forestry 150.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance \$ 3,999,351.04

Deposit in Transit 14,909.36

Subtotal \$ 4,014,260.40

Less: Outstanding Checks (2) 6,398.09

Adjusted Bank Balance \$ 4,007,862.31

(2)

Mar Outstanding Checks \$ 61,534.54

Checks written this month 754,796.40

Voided Ck # 65666 (307.00)

Voided Ck # 66150 (460.22)

Subtotal \$ 815,563.72

Checks Cleared (809,165.63)

Apr Outstanding Checks \$ 6,398.09



Toby Schroyer
Director of Finance, City of Sylvania

Sylvania Municipal Planning Commission

Minutes of the regular meeting of May 13, 2015. Mr. Lindsley called the meeting to order.

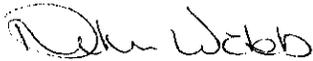
Members present: Daniel Arnold, Ken Marciniak, Brian McCann, and Thomas Lindsley (4) present. Mayor Craig Stough excused. Zoning Administrator, Timothy Burns present.

Mr. Arnold moved, Mr. McCann seconded to approve the Minutes of the March 11, 2015, meeting as submitted. Vote being: Arnold, McCann, Marciniak and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Arnold moved, Mr. McCann seconded to approve the Minutes of the April 15, 2015, meeting as submitted. Vote being: Arnold, McCann, Marciniak and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Arnold moved, Mr. McCann seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

Board of Architectural Review

Minutes of the regular meeting of May 13, 2015. Mr. Lindsley called the meeting to order.

Members present: Daniel Arnold, Ken Marciniak, Brian McCann, and Thomas Lindsley (4) present. Mayor Craig Stough excused. Zoning Administrator, Timothy Burns present.

Mr. Marciniak moved, Mr. McCann seconded to approve the Minutes of the March 11, 2015, meeting as submitted. Vote being: Arnold, McCann, Marciniak and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the April 15, 2015, meeting as submitted. Vote being: Arnold, McCann, Marciniak and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 – Regulated Sign – app. no. 22-2015 requested by Sue Sprouse of Harmon Sign for Heartland, 5200 Harroun Road, Sylvania, Ohio 43560. Mr. Kevin Neifer of Harmon Signs present. Application is for a replacement of the lettering an existing monument sign and a directional sign with new lettering and company logo and the installation of a new directional sign with lettering and company logo. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 5 – Regulated Sign – app. no. 23-2015 requested by Myra Gueli of Toledo Sign Co. for Hanger Clinic, 5551 Monroe Street, Sylvania, Ohio 43560. Ms. Myra Gueli of Toledo Sign Co. present. Application is for the panel replacement on an existing monument sign. Sign is within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 6 – Regulated Sign – app. no. 24-2015 requested by Myra Gueli of Toledo Sign Co. for Mobile Care Group, 5151 S. Main Street, Sylvania, Ohio 43560. Ms. Myra Gueli of Toledo Sign Co. present. Application is for a new wall sign. Sign is within the limits of the Sylvania Sign Code. Mr. McCann moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 7 – Regulated Sign – app. no. 25-2015 requested by Harmon Signs for Sewing Express, 5829 Monroe Street, Sylvania, Ohio 43560. Mr. Kevin Neifer of Harmon Signs present. Application is to replace the existing sign panels of the old business on the front of the building with new panels for the new business. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Board of Architectural Review
Minutes of the May 13, 2015 Meeting
Page 2

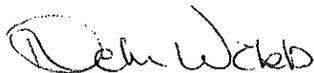
Item 8 – Regulated Sign – app. no. 26-2015 requested by Sue Sprouse of Harmon Signs for Harvest Place, 7600 Sylvania Avenue, Sylvania, Ohio 43560. Mr. Kevin Neifer of Harmon Signs present. Application is for a new monument sign with tenant panels. Sign is within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 9 – Regulated Sign – app. no. 27-2015 requested by Julie Bain of Bennet Management Co. for Tony Packos, 5827 Monroe Street, Sylvania, Ohio 43560. Mr. Kevin Neifer of Harmon Signs present. Application is for a new panel on an existing pole sign. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 10 – Regulated Sign – app. no. 28-2015 requested by Brian Heil of Toledo Sign for El Salto, 5815-5819 Monroe Street, Sylvania, Ohio 43560. Mr. Brian Heil of Toledo Sign present. Application is for a new wall sign and the replacement of a panel on an existing pole sign. Signs are within the limits of the Sylvania Sign Code. Mr. McCann moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission