

Sylvania City Council

May 4, 2015

7:00 p.m. Economic Development Sub-Committee Meeting

Job Creation Grant

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 Mrs. Husman.
3. Additions to the agenda.
4. Approval of the meeting minutes of April 20, 2015.
5. King Road Right Turn Lane & Resurfacing Project.
 - a. Service Director's report.
 - b. Proposed Ordinance 28-2015, Accepting proposal of Tetra Tech, Inc. to provide engineering services for the King Road Right Turn Lane & Resurfacing Project.
6. Proposed Ordinance 29-2015, Amending Chapter 139-Position and Compensation Plan.
7. Proposed Resolution 4-2015, Declaring the necessity of lighting the streets in the City of Sylvania.
8. Proposed Ordinance 25-2015, to enter into an amendment for the Work Release CAD Program Agreement.
9. Committee reports.
 - a. Economic Development Sub- Committee Report from 7:00p.m.
10. Committee referrals.

INFORMATION

Reminder: Finance Committee Meeting Tuesday, May 5, 2015 at 7:30 a.m.
Safety Committee Meeting- Tuesday, May 5, 2015 at 8:15 a.m.

Minutes of the Meeting of Council
April 20, 2015

The Council of the City of Sylvania, Ohio met in regular session on April 20, 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.

- 5a. Proposed Ordinance 27-2015.
- 16a. Proposed Ordinance 19-2015.
- 17a. Set Finance Committee meeting.
- 17b. Set Safety Committee meeting.
- 17c. Set Economic Development Sub-Committee meeting.

Approval of the
agenda as
amended.

Mr. Haynam moved, Mrs. Husman 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.

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

Mrs. Westphal presented the April 6, 2015 minutes. Mrs. Westphal moved, Mr. Luetke 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 6, 2015 be approved as amended; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
April 6, 2015
minutes as
amended.

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

Mrs. Westphal reported on the public hearing of ZA-2-2015. Mrs. Westphal stated no one spoke against the amendment. Mr. Arnold provided an overview of the application. It was recommended to advance to council for approval. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 27-2015, a written copy of same having been previously furnished to each member of Council, "Approving the recommendation of the Municipal Planning Commission to approve Petition for Zoning Ordinance Amendment No. ZA-2-2015 on the petition of Gregory L. Arnold on behalf of the Board of Education of the Sylvania City Schools to change the zoning of the property at 5363 Silica Dr., Sylvania, Ohio; and declaring an emergency." Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third

Ordinance No.
27-2015,
"...approving....
ZA-2-2015...
zoning change
5363 Silica
Dr..."

Minutes of the Meeting of Council
April 20, 2015

Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Mr. Haynam moved, Mrs. Westphal seconded, that Ordinance No. 27-2015 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.

Service Director Aller's report on the Easements for the Erie Street Waterline Replacement Project was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 20-2015, a written copy of same having been previously furnished to each member of Council, "Accepting from First Congregational Church of Sylvania, aka Sylvania United Church of Christ, a grant of permanent utility easement and a grant of temporary construction easement for the Erie Street Waterline Replacement Project; dedicating the easement areas for public purposes as expressed in the easements; providing funds therefore; and declaring an emergency."; Mr. Mishka moved, Mrs. Westphal 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. 20-2015, "... a grant of permanent utility easement...Erie St. waterline replacement project..."

Mr. Mishka moved, Mr. Haynam seconded, that Ordinance No. 20-2015 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.

Service Director Aller's report on the Erie Street Waterline Replacement Project was placed on file. Mr. Mishka moved, Mr. Frye seconded to authorize the Clerk of Council to advertise for bids; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Bids for Erie St. Waterline Project.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 21-2015, a written copy of same having been previously furnished to each member of Council, "Authorizing the donation of L-3 Mobile Vision Equipment to the Cuyahoga Falls Police Department; determining said property to be of no further use to the City of Sylvania; and declaring an emergency"; Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call

Ordinance No. 21-2015, "Authorizing donation of L-3 Mobile Vision Equip...."

Minutes of the Meeting of Council
April 20, 2015

vote being; Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance No. 21-2015 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.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 22-2015, a written copy of same having been previously furnished to each member of Council, "Authorizing the donation of seven (7) Used Power-Wheel Type Electric Cars to Sylvania Area Family Services; determining said property to be of no further use to the City of Sylvania; and declaring an emergency"; Mrs. Westphal moved, Mrs. Husman 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. 22-2015, "Authorizing donation of seven Used Power-Wheel Type Electric Cars..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 22-2015 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.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 23-2015, a written copy of same having been previously furnished to each member of Council, "Accepting for Annexation to the City of Sylvania, Ohio, the territory described in Annexation Petition Number 2014-4 for which James E. Moan is the agent, and as hereinafter described; providing for the interim zoning of said territory; 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; Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance No. 23-2015, "Accepting Annexation Petition 2014-4..."

Mr. Haynam moved, Mrs. Westphal seconded, that Ordinance No. 23-2015 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.

Minutes of the Meeting of Council
April 20, 2015

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 24-2015, a written copy of same having been previously furnished to each member of Council, "Accepting for Annexation to the City of Sylvania, Ohio, the territory described in Annexation Petition Number 2014-5 for which James E. Moan is the agent, and as hereinafter described; providing for the interim zoning of said territory; and declaring an emergency"; Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being; Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance No.
24-2015,
"Accepting
Annexation
Petition
2014-5..."

Mr. Haynam moved, Mr. Mishka seconded, that Ordinance No. 24-2015 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

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

Proposed Ordinance 25-2015 will be deferred until next council meeting pending further information on the Agreement.

Mayor Stough stated that Council will now consider agenda item 13.

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 26-2015, a written copy of same having been previously furnished to each member of Council, "Accepting from First Baptist Church of Sylvania a/k/a First Baptist Church, Sylvania, a Corporation Warranty Deed for the property located at 4815, 4821, 4827 Holland-Sylvania Road, Sylvania, Ohio; and declaring an emergency"; Mrs. Husman moved, Mrs. Westphal 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.
26-2015,
"Accepting ...
Corp. Warranty
Deed..4815,
4821, 4827
Holland-Sylvania
Rd...."

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance No. 26-2015 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.

Minutes of the Meeting of Council
April 20, 2015

Mayor Stough stated that Council will now consider agenda item 14.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 18-2015, a written copy of same having been previously furnished to each member of Council, "Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2015; establishing one district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency"; Mrs. Cappellini moved, Mrs. Husman 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. 18-2015, "Providing for the controlling of blight and disease...shade trees..."

Mrs. Cappellini moved, Mr. Luetke seconded, that Ordinance No. 18-2015 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 15.

Mrs. Husman presented the Sylvania Historical Village Trustee appointments. She provided an overview of the members and the make-up of the Board. Council consented to the appointments.

SHV Trustee Appointment report.

Mayor Stough stated that Council will now consider agenda item 16.

Mr. Mishka reported that the Utilities Committee met at 7:00 p.m. to discuss the Ditch/Drains Maintenance Assessment. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 19-2015, a written copy of same having been previously furnished to each member of Council, "Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the Corporate limits of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2015; establishing one district for said purpose in accordance with the provisions of Section 727.012 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency"; Mr. Mishka moved, Mrs. Westphal 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.

Ordinance No. 19-2015, "Providing... repair, cleaning ...ditches..."

Minutes of the Meeting of Council
April 20, 2015

Mr. Mishka moved, Mr. Frye seconded, that Ordinance No. 19-2015 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 17.

Mrs. Westphal set a Finance Committee meeting to discuss the 5-year financial plan of the City and the Ohio Checkbook information from Josh Mandel for May 5, 2015 at 7:30 a.m. in the Finance Department Conference room in the Sylvania Administration Building. Set Finance Mtg. for 5/5/15 at 7:30 a.m.

Mrs. Westphal set a Safety Committee meeting to discuss the police use of cameras for May 5, 2015 at 8:15 a.m. in the Finance Department Conference room in the Sylvania Administration Building. Set Safety Mtg. for 5/5/15 at 8:15 a.m.

Mr. Luetke set an Economic Development Sub-Committee meeting to discuss the Jobs Creation Grants and an update on Economic Development in the City for May 4, 2015 at 7:00 p.m. in Council Chambers. Set Econ. Dev. Sub-Committee Mtg. 5/4/15 at 7:00 p.m.

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 8:39 p.m. Adjournment.

Clerk of Council

Mayor

5a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 4, 2015

To: The Mayor and Members of Sylvania City Council

Re: **King Road Right Turn Lane & Resurfacing Project**

Dear Mr. Mayor and Council Members:

This project will add a right-turn drop lane to northbound King Road at Sylvania Avenue as well as asphalt resurfacing from Cougar Lane to Sylvania Avenue. The City applied for project funding through the Ohio Public Works Commission last November and was successfully able to secure funding for 49% of the project. The project is scheduled for construction in the spring of 2016 with engineering design work to begin this summer.

The project will require traffic signal modifications including the relocation of a mast arm pole and various signal changes to accommodate the right turn lane. The City requested a proposal from Tetra Tech of Toledo, Ohio for this signal specific work. Their proposal for \$9,000 is to include the preparation of signal plans as well as updating wiring diagrams and timing/phasing charts. All other non-traffic related engineering work will be performed in house by City staff.

We recommend approval to proceed ahead with the engineering services agreement with Tetra Tech in the amount of \$9,000.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller".

Kevin G. Aller, P.E.

Director of Public Service



TETRA TECH

April 21, 2015

Joe Shaw, P.E., P.S.
Deputy Director
Public Service Department
City of Sylvania
6700 Monroe Street
Sylvania, Ohio 43560

Re: Sylvania Avenue and King Road Intersection Signal Improvements

Dear Mr. Shaw:

Tetra Tech (Tt) is pleased to submit our proposal to prepare and design signal improvement plans for the intersection of Sylvania Avenue and King Road. Below is a breakdown of the project understanding, scope, schedule, and assumptions based on our discussions.

PROJECT UNDERSTANDING

Tetra Tech understands that the City of Sylvania will be designing roadway improvements for King Road that will include the construction of a dedicated right turn lane from NB King Road to Sylvania Avenue. It is the City's intent that Tt would design traffic signal plan sheets for improvements to the intersection based on the right turn lane addition. This will require that the existing mast arm pole located on the southeast corner (indications for EB Sylvania Avenue) will need to be removed and replaced with a new mast arm signal pole, foundation, vehicular and pedestrian signal heads and associated items.

PROJECT SCOPE

Tt will work with the City of Sylvania's provided CAD mapping and survey data to develop the signal plan sheet. Tt will also prepare a traffic signal wiring diagram, timing and phasing charts, notes and signal quantities. ODOT standard items will be used and reference to the latest ODOT Construction and Material Specifications and Standard Construction Drawings will be listed on the City's title sheet.

Anticipated Sheet List

Signal Note/Quantities Sheet = 1

Signal Plan Sheet = 1

Signal Detail Sheet = 1

Total = 3 sheets

PROJECT SCHEDULE

Tt will begin development upon authorization to proceed from the City. We anticipate the following rough schedule for this project:

Tetra Tech
420 Madison Avenue, Suite 1001, Toledo, OH 43604
Tel 419.255.9500 Fax 419.255.9501 www.tetratech.com



Task	Duration
Signal Plans – Stage 2	4 weeks
City Review and Comment	1 Weeks
Finalize Signal Plans	2 Weeks
Total	7 Weeks

ASSUMPTIONS

The following assumptions were made in preparation of the scope and are required to complete all elements of the above scope of services:

- Traffic Counts of intersections will not be performed by Tt. Existing traffic counts will be provided by the City of Sylvania to Tt to be used in this project.
- The City of Sylvania will design and detail curb ramp modifications.
- Tt will not be providing any survey or geotechnical services for this project. Survey and base CAD mapping will be provided to Tt by the City.
- Tt will not be providing any bidding or construction phase services as part of this proposal.

Compensation for our personnel directly engaged in the work of this proposal will be based on our payroll cost times a multiplier plus in-house reimbursable expenses. We propose a time and material budget of \$9,000 for this work. If Tt anticipates that additional effort is required during this project, Tt will submit a written request to the City of Sylvania for authorization prior to completing any additional work. If you concur with our proposal, please sign in the space provided below and return one original signed copy of this proposal to indicate your authorization to proceed. The agreement for this project is comprised of this proposal and the attached Tt Standard Terms and Conditions (Tt ST&C).

If you have any questions or need additional information, please call me at 419.418.0509. Thank you for giving us this opportunity to serve the City of Sylvania!

Sincerely,

Andrew J. Langenderfer, P.E.
Senior Project Manager

- C: Mr. Kevin Aller, P.E. – Director of Public Service, City of Sylvania
Mr. Dave Charville, P.E. – Tt
Mr. Kyle Ramakers, P.E., P.T.O.E. - Tt

Attachment: Tt Standard Terms and Conditions

PROPOSAL ACCEPTED BY _____

TITLE _____ **DATE** _____

ORDINANCE NO. 28 -2015

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.

WHEREAS, Director of Public Service, by report dated May 4, 2015, has indicated that the King Road Right Turn Lane and Resurfacing Project which involves adding a right-turn drop lane to northbound King Road at Sylvania Avenue as well as asphalt resurfacing from Cougar Lane to Sylvania Avenue; and,

WHEREAS, the project also will require traffic signal modifications including the relocation of a mast arm pole and various signal changes to accommodate the right turn lane; and,

WHEREAS, the Director of Public Service has received a proposal from Tetra Tech to perform the signal specific work at a cost not to exceed Nine Thousand Dollars (\$9,000.00); and,

WHEREAS, the Director of Public Service has recommended that the proposal of Tetra Tech to provide signal plans as well as updating wiring diagrams and timing/phasing charts for the King Road Right Turn Lane and Resurfacing Project at a cost not to exceed Nine Thousand Dollars (\$9,000.00), be accepted.

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

SECTION 1. That the proposal of Tetra Tech, 420 Madison Ave., Toledo, OH 43604 for an amount not to exceed the total sum of Nine Thousand Dollars (\$9,000.00) for providing engineering services for the King Road Right Turn Lane and Resurfacing Project, is hereby accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to said consultant to proceed under the proposal hereby approved and accepted.

SECTION 3. That to provide funds for said engineering services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503 – Street Improvements**, an

amount not to exceed Nine Thousand Dollars (\$9,000.00).

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 the City should provide for the signal engineering services for the King Road Right Turn Lane and Resurfacing 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, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 29 -2015

**AMENDING CHAPTER 139 – POSITION AND COMPENSATION PLAN,
OF THE SYLVANIA CODIFIED ORDINANCES, 1979, AS AMENDED;
AND DECLARING AN EMERGENCY.**

WHEREAS, the Clerk of Sylvania Municipal Court and Director of Finance/Personnel have recommended that additional Job Titles be added to Section 139.02 to more accurately reflect the duties of certain employees and the Director of Finance/Personnel has recommended that Section 139.04 also be amended.

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

SECTION 1. That Section 139.02 – Content and Coverage of the Compensation Plan, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

SECTION 2. That Section 139.04 – Administration of the Compensation Plan, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit B.”

SECTION 3. That Section 139.03 – Definition and Adoption of the Compensation Plan, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit C.”

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 this ordinance must be immediately effective to make necessary changes to the Codified Ordinances. Provided this Ordinance receives the affirmative vote of

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

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

Passed, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

139.02 CONTENT AND COVERAGE OF THE COMPENSATION PLAN.

(a) Classes in the Plan. The Classification Plan shall consist of the classes listed in this section, with such changes from time to time as may be recommended by the Treasurer and approved by Council. All positions in each class shall be compensated in accordance with the class grade for each class as shown in this section and at the rates of pay for each class grade as set forth in Section 139.03. The salary rates as established for each class grade shall be the compensation for work of salaried employees on a normal full-time schedule not to exceed the number of hours per week shown in this section for the respective groups of classes.

<u>CLASS CODE</u>	<u>LIST OF OCCUPATIONAL TITLES</u>	
	<u>CLASS GRADE</u>	<u>CLASS TITLE</u>
100	Clerical, Administrative and Fiscal Group (40H/W)	
103	11	Senior Account Clerk
104	12	Secretary I
105	12	Secretary II
106	16	Administrative Assistant to the Mayor
108	15	Administrative Secretary/Service
109	15	Administrative Secretary/Safety
110	21	Human Resource Specialist
111	9	Deputy Bailiff
112	15	Bailiff
113	9	Deputy Clerk of Courts I
114	10	Deputy Clerk of Courts II
116	11	Deputy Clerk of Courts III
117	15	Chief Deputy Clerk of Courts
119	12	Deputy Clerk of Courts IV
120	21	Clerk of Council
121	14	Tax Specialist
122	13	Criminal Division Head
124	15	Administrative Assistant – Tax
125	13	Deputy Clerk of Courts V
127	15	Chief Probation Officer
128	9	Court Security Officer
129	21	Courtroom Officer II
130	17	Law Clerk
131	9	Courtroom Officer I
135	9	Probation Officer I
136	10	Probation Officer II
137	11	Probation Officer III
138	12	Probation Officer IV
139	13	Probation Officer V
200	Engineering Group (40H/W)	
203	21	Engineering Associate I
204	22	Engineering Associate II
205	18	Engineering Technician

* * *

(Ord. _____-2014. Passed _____-2015.)
 “Exhibit A”

* * *

(c) Longevity Factors. Longevity factors are provided in the Compensation Plan to provide financial recognition for long and faithful service where the opportunity for promotion is limited and where there is no provision for further advancement within the base pay range. Such longevity factors shall be applied as follows:

- (1) Any employee performing satisfactorily in a position classified hereunder, specifically excluding, however, those listed in Section 139.03(d)(3) and (4), who has been continuously employed by the City for a period of five years or longer shall have his compensation increased to that amount which results from multiplying his base rate of pay by the longevity factor of base pay set forth in Section 139.10(a), Schedule I, to the right of the number of full years of service such employee has continuously been employed by the City.
- (2) Effective January 1, 1999, the positions of Police Captain, Sewage Maintenance Crew Leader, Street Maintenance Crew Leader, Water Maintenance Crew Leader, Vehicle Maintenance Manager and Parks and Forestry Crew Leader shall be entitled to the following longevity payments according to the following schedule:

Completed Calendar	
<u>Years of Service</u>	<u>Amount</u>
1 year through 6 years	\$ 200.00
7 years through 11 years	400.00
12 years through 16 years	600.00
17 years or more	800.00

- (3) All full-time employees hired after January 1, 2000, specifically excluding all those listed in Section 139.03(d)(3) and (4), with five or more years of continuous service with the City shall be entitled to annual longevity payments in accordance with the following schedule:

Completed Calendar	
<u>Years of Service</u>	<u>Amount</u>
5 years through 9 years	\$ 400.00
10 years through 14 years	700.00
15 years through 19 years	1000.00
20 years through 24 years	1300.00
25 years or more	1600.00

- (4) This "Longevity Factors" provision does not apply to promotions into the positions listed in Item (2) above or new hires on or after January 1, 2015.

All such longevity payments shall be paid on the pay date following the employee's anniversary date.

(Ord. 4-2000. Passed 1-3-00; Ord. 10-2013. Passed 1-22-13; Ord. ___-2015. Passed ___-2015.)

“Exhibit B”

139.03

DEFINITION AND ADOPTION OF THE COMPENSATION PLAN.

* * *

- (2) Compensation of part-time, temporary and seasonal employees. Part-time, temporary or seasonal employees shall be compensated initially at the entrance rate for the class in which employed. Part-time, temporary and seasonal employees may be advanced in pay to the next higher skill/merit step rate, based on satisfactory service, provided they have worked a minimum of one calendar year or 1040 hours, whichever is longer. When the required period of service has been attained, advancement to the higher skill/merit step rates may be effected in accordance with Section 139.04(b). The accumulation of service toward advancement within a range shall continue unless interrupted by a period of absence from the City service for more than one (1) year.

* * *

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

“Exhibit C”

RESOLUTION NO. 4 -2015

**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.**

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

members elected thereto concurring:

SECTION 1. That is hereby determined to be necessary to continue to improve the streets in the City of Sylvania, Ohio, by lighting the same pursuant to a contract therefore which this City now has with the Toledo Edison Company and necessary to provide funds in 2015 for such street lighting.

SECTION 2. That for the tax year 2015 the basis for determining and allocating annual assessments on lots and lands in said City for street lighting in the City of Sylvania, Ohio, shall be as follows, which basis is hereby determined to be according to the benefits which may result from the improvements to the several parcels and lots of land in said City:

- A. Each taxable parcel, outside of the Whiteway Business District, having no building or buildings thereon, not served by lamps on steel poles with overhead circuits or by lamps on poles with underground circuits, shall be assessed a base charge of \$8.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;
- B. Each taxable parcel, outside of the Whiteway Business District, having any building or buildings thereon, not served by lamps on steel poles with overhead circuits or by lamps on poles with underground circuits, shall be assessed a base charge of \$12.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;
- C. Each taxable parcel, outside of the Whiteway Business District, having no building or buildings thereon, served by lamps on steel poles with overhead circuits, shall be assessed a base charge of \$11.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;
- D. Each taxable parcel, outside of the Whiteway Business District, having any building or buildings thereon, served by lamps on steel poles with overhead circuits, shall be assessed a base charge of \$14.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;
- E. Each taxable parcel, within the Whiteway Business District, fronting on Main Street, Maplewood Avenue, or Monroe Street, being served by lamps on either steel or

wood poles with overhead or underground circuits, shall be assessed at a rate of \$1.10 per front foot of the parcel;

F. Each taxable parcel, outside of the Whiteway Business District, having no building or buildings thereon, served by lamps on poles with underground circuits, shall be assessed a base charge of \$20.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

G. Each taxable parcel, outside of the Whiteway Business District, having any building or buildings thereon, served by lamps on poles with underground circuits, shall be assessed a base charge of \$27.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

H. In cases under A, B, C, D, F and G above, the maximum amount of assessment for any parcel based on the charge of 90¢ for each \$1,000.00 tax valuation or part thereof shall not exceed the equivalent of \$2.00 per front foot of said parcel fronting on a cul-de-sac or \$1.00 per front foot on all other said parcels;

SECTION 3. That the contract with the Toledo Edison company and the costs to this City required thereby, now on file with the Clerk of Council, are hereby deemed to be the plans and specifications and estimate of cost required to be on file with the Clerk of Council before the passage of the Resolution of necessity.

SECTION 4. That the Clerk of Council has prepared and filed in the Office of the Clerk of Council a list of the estimated special assessments for the cost and expense of street lighting in the City of Sylvania, which list shows the amounts of the estimated assessment against each taxable parcel in the City of Sylvania, pursuant to Section 2 of this Resolution, and the amount of such assessments in the aggregate, and this Council finds and determines that such estimated assessments are in proportion to the special benefit derived by each property against which such assessments are to be levied and are not in excess of any statutory limitation.

SECTION 5. That, pursuant to Ohio Revised Code Section 727.14, the Clerk of Council is hereby directed to give notice of the passage of this Resolution by publication of such notice once a week for two (2) consecutive weeks, and as to an owner of any lot or parcel of land the assessment upon which is estimated to exceed Two Hundred Fifty Dollars (\$250.00), the clerk of Council is hereby directed to serve such notice in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. Objections to estimated assessments must be filed, in writing, with the Clerk of Council, within two (2) weeks after completion of the notice hereby required. An owner who fails to file an objection shall be deemed to have waived any objection. Any and all properly filed objections to estimated assessments shall be considered by Council at its first regular meeting held more than two (2) weeks after the completion of the notice hereby required and the estimated assessments so objected to shall, at such meeting, be adjusted by Council by motion or other action, reflected in the journal of the minutes of Council. Council, after adjusting such estimated assessments or after the time for filing objections without any properly filed objections having been timely filed, may, by Ordinance, levy such estimated assessments and adjusted estimated assessments, as the case may be. No notice shall be required other than as herein required.

SECTION 6. That the Clerk of Council is hereby directed to give notice to the Auditor of Lucas County, Ohio, on the levying of such assessments and to do so within twenty (20) days after the levying of same and prior to October 1, 2015.

SECTION 7. That the method, manner and procedure for providing street lighting by contract with the Toledo Edison Company is hereby approved and this Council hereby determines the method, manner and procedure for levying assessments for such street lighting to be as set forth in this Resolution.

SECTION 8. That this Resolution shall be published by posting a copy thereof in a conspicuous place in the Sylvania Municipal Building for a period of not less than fifteen (15) days as provided in ARTICLE III, Section 12.0 of the Charter of said City.

SECTION 9. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 10. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that proceedings for assessing the cost of the improvement referred to herein are required without delay in order to timely place said assessment upon the tax duplicate for the year. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 25 -2015

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 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.

WHEREAS, the Board of Lucas County Commissioners through the Lucas County Common Pleas Court has implemented a Work Release Program; and,

WHEREAS, the City of Sylvania desires to participate in the Work Release Court Addiction Diversion Treatment Program (“CAD”); and,

WHEREAS, the goal of the Work Release CAD Treatment Program is to aid in the protection of the community by rehabilitating convicted offenders; and,

WHEREAS, the Director of Law has received the proposed Agreement with the Board of Lucas County Commissioners for the Work Release CAD Program to the Sylvania Municipal Court which will give Sylvania Municipal Court two reserved beds in the program; and,

WHEREAS, the per diem rate for the reserved beds is \$83.00 per bed which will be paid out of the Sylvania Municipal Court’s Indigent Fund.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are authorized to enter into an Agreement with the Board of Lucas County Commissioners, in the form and substance of “Exhibit A” this Council hereby agreeing to appropriate the necessary funds for payment required under said Agreement.

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Agreement should be authorized immediately to provide two reserved beds in the Work Release CAD Treatment Program. 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

AMENDMENT FOR THE WORK RELEASE CAD PROGRAM AGREEMENT

BY AND BETWEEN

THE CITY OF SYLVANIA

AND

THE BOARD OF COMMISSIONERS OF LUCAS COUNTY, OHIO

APPROVED BY

THE COURT OF COMMON PLEAS OF LUCAS COUNTY, OHIO

AND

THE SYLVANIA MUNICIPAL COURT

THIS Agreement is entered into on the _____ day of _____, 2015, by and between the City of Sylvania, Ohio (hereinafter referred to as "City) and the Board of Commissioners of Lucas County, Ohio (hereinafter referred to as "Board"). The Court of Common Pleas of Lucas County, General Division (herein referred to as "Common Pleas") and the Sylvania Municipal Court (herein referred to as "SMC") have approved such as to content. This Agreement addresses the provision of court addiction diversion services through the Common Pleas Work Release Court Addiction Diversion program to SMC.

WHEREAS, the Lucas County Common Pleas Court, General Trial Division, is authorized by Sections 5147.28 and 5147.29 of the Ohio Revised Code to implement a Work Release Program; and

WHEREAS, the County of Lucas, through the Common Pleas Court, General Trial division, has implemented such a program through the establishment of a Department of Work Release under Gen. R. 9.03; and

WHEREAS, it has been determined that participation in the Work Release Court Addiction Diversion Treatment Program ("CAD") is beneficial to the City and Sylvania, as it ultimately aids in the protection of the community by the rehabilitation of convicted offenders; and

WHEREAS, City is authorized to enter into this Agreement with the Board under Lucas County Legislation _____ passed on _____, 2015, and the City of Sylvania Ordinance _____, passed on _____, 2015.

NOW THEREFORE, for good and valuable consideration as hereinafter provided it is agreed by the parties as follows:

Section I- Scope of Services

- 1.1 Common Pleas Department of Work Release ("Department") shall accept referrals from the SMC for participation in its Work Release CAD; and shall provide all other necessary services (as defined by Work Release policies and procedures) to the participants therein. SMC will have access to 2 residential beds for SMC participants.
- 1.2 The Director of the Department of Work Release shall administer the CAD Program in accordance with the policies and procedures approved by the Lucas County Court of Common Pleas, General Trial Division, maintain accurate records as to SMC participants, and respond to SMC requests. Appendix A, The Work Release CAD Program Description, is hereby incorporated in and made part of this Agreement.
- 1.3 SMC, in availing itself of the services of the Department, agrees to abide by the established policies and procedures of the Department and further acknowledges the authority of the Department Director of Work Release to reject any SMC referral that is a) found unsuitable by Work Release Staff in accordance with established screening procedures; b) placed in the Work Release CAD Program status without first undergoing screening procedures; c) guilty of any infraction of Work Release regulations.
- 1.4 In the event of reduced Board funding for the Work Release Department, it is understood that limitations may be placed upon the number of CAD Program referrals accepted from SMC. In the event that significant personnel reductions occur and the capacity of the program is reduced, there may be an inability to accept any referrals from the SMC by the Department of Work Release. Notice of any limitations to accept referrals will be provided to the SMC by the Department of Work Release.

Section II- Term and Option

- 2.1 This Agreement is effective as of _____, 2015, and ends on June 30, 2015.
- 2.2 The Agreement may be extended by mutual agreement of the parties for an additional 12 month period beginning on July 1, 2015, and ending June 30, 2016. Any change in Fees and per diem rates for the extension period shall be mutually agreed to by the parties in writing as an amendment to this Agreement.

Section III- Fees and Invoicing

- 3.1 For the period beginning _____, 2015, and ending June 30, 2015, the City agrees to pay a per diem rate of \$83.00 per participant in the program. Payment will be made on a monthly basis based upon the number of days used in the preceding month.

- 3.2 The Board will invoice the SMC each month for the number of bed days utilized the month before. SMC agrees to pay the full amount of each invoice within 30 days of receipt. Board reserves the right to terminate or reduce services based upon non-payment of invoices.

Section IV- Medical Treatment/Costs

All medically-related costs, including hospitalizations, shall be the responsibility of the offender. In the event the offender requires hospitalization, the Work Release staff will notify the SMC, so a decision can be made to place the offender on a furlough for medical treatment, or the Sentencing Judge can modify the offender's sentence and grant an immediate release.

Section V- Liability

- 5.1 The Board shall be solely liable for any and all liabilities, losses, obligations, claims, damages, penalties, suits, actions, judgments, costs and expenses of whatever nature, which are incurred or brought as a result of injury to or death of persons or damages to or loss of property caused by acts or omissions to act of the Board, its Officers, Agents, Servants, and Employees, arising out of the performance of this Agreement, except where the separate intervening negligence of the City, its Officers, Agents, Servants, and Employees, or a third party is a proximate cause of the accident, injury, death, or damage to property.
- 5.2 City shall be solely liable for any and all liabilities, losses, obligations, claims, damages, penalties, suits, actions, judgments, costs and expenses of whatever nature, which are incurred or brought as a result of injury to or death of persons or damages to or loss of property caused by acts or omissions to act of the City, its Officers, Agents, Servants, and Employees, arising out of the performance of this Agreement, except where the separate intervening negligence of the Board, its Officers, Agents, Servants, and Employees, or a third party is a proximate cause of the accident, injury, death, or damage to property.

Section VI- Termination

- 6.1 This Agreement may be terminated by either party, upon a 30 days written notice to the Board of Lucas County Commissioners, the Court Administrator for the Lucas County Court of Common Pleas, and to the Judge of the Sylvania Municipal Court and the Mayor of City of Sylvania. In the event there is no alternative residential program immediately available to them then participating SMC offenders as of the date of termination of the Agreement, the County agrees to allow these offenders to complete their treatment at the Work Release CAD Program.
- 6.2 There shall be no fees payable after the date of termination, except to the extent that services are continued to be provided to participating SMC offenders subsequent to the termination date.

Section VII- Amendment

This Agreement may be amended from time to time in writing by the parties, provided that such amendment shall be attached hereto, signed by the parties, and become a part hereof.

Section VIII- Assignment

Neither party may assign or transfer rights and obligations under this Agreement without the consent of the other party.

Section IX- Non-Discrimination

Each party to this Agreement shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, ancestry, disability, sexual orientation, or marital status.

Section X- Compliance with Laws

The Court of Common Pleas and the Board shall comply with all federal and/or State of Ohio constitutions, laws, or regulations, rules and/or the Charter or laws of the City of Sylvania now or hereafter in force, which may be applicable to the Department of Work Release. Any covenant or provision of this Agreement shall be void and unenforceable to the extent that it violates federal or State of Ohio constitutions, laws, or regulations, rules and/or the Charter or laws of the City of Sylvania.

Section XI- Governing Law

This Agreement shall be governed by and interpreted under the laws of the State of Ohio, and any action or proceeding arising from this Agreement shall be commenced in a court of competent jurisdiction located in the Lucas County, Ohio.

Section XII- Notices

Any Notice or other communications required or permitted under this Agreement will be in writing and will be deemed sufficiently given when delivered in hand, email, or three (3) days after being mailed by first-class united States mail, postage prepaid, and in each instance addressed as follows:

In the case of City:
City of Sylvania
Attention: Leslie Brinning
6730 Monroe Street
Sylvania, OH 43560
LBrinning@cityofsylvania.com

In the case of Board:
Lucas County Court of Common Pleas
Attention: Don Colby, Court Administrator
700 Adams Street
Toledo, OH 43604
Dcolby@co.lucas.oh.us

Board and/or City may from time to time change its designated recipient or address for notification purposes by giving written notice of the new designated recipient or address and the date upon which it will become effective.

Section XIII- Captions and Interpretation

The Article and Section captions are for reference and convenience only, and shall not enter into the interpretation of this Agreement.

IN WITNESS HEREOF, the parties hereto have caused this Agreement to be executed as of the date and year stated above.

CITY OF SYLVANIA

Craig Stough, Mayor

(date)

APPROVED AS TO CONTENT

TOLEDO MUNICIPAL COURT

,Judge

(date)

APPROVED AS TO FORM

City of Sylvania Law Department

(date)

LUCAS COUNTY BOARD OF COMMISSIONERS

Tina Skeldon Wozniak, Commissioner

(date)

Carol Contrada, Commissioner

(date)

Pete Gerken, Commissioner

(date)

APPROVED AS TO CONTENT

Ruth Ann Franks, Administrative Judge

(date)

Donald W. Colby, Court Administrator

(date)

APPROVED AS TO FORM

Julia Bates, County Prosecuting Attorney

(date)