

Sylvania City Council

July 21, 2014

6:00 p.m. Safety Committee

Chapter 505.08, "Nuisance Conditions Prohibited"

6:30 p.m. Public Hearings

Vacation of High Street

Ordinance 31-2014, Design Review Regulations

ZA-2-2014, DJF Properties, Zoning Change (Acres & Alexis)

7:00 p.m. Public Hearing

SUP-1-2014, Highland Meadows Golf Club, Pump House

7:15 p.m. Public Hearing

SUP-2-2014, Loyal Order of Moose, #1579, Storage Building

7:30 p.m. Council Meeting

Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Cappellini.
3. Additions to the agenda.
4. Approval of the meeting minutes of June 16, 2014.
5. Introduction of new Police Patrolman, Brandon Follrod.
6. Zoning Ordinance Amendments Petition No. ZA-3-2014, a request from Lourdes College, to change zoning from R-2 to R-1 to enable proper zoning for higher educational facilities; for referral to the Planning Commission.
7. Proposed Ordinance 34-2014, to accept an easement from the Sylvania City School District for utility purposes.
8. Street Banner Application/Permit for St Elias Orthodox Church.
 - a. Proposed Ordinance 35-2014, to approve the banner application of St. Elias Orthodox Church.
9. 2MG Elevated Water Tower Project:
 - a. Service Director's report on Change Order #3; and
 - b. Proposed Ordinance 36-2014, to approve Change Order No. 3 (Final).

10. Proposed Ordinance 37-2014, accepting for annexation to the City of Sylvania, Ohio, the territory described in Annexation Petition Number 2013-7.
11. Proposed Ordinance 38-2014, to enter into an assignment and transfer from Monroe County to Whiteford Township the discharge of sanitary sewer from the service area of Whiteford Township sewage disposal system No. 1.
12. Cadet Drive, Forestgate Court, & Garden Park Improvements;
 - a. Service Director's report on bids; and
 - b. Proposed Ordinance 39-2014, Accepting the bid of Ohio Excavating & Sewer Contractors, Inc. for Cadet Dr., Forestgate Ct., Garden Park Dr. in amount of \$346,468.00.
13. Monroe Street Sanitary Lining Project;
 - a. Service Director's report on bids; and
 - b. Proposed Ordinance 40-2014, Accepting the bid of Insight Pipe Contracting, L.P. \$47,400.00.
14. Notice of C-1, beer only in original sealed container for carry out only and C-2, wine and mixed beverages in sealed containers for carry out, liquor permit from Ohio CVS Stores, LLC, d/b/a CVS Pharmacy 10457, 7510 Sylvania Ave., Sylvania, OH.
15. Approval of items to be offered for auction on GovDeals.com.
16. Committee reports.
 - a. Safety Committee Meetings of 7/1/14 and 7/21/14.
17. Committee referrals.

Information

- A. June Cash Report from the Division of Taxation.
- B. June Bank Reconciliation.
- C. Municipal Planning Commission minutes from July 16, 2014.
- D. Board of Architectural Review minutes from July 16, 2014.
- E. Certification of Notice – Vacation of portion of High St.
- F. Certification of Notice – ZA-2-2014, DJF Properties, Ltd.
- G. Certification of Notice – SUP-1-2014, Highland Meadows Golf Club
- H. Certification of Notice – SUP-2-2014, Loyal Order of Moose #1579

Minutes of the Meeting of Council
June 16, 2014

The Council of the City of Sylvania, Ohio met in regular session on June 16, 2014 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Mike Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, (5) present; Mary Westphal, Todd Milner, (2) absent.

Roll call:
Milner, Westphal
absent, excused.

Mr. Brown 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.

- 3a. Election of President Pro-Tem.
- 5c. Addition of Ordinance 31-2014.
- 8. Amended Ordinance 33-2014.

Additions to the
agenda.

Mr. Haynam moved, Mr. Luetke seconded to approve the agenda as amended; roll call vote being: Cappellini, Haynam, Husman, Luetke, Brown, (5) yeas; (0) nays. The motion carried.

Due to Mrs. Westphal's absence, Mr. Brown moved, Mrs. Husman seconded, to nominate Doug Haynam as President Pro Tem. There were no other nominations, and all present voted yea (5), (0) nays. The motion carried.

Doug Hayman,
President Pro
Tem.

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

Mr. Haynam presented the June 2, 2014 minutes. Mr. Haynam moved, Mrs. Husman seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of June 2, 2014 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Brown, (5) yeas; (0) nays. The motion carried.

Approval of the
June 2
minutes.

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

Mayor Stough presented the Planning Commission's recommendation for the petition for the vacation of High Street. Mr. Haynam moved, Mrs. Cappellini seconded, to set the public hearing date for July 21, 2014 at 6:30 p.m., and authorize the clerk to advertise the same; roll call vote being: Haynam, Husman, Luetke, Brown, Cappellini, (5) yeas; (0) nays. The motion carried.

Public hearing:
Petition for
vacation of High
St. set for
7/21/14, 6:30p.m.

Minutes of the Meeting of Council
June 16, 2014

Mayor Stough presented the Planning Commission's recommendation for Zoning Ordinance Amendment ZA-2-2014. Mr. Haynam moved, Mr. Brown seconded, to set the public hearing date for July 21, 2014 at 6:30 p.m., and authorize the clerk to advertise the same; roll call vote being: Husman, Luetke, Brown, Cappellini, Haynam, (5) yeas; (0) nays. The motion carried.

Public hearing:
ZA-2-2014 set
for 7/21/14,
6:30p.m.

Mayor Stough presented the Planning Commission's recommendation for proposed Ordinance 31-2014, Amending Part Eleven by adding Chapter 1152-Design Review Regulations. Mr. Haynam moved, Mrs. Husman seconded, to set the public hearing date for July 21, 2014 at 6:30 p.m., and authorize the clerk to advertise the same; roll call vote being: Luetke, Brown, Cappellini, Haynam, Husman, (5) yeas; (0) nays. The motion carried.

Public hearing:
Ord. 31-2014 set
for 7/21/14,
6:30p.m.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 31-2014, a written copy of same having been previously furnished to each member of Council, "Amending Part Eleven-Planning and Zoning Code of the Sylvania Codified Ordinances, 1979, as amended, by adding Chapter 1152 – Design Review Regulations; 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, Brown, Cappellini, Haynam, (5) yeas; (0) nays. The motion carried.

Ordinance
31-2014,
"...Adding
Chapter 1152-
Design Review
Regulations..."

Mr. Haynam moved, Mrs. Husman seconded, that Ordinance 31-2014 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Brown, Cappellini, Haynam, Husman, (5) yeas; (0) nays. The motion carried.

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

Service Director Kevin Aller's report on the Cadet Drive, Forestgate Court and Garden Park Drive Improvements was placed on file. Mr. Brown moved, Mr. Haynam seconded, to authorize the clerk to advertise for bids; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, (5) yeas; (0) nays. The motion carried.

Bids for Cadet,
Forestgate,
Garden Park
Improvements.

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

Minutes of the Meeting of Council
June 16, 2014

Service Director Kevin Aller's report on the Monroe Street Sanitary Sewer Lining (Silica Drive to Richard Becker Place) was placed on file. Mr. Brown moved, Mr. Haynam seconded, to authorize the clerk to advertise for bids; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, (5) yeas; (0) nays. The motion carried.

Bids for Monroe St. Sanitary Sewer Lining Project.

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

Mr. Luetke presented and read aloud by title only, proposed Ordinance 33-2014, a written copy of same having been previously furnished to each member of Council, "Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by creating the new position of "Geographic Information Systems Coordinator"; amending Sylvania Codified Ordinance Chapter 127-Department of Public Service, Section 127.01 – Director and Deputy Director; amending Sylvania Codified Ordinance Section 139.03(d)3 to set the salary of the "Geographic Information Systems Coordinator"; and declaring an emergency."; Mr. Luetke moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Brown, Cappellini, Haynam, (5) yeas; (0) nays. The motion carried.

Ordinance 33-2014, "...amending Chapter 127.01 ...Geographic Information Systems Coordinator..."

Mr. Luetke moved, Mr. Haynam seconded, that Ordinance 33-2014 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Brown, Cappellini, Haynam, Husman, (5) yeas; (0) nays. The motion carried.

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

Mr. Haynam moved, Mr. Luetke seconded that this meeting adjourn; all present voting yea (5); (0) nays. The motion carried and the meeting adjourned at 8:02 p.m.

Adjournment.

Clerk of Council

Mayor

PETITION FOR ZONING ORDINANCE AMENDMENT

6

To: City of Sylvania, Ohio
City Council and
Municipal Planning Commission

Application No. ZA-3-2014
Date 7/14/14

Petitioner Name(s) Sisters of St. Francis of Sylvania, Ohio
Petitioner Address 6832 Convent Boulevard
Sylvania, OH 43560
Telephone (419) 824-3620

Location of property for which zoning amendment is requested:

The existing structure and the grounds owned by the Sisters of St. Francis consist of (9) parcels (see included Parcel Map). The request is for all (9) parcels.

Purpose of amendment request: Rezoning from the existing R-2 to R-1 to be consistent with current zoning for the main Sylvania Franciscan Campus and to allow for flexibility for potential future use of the Silica Drive property for the ministries of the Sisters of St. Francis, including Lourdes University.

Current Zoning: R-2

Requested Zoning: R-1

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments:
- 1. Full legal description of the property for which the Zoning Amendment is proposed.
 - 2. Area location map.
 - 3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted.

A check for \$150.00, payable to the City of Sylvania, is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By: *Michael Cough*
Director of Facilities & Grounds

Date referred by Council: _____

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

7

ORDINANCE NO. 34 -2014

ACCEPTING AN EASEMENT FROM THE SYLVANIA CITY SCHOOL DISTRICT FOR UTILITY PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service requested an easement from the Sylvania City School District across a portion of Memorial Field to eliminate a “dead end” waterline and to expand the size of the existing water line; and,

WHEREAS, the necessary easement has been received from the Sylvania City School District, with the consent of the Sylvania Area Joint Recreation District, the current Lessee of Memorial Field, which easement has been executed and tendered to the City of Sylvania and a copy of said easement in the form and substance of “Exhibit A” is attached hereto and made a part hereof.

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

SECTION 1. That the easement as to executed and tendered as described on “Exhibit A” be, and the same hereby is, accepted from the Sylvania City School District, the grantor therein.

SECTION 2. That the easement area identified and described in said easement as set forth on “Exhibit A” be, and the same hereby is, dedicated for the respective public purposes expressed in said easement.

SECTION 3. That the Director of Law is hereby directed to deliver the recorded easement document to the Director of Finance for retention by him as custodian of the records of this City.

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 easement area should be accepted and dedicated for utility purposes 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, _____, 2014, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

EASEMENT FOR UTILITY PURPOSES

KNOW ALL MEN BY THESE PRESENTS: That the Board of Education of the Sylvania City School District (formerly known as the Sylvania Exempted Village School District), whose tax mailing address is 4747 Holland-Sylvania Road, Sylvania, Ohio 43560, the Grantor, does hereby grant to the City of Sylvania, the Grantee, and their successors and assigns, subject to and limited by the rights of any previous grantee of any previously granted easement in the same property as described below, a permanent and non-exclusive easement to operate and perpetually maintain a water line under and through the following described real property:

TDP #82-01001- 5911 Woodrow Drive, Sylvania, Ohio 43560

See attached Exhibit

TO HAVE AND TO HOLD said easement rights, with privileges and rights herein set forth, including the right to construct, maintain, and operate without restriction or limitation, repair or replace or remove same, any and all water lines, together with other necessary appurtenances, belonging to the Grantee, its successors and assigns forever.

The Grantor, for itself, its successors and assigns, retains the right of ingress and egress across the attached described property and will not in any way impair the ability of the Grantee to operate, maintain, repair, replace or remove any such water lines.

Grantor reserves the right to use the Easement Area for any purposes not inconsistent with rights granted by this Easement.

Grantee, by its acceptance of this Easement, shall indemnify, defend and hold Grantor harmless against any claims, damages, losses or expenses arising as a result of Grantee's exercise of the rights granted by this Easement.

If any damage to Grantor's property is caused by Grantee's exercise of its rights under this Easement, Grantee, at its expense, shall promptly restore any disturbed areas as nearly as possible to the conditions existing prior to the occurrence of the damage.

The Grantor claims title by instrument recorded in Deed Book Volume 1226, Page 22 of the Deeds, Lucas County, Ohio Records.

The Grantor hereby covenants that it is the true and lawful owner of said premises and is well seized of the same, and has good right and full power to grant, bargain, sell and convey the easement rights in the manner aforesaid, subject to zoning and building codes and easements and agreements of record and that certain unrecorded lease between the "Sylvania City Board of Education" and "The Sylvania Area Joint Recreation District (SAJRD)" dated October 13, 1997. By the execution of this Agreement, SAJRD consents to the grant of this Easement by the Board of Education of the Sylvania City School District.

IN WITNESS WHEREOF, the said Grantor, Board of Education of the Sylvania City School District, has hereunto set their hands this _____ day of _____, 2014.

BOARD OF EDUCATION OF THE SYLVANIA CITY SCHOOL DISTRICT

By: [Signature], President

By: [Signature], Treasurer/CFO

STATE OF OHIO, COUNTY OF LUCAS, ss:

The foregoing instrument was acknowledged before me this 27 day of June, 2014 by James Nusbaum, President, and Laura K. Sauber, Treasurer/CFO, of the Board of Education of the Sylvania City School District.



Robin Rose Robinson
Notary Public, State of Ohio
My Commission Expires:
February 20, 2017

[Signature]
Notary Public
My Commission Expires: Feb. 20, 2017

IN WITNESS WHEREOF, the said Grantee, City of Sylvania, has hereunto set their hands this _____ day of _____, 2014.

CITY OF SYLVANIA

By: _____
Craig A. Stough, Mayor

By: _____
Toby Schroyer, Director of Finance

SYLVANIA AREA JOINT RECREATION
DISTRICT, a joint recreation district pursuant
to O.R.C. Section 755.14(c)

By: _____
_____, Chairman

By: _____
_____, Secretary

Approved:

Leslie Brinning, Director of Law

EXHIBIT A
WATER LINE EASEMENT
DESCRIPTION OF 0.078 ACRES

Located in the southeast corner of Section 4, Town 9 South, Range 6 East, City of Sylvania, Lucas County, State of Ohio and being part of a 36.501 acre tract of land conveyed to the Sylvania Board of Education (formerly known as the Sylvania Exempted Village School District), by deed recorded in Deed Book 1226, Page 22 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Commencing at an iron pin found at the northwest corner of Lot 22 of Elden's Ranch View Plat II Subdivision, as recorded in Plat Book Volume 54, Page 1 in the Deed Records of the Lucas County Recorder's Office, said iron pin found also being at the southwest corner of Lot 48 of Elden's Ranch View Plat III Subdivision, as recorded in Plat Book Volume 57, Page 33 in the Deed Records of the Lucas County Recorder's Office;

Thence on the north line of Lot 22 of Elden's Ranch View Plat II and on the south line of Lot 48 of Elden's Ranch View Plat III in an easterly direction North 88°27'32" East a distance of 141.68' to the northeast corner of Lot 22 of Elden's Ranch View Plat II, said point also being at the southeast corner of Lot 48 of Elden's Ranch View Plat III, said point also being on the east line of the west half of the southeast quarter of Section 4, said point also being on the west property line of a parcel of land as conveyed to the Sylvania Board of Education (formerly known as the Sylvania Exempted Village School District) by deed recorded in Deed Book 1226, Page 22 in the Deed Records of the Lucas County Recorder's Office and also being the **TRUE POINT OF BEGINNING**;

Thence on the east line of Lot 48 of Elden's Ranch View Plat II and on the east line of the west half of the southeast quarter of Section 4 and on the west property line of the Sylvania Board of Education in a northerly direction North 00°39'58" West a distance of 13.89' to a point;

Thence in a southeasterly direction South 46°32'28" East a distance of 240.64' to a point on the south property line of the Sylvania Board of Education, said point also being on the north line of Lot 51 of Sylvania Parkside Addition, as recorded in Plat Book Volume 42, Page 34 in the Deed Records of the Lucas County Recorder's Office;

Thence on the south property line of the Sylvania Board of Education and on the north line of Lot 51 of Sylvania Parkside Addition in a westerly direction South 85°42'02" West a distance of 12.76' to a point on the westerly right-of-way line of Garden Park Drive, said point also being at the northeast corner of Lot 32 of Sylvania Parkside Addition;

Thence continuing on the south property line of the Sylvania Board of Education and on the north line of Lot 32 of Sylvania Parkside Addition in a westerly direction South 85°42'02" West a distance of 7.50' to a point;

Thence in a northwesterly direction North 46°32'28" West a distance of 212.47' to a point on the east line of Lot 22 of Elden's Ranch View Plat II, said point also being on the east line of the west half of the southeast quarter of Section 4, said point also being on the west property line of the Sylvania Board of Education;

Thence on the said east line of Lot 22 of Elden's Ranch View Plat II and on the east line of the west half of the southeast quarter of Section 4 and on the west property line of the Sylvania Board of Education in a northerly direction North 00°39'58" West a distance of 7.01' to the **TRUE POINT OF BEGINNING**.

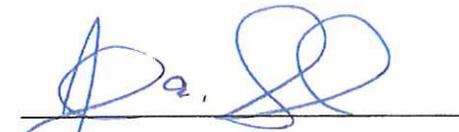
Said parcel contains 0.078 acres of land, more or less, and is subject to all legal highways and easements of record.

Bearings used hereon are based on an assumed meridian and are for the express purpose of showing angular measurement.

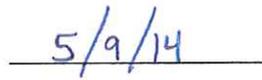
The above described area is contained within Lucas County Auditor's tax district parcel number 82-01001.

This description is based on a field survey conducted by ESA, LLC in April 2014 under the direction and supervision of Gregory L. Boudouris, Registered Surveyor 8083 of the State of Ohio.

This description was prepared by Joseph E. Shaw, Registered Surveyor 8491 of the State of Ohio.



Joseph E. Shaw
Registered Surveyor of Ohio: No. 8491



Date

8

City of Sylvania
Division of Zoning

STREET BANNER APPLICATION/PERMIT

Fee: \$100.00

Name of Organization ST. ELIAS ORTHODOX CHURCH

Contact Person EDWARD SIFRI

Telephone or E-mail 419 472 4762 ESIFRI@GMAIL.COM

Explanation of the Qualifying Event* CHURCH FESTIVAL

Dates of Event 8/16/2014

Installation & Removal Dates of Banner 7/18/2014 - 8/18/2014
[maximum four (4) weeks]

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

Text of Banner ST. ELIAS SUMMER FESTIVAL

4940 HARROUN RD. SAT. AUG. 16 12-9

Company Installing Banner: REASON SIGN

Address 2115 LOXLEY TOLEDO, OHIO 43613

Telephone 419 787 3223 Fax _____

Insurance on File _____

Edison Approval _____

City Approval _____

The banner and installation shall meet the attached specifications.

- * - The purpose of the banner installation shall be one of the following reasons:
 - a. A Sylvania charitable or civic event.
 - b. Banners may not be installed for private commercial or political gain.

MESH Background





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/18/2014

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

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

PRODUCER Phone: (800) 860-3075 Fax: (216) 236-7766
INSURANCE SYSTEMS GROUP, INC. (CLEVELAND)
4500 ROCKSIDE ROAD, SUITE 400
CLEVELAND OH 44131

CONTACT NAME	Cathy Thomas		
PHONE (A/C, No. Ext)	(800) 860-3075	FAX (A/C, No.)	(330) 395-3807
E-MAIL ADDRESS	cthomas@inssys.com		
INSURER(S) AFFORDING COVERAGE		NAIC #	
INSURER A :	GUIDEONE PROP & CAS INS CO	13984	
INSURER B :			
INSURER C :			
INSURER D :			
INSURER E :			
INSURER F :			

INSURED
ST. ELIAS ANTIOCHIAN ORTHODOX CHURCH
4940 HARROUN ROAD
SYLVANIA OH 43560

COVERAGES

CERTIFICATE NUMBER: 7675

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR VWD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> DIRECTORS & OFFICERS GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			1281564	08/15/14	08/15/15	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED. EXP (Any one person)	\$ 5,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 3,000,000
							PRODUCTS - COMP/OP AGG	\$ 3,000,000
								\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (per accident)	\$
								\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A				WC STATUTORY LIMITS	\$
							OTH ER	\$
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE-EA EMPLOYEE	\$
							E.L. DISEASE-POLICY LIMIT	\$

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

Festival to be held August 16, 2014

CERTIFICATE HOLDER ADDED AS ADDITIONAL INSURED ONLY AS THEIR INTERESTS MAY APPEAR.

CERTIFICATE HOLDER**CANCELLATION**

City of Sylvania 6730 Monroe Street Sylvania, OH 43560 Attention:	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Catherine L. Thomas</i> Catherine L. Thomas
--	--



6099 Ang...ola Rd
Holland, OH 43528

July 2, 2014

Toledo FLAGS
Flag Sales and Repairs
Re : St Elias Church Festival
August 16th, 2014

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

Thank you for your cooperation.

Sincerely,

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

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ORDINANCE NO. 35 -2014

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

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

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

WHEREAS, St. Elias Orthodox Church has submitted a request to hang a banner within said public right-of-way advertising its Summer Festival on August 16, 2014; and,

WHEREAS, the banner will hang from July 22 – August 18, 2014 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000.

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

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

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

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

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

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

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

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

Passed, _____, 2014, 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

July 15, 2014

To: The Mayor and Members of Sylvania City Council

Re: **2 MG ELEVATED TANK
CHANGE ORDER NO. 3 (FINAL)**

Dear Mr. Mayor and Council Members:

The 2 MG Elevated Tank Project is essentially complete. CB&I Constructors, Inc.'s original contract amount for the project was \$2,712,000.00 and received Council approval on January 3, 2012 by Ordinance 1-2012.

The final installed bid quantities have been resolved and a change order is necessary to adjust the final contract price. The final bid quantity adjustments and additional work items resulted in a decrease to the project in the amount of \$16,978.25. We recommend approval of Change Order No. 3 (Final) which will result in a final contract amount of \$2,737,574.05.

Please note that we are resolving some outstanding issues on the project. Final payment will not be made until we are satisfied.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service
KGA/dsw

9b

ORDINANCE NO. 36 -2014

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 3 (FINAL) TO THIS CITY'S AGREEMENT WITH CB&I CONSTRUCTORS, INC. FOR THE 2 MG ELEVATED WATER TANK PROJECT WHICH REFLECTS WORK TO BE PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$16,978.25; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 1-2012, passed January 3, 2012, accepted the bid of CB&I Constructors, Inc. for the 2 MG Elevated Water Tank Project, which bid was in the amount of Two Million Seven Hundred Twelve Thousand Dollars (\$2,712,000.00); and,

WHEREAS, Ordinance No. 36-2012, passed June 18, 2012, authorized the Mayor and Director of Finance to approve Change Order No. 1 to this City's Agreement with CB&I Constructors, Inc. for the 2 MG Elevated Water Tank Project and increased the contract amount by \$39,308.85; and,

WHEREAS, Ordinance No. 15-2013, passed February 4, 2013, authorized the Mayor and Director of Finance to approve Change Order No. 3 (Final) to this City's Agreement with CB&I Constructors, Inc. for the 2 MG Elevated Water Tank Project and increased the contract amount by \$3,243.45; and,

WHEREAS, the Director of Public Service, by report dated July 15, 2014, has recommended the acceptance of Change Order No. 3 (Final) of CB& I Constructors, Inc. for said 2 MG Elevated Water Tank Project to reflect final bid quantities and additional work performed on this project; and,

WHEREAS, the work performed and final bid quantities resulted in a net increase to the contract in the amount of Sixteen Thousand Nine Hundred Seventy-Eight and 25/100 Dollars (\$16,978.25), for a total contract amount of \$2,737,574.05.

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

SECTION 1. That said change order increasing the contract amount by the sum of Sixteen Thousand Nine Hundred Seventy-Eight and 25/100 Dollars (\$16,978.25), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is hereby appropriated from the **WATER FUND** from funds therein not heretofore appropriated to **Account No. 701-7525-53002 – Water Tower Project**, the sum of Sixteen Thousand Nine Hundred Seventy-Eight and 25/100 Dollars (\$16,978.25).

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 adjustments in the contract for said additional improvements should be approved immediately so as not to delay the project completion. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

SECTION 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.

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

Passed, _____, 2014, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

ORDINANCE NO. 37 -2014

ACCEPTING FOR ANNEXATION TO THE CITY OF SYLVANIA, OHIO, THE TERRITORY DESCRIBED IN ANNEXATION PETITION NUMBER 2013-7 FOR WHICH JAMES E. MOAN IS THE AGENT, AND AS HEREINAFTER DESCRIBED; PROVIDING FOR THE INTERIM ZONING OF SAID TERRITORY; AND DECLARING AN EMERGENCY.

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

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

8269 Erie St.; Parcel No. 78-11924

That part of the north four hundred fifty-two (452) feet of the west three hundred eighty-five and forty-nine hundredths (385.49) feet of Section eight (8), Town nine (9) South, Range six (6) East, in Sylvania Township, Lucas County, Ohio, bounded and described as follows: Beginning at a point on the north line of said Section eight (8), which point is one hundred sixty-three (163) feet east of the northwest corner of said Section eight (8); thence east along the north line of said Section eight (8), a distance of two hundred twenty-two and forty-nine hundredths (222.49) feet; thence south running parallel with the west line of said Section eight (8), a distance of two hundred seven (207) feet to a point; thence west running parallel with the north line of said Section eight (8), a distance of two hundred twenty-two and forty-nine hundredths (222.49) feet; thence north running parallel with the west line of said Section eight (8), a distance of two hundred seven (207) feet to the north line of said Section eight (8) and the point of beginning. Subject to legal highways.

8275 Erie St.; Parcel No. 78-11944

All of the part of the northwest quarter (1/4) of Section eight (8), Town nine (9) South, Range six (6) East, in Sylvania Township, Lucas County, Ohio, bounded and described as follows: Beginning at the northwesterly corner of the said Section eight (8); thence east, along the northerly line of the said Section eight (8), (center line of the Sylvania-Metamora Road), a distance of 163 feet; thence South one (01) degree, thirty-seven (37) minutes, thirty (30) seconds West, along a line drawn parallel to the westerly line of the said Section eight (8) which line forms an interior angle of eighty-eight (88) degrees, twenty-two (22) minutes, thirty (30) seconds, a distance of one hundred seventy-two (172) feet; thence west, along a line drawn parallel with the said northerly line of Section eight (8), which line forms an interior angle of ninety-one (91) degrees, thirty-seven (37) minutes, thirty (30) seconds, a distance of one hundred sixty-three (163) feet to a point in the said westerly line of Section eight (8), thence north one (01) degree, thirty-seven (37) minutes, thirty (30) seconds east, along the said westerly line of Section eight (8), (centerline of Centennial Road) which line forms an interior angle of eighty-eight (88) degrees, twenty-two (22) minutes, thirty (30) seconds, a distance of one hundred seventy-two (172) feet to the place of beginning. Subject to legal highways.

having been filed with the Board of County Commissioners of Lucas County, Ohio, on December 10, 2013, presented to said Board of County Commissioners at a regular session thereof held on December 17, 2013, and acted upon favorably by said Board of County Commissioners on March 25, 2014, passed Resolution No. 14-276 to approve Annexation Petition 2013-7 together with the accompanying map of the territory and a certified transcript of the proceedings of said Board of County Commissioners, deposited with the Clerk of Council of the City of Sylvania, Ohio, by said Board of County Commissioners on the _____ day of _____, 2014, and all of the same laid before this Council at its regular meeting on _____, 2014, by the Clerk of Council, be, and the same is hereby accepted.

SECTION 2. That the Council of the City of Sylvania, Ohio, hereby finds and determines that the property is currently zoned _____ and, therefore, comparable zoning should be established for all of the hereinabove described territory, that is, _____.

SECTION 3. That the Clerk of Council be, and she is hereby, authorized and directed to

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

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that provision for the acceptance of said annexation and establishment of interim zoning thereof should be made promptly so as to promptly establish the jurisdiction having authority over future developments of said real estate and therefore this Ordinance should be effective forthwith. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2014, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

11

ORDINANCE NO. 38 -2014

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN ASSIGNMENT AND TRANSFER FROM MONROE COUNTY TO WHITEFORD TOWNSHIP THE DISCHARGE OF SANITARY SEWER FROM THE SERVICE AREA OF WHITEFORD TOWNSHIP SEWAGE DISPOSAL SYSTEM NO. 1; AND DECLARING AN EMERGENCY.

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

WHEREAS, Ordinance No. 98-2004, passed November 15, 2004, authorized the Mayor and Director of Finance to enter into an Agreement with the County of Monroe, Michigan, the Township of Whiteford, Monroe County, Michigan and the County of Lucas in the State of Ohio permitting the Whiteford Township Sewer No. 1 Service Area to connect to the City of Sylvania Sewer System and discharge sewage to the Sylvania system for ultimate treatment at Lucas County's Maumee River Waste Water Treatment Plant; and,

WHEREAS, Whiteford Township has requested that Monroe County transfer the Whiteford System No. 1 from the Monroe County Sewage Disposal System to Whiteford Township so as to be completely owned by and under the sole control and operation of Whiteford Township, and to assign the Agreement between the City of Sylvania, Whiteford Township and Monroe County to Whiteford Township and to consent to the termination and transfer of the Sewer No. 1 Service Area from Monroe County to Whiteford Township; and,

**MONROE COUNTY SEWAGE DISPOSAL SYSTEM
WHITEFORD TOWNSHIP SYSTEM NO. 1
ASSIGNMENT AND TRANSFER TO WHITEFORD TOWNSHIP**

This Monroe County Sewage Disposal System Whiteford Township System No. 1 Assignment and Transfer to Whiteford Township, (hereafter, the "Transfer Agreement"), is made as of the _____ day of _____, 2014, and is by and between the County of Monroe, a county located in the State of Michigan, and the Monroe County Drain Commissioner, as County Agency, (hereafter, "Monroe County"), and the Township of Whiteford, a general law township municipal corporation located in the County of Monroe, State of Michigan, (hereafter, "Whiteford"). The City of Sylvania, a municipal corporation and political subdivision in the County of Lucas and State of Ohio, (hereafter, "Sylvania"), and the County of Lucas, a county political subdivision of and in the State of Ohio, (hereafter, "Lucas County"), execute to acknowledge and consent to the transfer and assignment which is the subject of the arrangement between Monroe County and Whiteford.

PRELIMINARY RECITATIONS

WHEREAS, Monroe County has established its Monroe County Sewage Disposal System in various parts of the County of Monroe, and has operated same for more than forty years; and

WHEREAS, Monroe County has established its Monroe County Sewage Disposal System under Act 342 of the Public Acts of Michigan, 1939, (hereafter, "Act 342"); and

WHEREAS, Monroe County has designated, pursuant to Act 342, the Monroe County Drain Commissioner as the County Agency to manage and operate the Monroe County Sewage Disposal System, and the Monroe County Drain Commissioner has, in fact, acted as the County Agency for many years, going back forty years, and has managed and operated continuously said Monroe County Sewage Disposal System; and

WHEREAS, Monroe County and Whiteford entered into a contract as of October 1, 1994, entitled "MONROE COUNTY SEWAGE DISPOSAL SYSTEM (Whiteford Township System No. 1) SEWAGE DISPOSAL SYSTEM CONTRACT", (hereafter, the "Monroe County - Whiteford System No. 1 Contract"), that established the Whiteford Township Sanitary Sewage System No. 1, (hereafter, the "Whiteford System No. 1") to be a public sewage disposal system in parts of the Township of Whiteford, and to be part of the Monroe County Sewage Disposal System; and

WHEREAS, the Monroe County - Whiteford System No. 1 Contract was, pursuant to its contract terms, made effective for a period of forty years after October 1, 1994, and therefore, is presently in effect; and

WHEREAS, Monroe County and Whiteford entered into a contract with Sylvania and Lucas County, (entitled "AGREEMENT FOR THE DISCHARGE OF SANITARY SEWAGE FROM THE SERVICE AREA OF WHITEFORD TOWNSHIP, SYSTEM NO. 1 SANITARY SEWER SYSTEM") for the Whiteford System No. 1 to be served by the Sylvania Public Sanitary Sewage System, which was and is served by the Lucas County Sanitary Sewage System and Treatment Plant, and which was made effective March 30, 1995, (hereafter, the "Sylvania - Lucas County Sewage Service Contract"); and

WHEREAS, the Whiteford System No. 1 was, in fact, connected to the Sylvania Public Sanitary Sewage System, and the Whiteford System No. 1 was, and is now being served by said Sylvania Public Sanitary Sewage System; and

WHEREAS, the Sylvania - Lucas County Sewage Service Contract was made effective for ten years after its first effective date of March 30, 1995; and

WHEREAS, Monroe County and Whiteford entered into a further Contract with Sylvania and Lucas County, (entitled "AGREEMENT FOR THE DISCHARGE OF SANITARY SEWAGE FROM THE SERVICE AREA OF WHITEFORD TOWNSHIP SYSTEM NO. 1 SANITARY SEWER SYSTEM") effective as of December 14, 2004, (hereafter, the "Sylvania - Lucas County Sanitary Sewage Service Contract Extension", or sometimes just the "Extension"), to continue the arrangement for the Whiteford System No. 1 to be served by the Sylvania Public Sanitary Sewage System, and to extend the Sylvania - Lucas County Sewage Service Contract; and

WHEREAS, the Sylvania - Lucas County Sanitary Sewage Service Contract Extension extended the Sylvania - Lucas County Sanitary Sewage Service Contract and the arrangement for Sylvania to provide service by its Sylvania Public Sanitary Sewage System to the Whiteford Township System No. 1, to March 31, 2015, and therefore is presently in effect; and

WHEREAS, various properties in the Township of Whiteford have connected to the Whiteford System No. 1, and have been served by the Sylvania Public Sanitary Sewage System, and some or all of those properties are presently so connected and served; and

WHEREAS, on or about November 21, 1995, Monroe County and Whiteford entered into a Service Agreement, (entitled "MONROE COUNTY SEWAGE DISPOSAL SYSTEM (TOWNSHIP OF WHITEFORD SYSTEM NO. 1) AGREEMENT FOR INSPECTIONS, BILLING AND COLLECTIONS"), providing for Monroe County, by and through its County Agency, the Monroe County Drain Commissioner, to provide for inspection, billing and collection services to Whiteford, (hereafter, the "Monroe County - Whiteford Service Contract"); and

WHEREAS, the Monroe County - Whiteford Service Contract, by its contract terms, was made effective indefinitely, but provided that either Monroe County or Whiteford could terminate said contract as of the first day of any calendar year by giving at least two months' prior notice of such termination; and

WHEREAS, said Monroe County - Whiteford Service Contract has remained in effect since its inception, and is in effect at the present time; and

WHEREAS, there is presently no bonded or other indebtedness that Monroe County owes or is obligated on in connection with the construction, maintenance or operation of Whiteford System No. 1, and Monroe County has issued no pledge of its full faith and credit or other guarantee for any debt of Whiteford in connection with said Whiteford System No. 1; and

WHEREAS, Whiteford has requested that Monroe County transfer the Whiteford System No. 1 from the Monroe County Sewage Disposal System to Whiteford so as to be completely owned by and under the sole control and operation of Whiteford, and to terminate the Monroe County - Whiteford System No. 1 Contract, and to assign the Sylvania - Lucas County Sewage Service Contract, as extended by the Sylvania - Lucas County Sewage Service

Contract Extension, to Whiteford, and to further, terminate the Monroe County - Whiteford Service Contract; and

WHEREAS, the County Agency has preliminarily agreed to that transfer, and assignment and termination; and

WHEREAS, it is anticipated that Monroe County will agree and consent to that transfer, assignment and termination; and

WHEREAS, preliminarily, it has been indicated that Sylvania and Lucas County will consent to the transfer, assignment and termination.

NOW THEREFORE, the parties hereto agree, and as to Monroe County, assigns and transfers, and as to Monroe County and Whiteford, terminate, and as to Sylvania and Lucas County, acknowledge and consent as follows:

1. Transfer of Whiteford System No. 1. Monroe County hereby transfers, grants, conveys, and delivers unto Whiteford all of Monroe County's right, title and interest in and to the Whiteford System No. 1, and hereby deletes said Whiteford System No. 1 from its Monroe County Sewage Disposal System, and in so doing transfers said Whiteford System No. 1, in full, to Whiteford, effective immediately. It is intended that all of the benefits and the burdens associated with said Whiteford System No. 1 shall hereafter and completely be transferred to and be part of Whiteford, and shall no longer be part of the Monroe County Sewage Disposal System.

2. Assignment of Sylvania - Lucas County Sewage Service Contract and Extension. The Sylvania - Lucas County Sewage Service Contract, as extended by the Sylvania - Lucas County Sewage Service Contract Extension, as to any interest in, and benefits and burdens associated therein, and as to Monroe County only, is hereby assigned by Monroe County irrevocably to Whiteford. Hereafter, Monroe County shall have no interest in, and not be benefited by or burdened by, in any manner whatsoever, and not be obligated to any of the other parties in the Sylvania - Lucas County Sewage Service Contract and Extension. Monroe County shall have no further responsibility to, and owe no further obligation or money to any other party. Sylvania and Lucas County agree to the continuance and the effectiveness of the Sylvania - Lucas County Sewage Service Contract and Extension, but Whiteford shall hereafter be the sole benefitted and served party, and Monroe County shall not be a part thereof. All

parties agree that the burdens and benefits of the Sylvania - Lucas County Sewage Service Contract and Extension shall continue in effect, except as may involve Monroe County.

3. Termination of Monroe County - Whiteford System No. 1 Contract and Termination of Monroe County - Whiteford Service Contract. The Monroe County - Whiteford System No. 1 Contract and the Monroe County - Whiteford Service Contract are hereby terminated, effective immediately, and Whiteford holds Monroe County not obligated or responsible hereafter, and Monroe County holds Whiteford not obligated or responsible hereafter. Notwithstanding the termination of the two agreements, there shall be continuing contingent responsibilities and obligations of Whiteford to Monroe County, should there be claims made or lawsuits filed against Monroe County relating to Monroe County's construction, operation and maintenance of the Whiteford System No. 1 previous to the date of this Transfer Agreement. Further, Monroe County remains responsible and obligated to Whiteford to ensure that any and all monies held in any reserve accounts, or any collections for sanitary sewage usage, or any other monies held by Monroe County relating to the Whiteford Township Sanitary Sewage System No. 1, are transferred by Monroe County to Whiteford as soon after the date of this Transfer Agreement as is possible, after taking into account any charges and expenses that would normally be payable to and accrued by Monroe County as a result of the County Agency's service to Whiteford relating to the construction, operation and maintenance of the Whiteford System No. 1.

4. Assignment of Rights-of-Way and Easements, or Other Grants of Authority. In connection with the transfer of the Whiteford System No. 1 by Monroe County to Whiteford, Monroe County hereby assigns all of its rights and obligations in any and all exclusive rights-of-way, easements, or other grants of authority that were given to Monroe County as a result of the construction, operation and maintenance of the Whiteford System No. 1, and all of those exclusive rights-of-way, easements and grants of authority are hereby assigned to and transferred to, and given unconditionally to Whiteford. Further, Monroe County agrees to execute any and all reasonable written documents or contracts or assignments to effectuate any transfer and assignment of said exclusive rights-of-way, easements and other grants of authority, so as to place complete dominion and control of same in Whiteford and to terminate any continuing rights or control of Monroe County. Any such rights-of-way, easements and grants of authority which were given to Monroe County and were used for the construction, operation and maintenance of the Whiteford System No. 1, but which were not exclusive, shall not be assigned or transferred to Whiteford, but Whiteford may continue to use them, but not exclusively, and only under rules and conditions established by Monroe County.

5. Insurance for the Whiteford System No. 1. As part of its construction, operation and maintenance of the Whiteford System No. 1, the County Agency, for and on behalf of itself and Monroe County, and to the benefit of Whiteford, maintained various liability, and possibly other insurance to protect Monroe County and Whiteford, and the Whiteford System No. 1. Whiteford Township acknowledges and agrees that said insurance, as of the effective date of this Transfer Agreement, will be cancelled and terminated as it relates to the Whiteford System No. 1, and Monroe County shall not continue to provide said insurance. Whiteford agrees that it shall provide any insurance to protect the Whiteford System No. 1, and it shall also provide liability insurance, effective as of the effective date of this Transfer Agreement, to protect the Whiteford System No. 1 and Whiteford, and Monroe County shall be added as additional insureds on said insurance, for six years after the effective date of this Transfer Agreement. The minimum amount of liability insurance which applies to Monroe County shall be \$4,000,000.00 per occurrence.

6. Transfer of Books, Plans and Materials Related to Whiteford System No. 1. Monroe County hereby agrees, as soon as reasonably possible after the effective date of this Transfer Agreement, to transfer possession of all books, plans and materials relating to the Whiteford System No. 1 to Whiteford, but may retain the originals or copies, at the discretion of Monroe County, and provide either the originals or copies to Whiteford of same.

7. Status of Obligations and Burdens Between Monroe County and Whiteford. Monroe County and Whiteford Township agree, that except for current collection and reserve accounts, all obligations and monies owed by Monroe County have been satisfactorily provided to Whiteford, and Monroe County agrees that Whiteford has satisfactorily paid all of its obligations and monies to Monroe County relating to the Whiteford System No. 1.

8. Continuing Obligation for Costs and Indemnity for Monroe County. Monroe County and Whiteford specifically agree, and as a continuing condition and obligation of this Transfer Agreement, that the terms of paragraph 17 of the Monroe County - Whiteford System No. 1 Contract shall, notwithstanding the termination of said Contract, continue to be effective, and are incorporated in this Transfer Agreement. Said terms provide that Whiteford is responsible for all of the total costs of constructing, operating and maintaining the Whiteford System No. 1, and that Whiteford shall continue to be obligated to Monroe County for any and all of said total costs owed by Monroe County which may accrue or become due after the date of this Transfer Agreement. Both Monroe County and Whiteford specifically acknowledge and agree that, pursuant to the terms of said paragraph 17, those total costs shall include any litigation, mediation, and arbitration charges, including attorney and expert witness fees, and

including any and all related costs of any type or nature, arising directly or indirectly out of the construction, operation and maintenance of the Whiteford System No. 1, or the construction or financing of said System, or the ownership, operation or maintenance of said System, to the extent such costs or expenses are chargeable against Monroe County. Further, in accordance with the terms of said paragraph 17, Whiteford does continue to indemnify and hold harmless Monroe County, and each and every one of its employees and agents, with respect to all of said fees, charges, expenses and costs as referred to above.

9. No Warranties or Guarantees. Monroe County makes no warranties or guarantees concerning the Whiteford System No. 1, which Whiteford agrees to take in its current condition and status, regardless of faults or deficiencies. Monroe County is making no representations, warranties or guarantees as to the Whiteford System No. 1 to Whiteford. Further, Whiteford agrees to take the Whiteford System No. 1, in its "as is" condition and agrees to be responsible to all of the users of said System, both past, present and future, and to hold Monroe County harmless and not obligated or responsible thereon.

10. Whiteford's Responsibilities and Obligations to Sylvania and Lucas County. Any and all obligations and responsibilities owed to Sylvania and/or Lucas County by Monroe County are hereby irrevocably assigned to Whiteford, and Whiteford agrees to be solely obligated and responsible hereafter, and further, Whiteford agrees to indemnify and hold Monroe County harmless, and not obligated or responsible whatsoever. Sylvania and Lucas County consent and agree to said total assignment of responsibility and obligations to Whiteford by Monroe County and to not hold Monroe County further responsible or obligated thereon.

11. Acknowledgment of Conditions by Whiteford. Whiteford acknowledges that the sanitary sewage service provided by Sylvania and Lucas County is considered by Sylvania and Lucas County to be temporary, and available only so long as Sylvania and/or Lucas County have capacity. Further, Whiteford acknowledges that the sanitary sewage service provided by Sylvania and/or Lucas County is restricted as to flow and capacity, all as recognized in the Sylvania - Lucas County Sanitary Sewage Service Contract and Extension. Whiteford also acknowledges that it is receiving the Whiteford System No. 1, including all lines, mains, connections, meters, manholes, pump stations, and the like, in a used condition, and accepts them "as is and with all faults". Monroe County believes them all to be operational at the present time, but is not warranting or guaranteeing that said items shall continue to be operational or usable by Whiteford. Whiteford agrees to be responsible for the continuing maintenance, restoration, updating and reconstruction if necessary, of the Whiteford System

No. 1 for the benefit of the users of the System beyond the date of this Transfer Agreement, and shall make no claim to Monroe County for said future obligations to the users or the System. Whiteford acknowledges and agrees to be responsible to and abide by all ordinances, rules and regulations of Sylvania, relating to the Whiteford System No. 1 being served by the Sylvania Public Sanitary Sewage System.

12. Employment Agreements and Independent Contractor Agreements Not Assigned. Monroe County does not assign any of its employment agreements, nor does it transfer any of its employees, and does not assign any of its independent contractor agreements, nor does it assign any independent contractors to Whiteford, and Whiteford does not accept any of said employees, independent contractors, or employment contracts or independent contractor agreements. Whiteford agrees to supply any and all needed employees and independent contractors, and the employment agreements and independent contractor agreements necessary to maintain and operate, and if necessary, to reconstruct itself, and with no assistance of Monroe County, the Whiteford System No. 1.

13. Transfer of Equipment. If there is any equipment not on site and attached to the Whiteford System No. 1, and which is in the possession of Monroe County, all said equipment will be transferred forthwith, after the effective date of this Transfer Agreement, by Monroe County to Whiteford, and Whiteford agrees to accept same. After the transfer, Monroe County shall have no further obligation or responsibility having to do with said equipment. Monroe County is making no representations, warranties or guarantees concerning said equipment.

14. Additional Whiteford Township Sanitary Sewage Systems. Whiteford may have established further Whiteford Sanitary Sewage Systems beyond the Whiteford System No. 1. Monroe County and Whiteford agree that any and all of said systems were not part of any contractual agreement between Monroe County and Whiteford, and therefore, there is no need for action taken with respect to same, but, if there were any interest acquired by Monroe County, Monroe County hereby transfers and assigns any and all of its benefits and burdens related thereto, to Whiteford, absolutely and irrevocably, with no continuing obligations or responsibilities, or liability to Monroe County.

15. Ordinance Change. If necessary, Whiteford further agrees to amend its sanitary sewage ordinances to make them conform to the fact that Monroe County no longer is the owner of, or the operator of the Whiteford System No. 1. Whiteford agrees to take this action, if required, within a reasonable time, but at least within six months after the date of this Transfer Agreement.

16. Notification to Customers, Vendors, Suppliers and Contractors. It shall be the sole responsibility of Whiteford to notify the customers, vendors, suppliers and contractors of the Whiteford System No. 1 regarding the changes contained in this Transfer Agreement. Whiteford agrees to send said notification to all customers, vendors, suppliers and contractors within two weeks after the date of this Transfer Agreement.

17. Effective Date. This Agreement shall be effective upon the execution by Monroe County, Whiteford, Sylvania and Lucas County, and the date of the last execution shall be the date of this Agreement, which may be inserted on the prefatory paragraph on the first page of this Agreement.

EXECUTION

TOWNSHIP OF WHITEFORD

COUNTY OF MONROE

By: Walter Apple 9-27-14
Walter Apple, Date
Township Supervisor

By: Jerry Oley 6-3-14
Jerry Oley, Chairman of Date
the Board of Commissioners

By: ANGELA CHRISTENSEN 5/27/14
Angela Christensen Date
Township Clerk

By: Sharon Lemasters 6-3-14
Sharon Lemasters, Date
County Clerk

By: David P. Thompson 5-28-14
David P. Thompson, Date
Monroe County Drain Commissioner
as County Agency

CITY OF SYLVANIA

By: _____, Date

Mayor

By: _____, Date

Director of Finance

By: _____, Date

Director of Utilities

By: _____, Date

City Law Director

COUNTY OF LUCAS

By: _____, Date

Chairman of the Board of
County Commissioners

By: _____, Date

County Commissioner

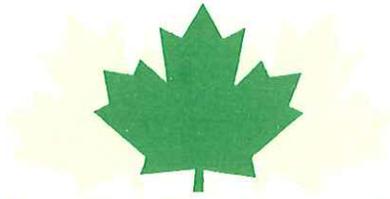
By: _____, Date

County Commissioner

By: _____, Date

City Law Director or Prosecuting
Attorney Representing the County of
Lucas

12a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

July 21, 2014

To: The Mayor and Members of Sylvania City Council

Re: **CADET DRIVE, FORESTGATE COURT & GARDEN PARK DRIVE IMPROVEMENTS**

Dear Mr. Mayor and Council Members:

We received bids on July 9, 2014 for the above referenced project. There were a total of six (6) bids received from a plan holders list including eight (8) contractors.

The lowest bid was submitted by Cash Services, LLC of Genoa, Ohio. Their bid of \$344,458.10 was approximately 5.0% under the Engineer's Estimate of \$362,669.50.

Cash Services, LLC has not performed prior work for the City, so references were checked during the bidding evaluation period on projects that were listed on their reference sheet as well as other known projects they worked on that were not listed.

The next lowest bid was submitted by Ohio Excavating & Sewer Contractors, Inc. of Holland, Ohio. Their bid of \$346,468 was approximately 4.5% under the Engineer's Estimate. Ohio Excavating has performed work for the City previously and is the current Contractor working on the Arbor Way Sanitary Sewer Project. Based on the information obtained in the evaluation period and the proven track record of Ohio Excavating, we believe it is in the best interest of the City to award the contract to Ohio Excavating.

Therefore, it is our recommendation that the contract be awarded to Ohio Excavating & Sewer Contractors, Inc., 9339 West Bancroft Street, Holland, Ohio 43601 in the amount of \$346,468.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service
KGA/dsw

12b

ORDINANCE NO. 39 -2014

ACCEPTING THE BID OF OHIO EXCAVATING & SEWER CONTRACTORS, INC. AND AWARDING THE CONTRACT FOR THE CADET DRIVE, FORESTGATE COURT AND GARDEN PARK DRIVE IMPROVEMENTS TO SAME; AUTHORIZING THE EXPENDITURE FOR THE IMPROVEMENTS IN THE AMOUNT OF \$346,468; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, plans for the Cadet Drive, Forestgate Court and Garden Park Drive Improvement 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 June 16, 2014 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on July 9, 2014, and thereafter, the Director of Public Service, by report dated July 21, 2014, stated that the total estimate for the Cadet Drive, Forestgate Court and Garden Park Drive Improvement Project was \$362,669.50 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Cash Services, LLC	\$344,458.10
Ohio Excavating & Sewer Contractors, Inc.	346,468.00
Vernon Nagel, Inc.	364,035.50
Gleason Brothers, LLC	364,685.95
Crestline Paving	397,427.00
E.R. Zeiler	410,486.50

WHEREAS, the Director of Public Service, by report dated July 21, 2014, has recommended that although the bid of Cash Services, LLC was the lowest bid received, this bid should be rejected as it is not the lowest and best bid received; and,

WHEREAS, this determination is based on information received by the Director of Public Service during the bidding evaluation period that indicated several issues with Cash Services, LLC's performance on other projects; and,

WHEREAS, based on the foregoing, the Director of Public Service, by report dated July 21, 2014, has recommended acceptance of the lowest and best bid of Ohio Excavating & Sewer Contractors, Inc. and that the contract for the Cadet Drive, Forestgate Court and Garden Park Drive Improvement Project be awarded to same.

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

SECTION 1. That the bid of Ohio Excavating & Sewer Contractors, Inc., 9339 West Bancroft St., Holland, Ohio 43601, for said Cadet Drive, Forestgate Court and Garden Park Drive Improvement Project, in the amount of Three Hundred Forty-Six Thousand Four Hundred Sixty-Eight Dollars (\$346,468.00), 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. 701-7575-53501 – Utility Improvements**, the total sum of Two Hundred Thirteen Thousand Two Hundred Fifty-Two and 72/100 Dollars (\$213,252.72) and from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503 – Street Improvements**, the total sum of One Hundred Thirty-Three Thousand Two Hundred Fifteen and 28/100 Dollars (\$133,215.28).

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 Ohio Excavating & Sewer Contractors, Inc. should be accepted immediately so as to provide for the improvement of Cadet Drive, Forestgate Court and Garden Park Drive 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, _____, 2014, as an emergency measure.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

13a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

July 21, 2014

To: The Mayor and Members of Sylvania City Council

Re: **MONROE STREET SANITARY SEWER LINING PROJECT (SILICA DRIVE TO RICHARD BECKER PLACE)**

Dear Mr. Mayor and Council Members:

We received bids on July 16, 2014 for the above referenced project. There was one (1) bid received from a plan holders list including five (5) contractors.

The bid was submitted by Insight Pipe Contracting, L.P. of Harmony, Pennsylvania. Their bid of \$47,400 was approximately 35.8% under the Engineer's Estimate of \$73,834.

- Insight Pipe has not performed prior work for the City, so references were checked during the bidding evaluation period on projects that were listed on their reference sheet. Based on the information obtained in the evaluation period, we believe Insight Pipe is a qualified contractor capable of doing the job in this specialized line of work.

Therefore, it is our recommendation that the contract be awarded to Insight Pipe Contracting, L.P., 232 East Lancaster Road, Harmony, Pennsylvania 16037 in the amount of \$47,400.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

136

ORDINANCE NO. 40 -2014

ACCEPTING THE BID OF INSIGHT PIPE CONTRACTING, L.P. AND AWARDING THE CONTRACT FOR THE MONROE STREET SANITARY SEWER LINING PROJECT TO SAME; AUTHORIZING THE EXPENDITURE FOR THE PROJECT IN THE AMOUNT OF \$47,400; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, plans for the Monroe Street Sanitary Sewer Lining Project (Silica Drive to Richard Becker Place) 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 June 16, 2014 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on July 16, 2014, and thereafter, the Director of Public Service, by report dated July 21, 2014, stated that the total estimate for the Monroe Street Sanitary Sewer Lining Project (Silica Drive to Richard Becker Place) was \$73,834 and the following bids was received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Insight Pipe Contracting, L.P.	\$47,400.00

WHEREAS, the bid offered by the above bidder meet all of the City's specifications and the Director of Public Service, by report dated July 21, 2014, has recommended acceptance of the lowest and best bid of Insight Pipe Contracting, L.P. and that the contract for the Monroe Street Sanitary Sewer Lining Project (Silica Drive to Richard Becker Place) be awarded to same.

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

SECTION 1. That the bid of Insight Pipe Contracting, 232 East Lancaster Road, Harmony, Pennsylvania 16037, for said Monroe Street Sanitary Sewer Lining Project (Silica Drive to Richard Becker Place), in the amount of Forty-Seven Thousand Four Hundred Dollars (\$47,400.00), 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 **SEWER FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-53501, Utility Improvements**, the total sum of Forty-Seven Thousand Four Hundred Dollars (\$47,400.00).

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 bid of Insight Pipe Contracting, L.P. should be accepted immediately so as to provide for the Monroe Street Sanitary Sewer Lining Project (Silica Drive to Richard Becker Place) at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2014, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

14

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

65172421605 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	OHIO CVS STORES LLC DBA CVS/PHARMACY 10457 7510 SYLVANIA SYLVANIA OH 43560
ISSUE DATE			
06 25 2014 <small>FILING DATE</small>			
C1 C2 <small>PERMIT CLASSES</small>			
48 <small>TAX DISTRICT</small>	077 <small>RECEIPT NO.</small>	A	A51687 <small>RECEIPT NO.</small>

FROM 07/01/2014

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	RECEIPT NO.	



MAILED 07/01/2014

RESPONSES MUST BE POSTMARKED NO LATER THAN. 08/01/2014

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 NEW 6517242-1605

(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**

6517242 PERMIT NBR
OHIO CVS STORES LLC
ATTN CAROL FONTAINE
ONE CVS DR MD 23062A
WOONSOCKET RI 02895

LINDA M CIMBRON	03/02/2006	ACTIVE	ASST SECR.	
TERENCE CORRIGAN	08/10/2012	INACTIVE		
THOMAS S MOFFATT	03/02/2006	ACTIVE	PRESIDENT	
MELANIE K LUKER	03/02/2006	ACTIVE	SECRETARY	
JEFFREY CLARK	03/11/2013	ACTIVE	TREASURER	
CVS PHARMACY INC	03/02/2006	ACTIVE		MAN-MBR
ZENON P LANKOWSKY	03/02/2006	INACTIVE		
CAROL A DENALE	04/10/2008	ACTIVE	VICE PRES.	

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE

City of Sylvania
IT Department Items To Be Auctioned On GovDeals:

HP Design Jet 350C Plotter (used for Engineering)

Panasonic High Speed Scanner SCSI

Konica MFP Copier; model 7035

Two (2) - Konica MFP Copiers; model 7020

Konica MFP Copier; model 7145

Konica MFP Copier; model 7022

Two (2) - Konica MFP Copier; model 7025

Lanier MFP Copier; model 7320

HP DeskJet 990 CSE Pro Printer

Kyocera Network Printer; model FS-25030N

HP Desk Printer; model 6500

HP DeskJet 1220C Printer

Sharp AR-205 Copier

Sharp Cash Register; model ER-3230

Samsung MFP Fax Machine; model SCX-4Z16F

Okidata Microline 393 Plus/24 Pin Printer

Additional items for eGov Auction:

- Laser Printers
 - o OkiData B4350 (9 each)
 - o OkiData B4600 (4 each)
 - o HP LaserJet 1200 (1 each)
- Pin Printers
 - o OkiData Microline 321 Turbo (1 each)
 - o OkiData Microline 320 (1 each)
 - o OkiData Microline 420 (2 each)
- DeskJet Printers
 - o HP Photosmart 7960 (1 each)

SPD items to be offered for sale on GovDeals:

1 (One) Red/Blue Police Light bar; model Mx7000 mfd. by Code 3

5- ^{VEHICLE} Weapon mounts; mfd. By Tufloc

1990 Ford F-350 (SRT vehicle; 199,644 odometer miles)



A

City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

July 1, 2014

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

Dear Mayor Stough and Council Members:

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

	Deposits	Refunds	Balance
June 30, 2014	\$758,462.58	\$7,761.07	\$750,701.51
June 30, 2013	\$694,606.47	\$8,256.58	\$686,349.89
Monthly Difference	<u>\$63,856.11</u>	<u>-\$495.51</u>	<u>\$64,351.62</u>
Year to Date 2014	\$5,254,435.64	\$131,949.50	\$5,122,486.14
Year to Date 2013	\$5,178,995.38	\$126,849.19	\$5,052,146.19
Yearly Difference	<u>\$75,440.26</u>	<u>\$5,100.31</u>	<u>\$70,339.95</u>
			1.39%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

City of Sylvania

Bank Reconciliation

June 2014

B

CHECKBOOK BALANCE

Ending balance for May 2014 \$ 20,943,348.89

Add: Monthly Receipts 7,495,607.45

Subtotal \$ 28,438,956.34

Less: Monthly Disbursements 7,444,132.41

Ending balance for Jun 2014 \$ 20,994,823.93

Less:

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

Star Ohio (76,958.87)

Petty Cash (1) (2,050.00)

Cemetery Savings (1,062.86)

Toledo Community Fund (29,810.59)

PNC MoneyMarket (1,027,989.74)

Key Bank Securities (1,007,951.96)

5/3rd Securities (7,131,486.41)

SJS Account (4,205,528.72)

Morgan Stanley Investment (2,000,531.16)

Sylvania Township Bonds (625,000.00)

\$ 2,886,453.62

Less:

Intra-Bank NK Credit 766,747.92

Bank Service Fee (9.00)

Ck # 64860 voided in July (215.00)

\$ 3,652,977.54

(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 \$ 3,659,537.25

Deposit in Transit 1,619.39

Subtotal \$ 3,661,156.64

Less: Outstanding Checks (2) 8,179.10

Adjusted Bank Balance \$ 3,652,977.54

(2)

May Outstanding Checks \$ 9,336.23

Checks written this month 685,512.16

Voided Ck # 63254 (10.68)

Voided Ck # 63927 (20.78)

Voided Ck # 64299 (750.00)

Voided Ck # 64565 (123.00)

Subtotal \$ 693,943.93

Checks Cleared (685,764.83)

Jun Outstanding Checks \$ 8,179.10



Toby Schroyer
Director of Finance, City of Sylvania

Sylvania Municipal Planning Commission

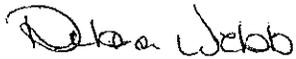
Minutes of the regular meeting of July 16, 2014. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Brian McCann, Mark Frye and Thomas Lindsley, (4) present. Ken Marciniak excused. Mr. Timothy Burns Present.

Mr. McCann moved, Mr. Frye seconded to approve the Minutes of the June 11, 2014, meeting as submitted. Vote being: Stough, McCann, Frye and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. McCann moved, Mr. Frye 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 July 16, 2014. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Brian McCann, Mark Frye and Thomas Lindsley, (4) present. Ken Marciniak excused. Mr. Timothy Burns Present.

Mr. Frye moved, Mr. McCann seconded to approve the Minutes of the June 11, 2014, meeting as submitted. Vote being: Stough, McCann, Frye and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Regulated Sign – app. no. 16-2014 requested by Gordon Ebright for Schokolad, 7632 Sylvania Avenue, Sylvania, Ohio 43560. Mr. Gordon Ebright present. Application is for a backlit wall sign. Part of the sign has already been installed. Mr. Ebright stated that the Schokolad wording has already been installed and asked for approval to add the wording “Chocolate Factory – Frozen Yogurt” below. Mr. Ebright also asked if he could put up a feather sign by the road. The members of the Board advised him that the feather sign would be a temporary sign and that he would need to obtain a temporary sign permit and that he would need to work with the Zoning Department for approval for that. Sign is within the limits of the Sylvania Sign Code. Mr. Frye moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Frye, McCann, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 – Regulated Sign – app. no. 17-2014 requested by Dana Fairchild of Toledo Sign for At Home, 5605 Monroe Street, Sylvania, Ohio 43560. Mr. Dana Fairchild present. Application is for an acrylic non-illuminated wall sign. Sign is within the limits of the Sylvania Sign Code. Mayor Stough moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Frye, McCann, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 5 – Regulated Sign – app. no. 18-2014 requested by Beth Sheely for Curves, 5834 Monroe Street, Sylvania, Ohio 43560. Ms. Beth Sheely present. Application is for a wall sign. The sign will be purple lettering mounted on an existing blue background. Sign is within the limits of the Sylvania Sign Code. Mr. McCann moved, Mr. Frye seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Frye, McCann, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 6 – Regulated Sign – app. no. 19-2014 requested by Tim Overmyer for Farmers & Merchants, 5830 Monroe Street, Sylvania, Ohio 43560. Mr. Allen Lantz present. Application is for a canopy sign, an illuminated wall sign and an illuminated monument sign. Signs are within the limits of the Sylvania Sign Code. Mr. McCann moved, Mayor Stough seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Frye, McCann, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 7 – Regulated Sign – app. no. 20-2014 requested by Dan Jones for EAO Sports, 5415 Schultz,

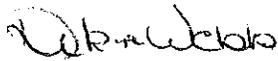
Board of Architectural Review
Minutes of July 16, 2014
Page 2

Sylvania, Ohio 43560. Mr. Dan Jones present. Mr. Jones stated that there is an existing pole sign structure on the property that was used by a previous owner, and that after finding out that he is not allowed to install a new sign on the structure, it is his intent to have that the structure taken down. This application is for a 13' by 30" window decal sign and that the sign has already been installed. Sign is within the limits of the Sylvania Sign Code. Mr. McCann moved, Mr. Frye seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Frye, McCann, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 8 – Regulated Sign – app. no. 21-2014 requested by Kar Wai Ng for Spacebar LLC, 5687 Main Street, Sylvania, Ohio 43560. Application is for wall sign. Mr. Burns stated that the letters of the sign will be made of metal and that they would be mounted to the building and will be externally illuminated from the back at a later time. He further stated that lettering would be installed on the windows showing the store hours of operation. Signs are within the limits of the Sylvania Sign Code. Mr. Frye moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Frye, McCann, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

E



City Of Sylvania

SYLVANIA CITY COUNCIL

SHARON M. BUCHER, CLERK

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

From: Sharon Bucher, Clerk of Council

Certificate of Notice

Petition for the Vacation of the West 172.4 feet of High Street

The undersigned Clerk of Council hereby certifies as follows:

- A. Thirty (30) days of time and place of public hearings were published in the The Blade on June 19, 2014.
- B. Written notice of hearings were mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed as follows:

<u>Owner</u>	<u>Property Address</u>	<u>Owner Address</u>
Charles Villolvos	6648 High St, Sylvania, OH	Same
Lourdes University	6666 High St, Sylvania, OH	6832 Convent Blvd, Unit 1, Syl, OH
Kathryn Brown	5137 Allen St., Sylvania, OH	Same
JF III & SA Elliott	5123 Allen St., Sylvania, OH	1623 Fern St., New Orleans, LA 70118
Dianne & Gregory Paul	6647 High St, Sylvania, OH	946 Pine St., Perrysburg, OH 43551

Sharon Bucher

Clerk of Council

Date

F



City Of Sylvania

SYLVANIA CITY COUNCIL

SHARON M. BUCHER, CLERK

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

From: Sharon Bucher, Clerk of Council

Certificate of Notice

ZA-2-2014, DJF Properties, Ltd., 5904 W. Alexis, 5623 and 5625 Acres Rd.

The undersigned Clerk of Council hereby certifies as follows:

- A. Thirty (30) days of time and place of public hearings were published in the The Blade on June 19, 2014.
- B. Written notice of hearings were mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed as follows:

<u>Owner</u>	<u>Property Address</u>	<u>Owner Address</u>
Judith Zinober	5642 Balfour, Sylvania, Oh	same
Benjamin Hagn	5635 Acres, Sylvania, Oh	same
Michael Vanzile& Carol Degroff	5630 Balfour, Sylvania, Oh	same
Vince & Elizabeth Ippolito	5918 W. Alexis, Sylvania, Oh	same
Dave White Chevrolet, Inc.	5849 W. Alexis, Sylvania, Oh	5880 W. Alexis, Syl.
Smile Development, Ltd.	5860 W. Alexis, Sylvania, Oh	same
City of Sylvania	5925 W. Alexis, Sylvania, OH	6730 Monroe St, Syl,

Clerk of Council

Date



City Of Sylvania

SYLVANIA CITY COUNCIL
SHARON M. BUCHER, CLERK

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

From: Sharon Bucher, Clerk of Council

Certificate of Notice SUP-1-2014 Highland Meadows Golf Club

The undersigned Clerk of Council hereby certifies as follows:

- A. Thirty (30) days of time and place of public hearing was published in the Toledo Blade on June 12, 2014.
- B. Written notice of hearing was mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed as follows:

<u>Owner</u>	<u>Property Address</u>	<u>Owner Address</u>
Highland Meadows Golf Club	applicant	7455 Erie St.
JP Navarro	7511 Erie	c/o Gerdenich & Co 5415 Monroe 1 43623
RA Wetmer	7145 Monroe	same
JM & TM Dunigan	7155 Monroe	same
J Eickholt	5733 Olde Post	same
JB & PL Fisher	5719 Olde Post	same
JJ Schoen	5701 Olde Post	same
MJ Borden	5661 Olde Post	same
KM Gilmore	5653 Olde Post	same
SR Cowdrey	5645 Olde Post	same
WR Colyer, Jr	5635 Olde Post	same
KN & SK Kreuz	5625 Olde Post	same
CH Weaver	5617 Olde Post	same
Donald Weiler, Tr	5607 Olde Post	same
BE & HR Patterson	5557 Olde Post	same
SJ Hogan	5547 Olde Post	same
S Shaulov	5535 Olde Post	same
DT & EA Wojkiewicz	5519 Olde Post	same
D&J Thompson	5505 Olde Post	same
B&A Warrick	5473 Olde Post	same

SE Travis	5461 Olde Post	same
BO&KH Montgomery	5449 Olde Post	same
IH Perry	5439 Olde Post	c/o Weber & Sterling, 1720 Indian Wood Cir, Maumee, 43537
M&T Pfeiffer	5429 Olde Post	same
FJ Martin	5419 Olde Post	same
KR & EM Booth	5411 Olde Post	same
GR & CA Kurtz	5403 Olde Post	same
SL Baldwin	7120 Monroe	same
J Phlipot	7460 Erie	5310 Turnberry, Sylvania
E Spangler	7446 Erie	same
MT Crandell	5800 Winding Way	same
N Jaloudi	5811 Eaglewood	same
D&B Brieschke	5812 Eaglewood	same
J Phlipot	7342 Erie	5310 Turnberry, Sylvania
RL & ML Mohr	7332 Erie	same
JW & SA Moore	5810 Granville	same
R&J Rymers	7306 Erie	same
JA Watkins	7122 Erie	same
BT May	7134 Erie	same
C Martin & J Miller	7142 Erie	11949 W. Toussaint-Portage Port Clinton, OH 43449
JL&MS Holland	7510 Erie	same
ME Pugh	7518 Erie	same
JD Heninger	7503 Erie	same
WL&MH Jones	7513 Club	same
EL&MA Holtz	7505 Club	same
DO&GM Grana	7501 Club	same
DR Bahrs	7465 Club	same
AL Fisher	7455 Club	same
BW & AM Saap	7447 Club	same
BJ&J Lauer	7443 Club	same
CE&A Hodge	5554 Bonniebrook	same
KL Blair	5548 Bonniebrook	same
C Fordham	5542 Bonniebrook	same
JC&NM Seeman	5536 Bonniebrook	same
DM Jamogchian	5528 Bonniebrook	same
S&L Sulewski	5518 Bonniebrook	same
KL Schell	5510 Bonniebrook	same
GS&KS Mikesell	5502 Bonniebrook	same
WL&JE Jones	5456 Bonniebrook	same
D&MG Grzybowski	5450 Bonniebrook	same
GC & MA Stifel	5442 Bonniebrook	same
SM & JC Elton	5418 Campden	same
SM& KD Scott	5412 Campden	same
WA & LL Huber	5404 Campden	same

MB Diment	7448 Oak Hill	same
BJ Hartwig	7440 Oak Hill	same
JH Robinson	7430 Oak Hill	same
MS Tita	7418 Oak Hill	same
MB&FM Abaza	7408 Oak Hill	same
HE Metzger	7364 Oak Hill	same
GL&ER Fawcett	7352 Oak Hill	same
LR&JM Crawford	7342 Oak Hill	same
TR Esser	7330 Oak Hill	same
LS Kreft	7320 Oak Hill	same
CS Brenner	7310 Oak Hill	same
GLR Ohio #8	7302 Oak Hill	c/o Bennett Mgmt, 1412 Arrowhead Maumee, OH
J&D Watkins	7256 Oak Hill	same
DJ Kuhl	7246 Oak Hill	same
LS Nightingale	7234 Oak Hill	same
BF&PA Maison	7224 Oak Hill	same
MA Achinger	7212 Oak Hill	same
TM Roth	7202 Oak Hill	same
JM&GD Amos	7160 Oak Hill	same
JR Hadley	7150 Oak Hill	same
R Youssef	7128 Oak Hill	same
NC Tabb	7516 Rymoor	same
KW Fell	5352 Rymoor	same
ME &ML Frame	5343 Spring Meadow	same

Clerk of Council

Date

CITY OF SYLVANIA

SPECIAL USE AMENDMENT, 6072 N. Main St., Sylvania, OH 43560
PROPERTY OWNER NOTIFICATION LIST



NO.	ADDRESS	OWNER	MAILING ADDRESS	CITY	STATE	ZIP	TD Parcel
1	6090 Main St.	Toledo Edison Co.	76 S.Main St.	Akron	OH	44308	82-00974
2	3081 Summitt St	Spencer Norris	6081 Summitt St.	Sylvania	OH	43560	82-00404
3	6616 Country Pl	Maria Christina Saucedo Pappas	5819 Washburn Rd.	Berkey	OH	43504	82-11867
4	6625 Country Pl	Mary Reisinger	6625 Country Pl	Sylvania	OH	43560	82-11877
5	6630 Long St	Sara Woolford	6630 Long St.	Sylvania	OH	43560	82-09067
6	6634 Long St	Grover & Barbara Studon	6634 Long St.	Sylvania	OH	43560	82-09064
7	6638 Long St	Grover & Barbara Studon	6634 Long St.	Sylvania	OH	43560	82-09061
8	6700 Long St	Daniel & Janet Thomas	6016 Park St	Sylvania	OH	43560	82-09057
9	6704 Long St	Robert Carr	6704 Long St.	Sylvania	OH	43560	82-09054
10	6708 Long St	Kenneth Bradley Jr	6708 Long St.	Sylvania	OH	43560	82-09051
11	6712 Long St	Norman Huss	6712 Long St.	Sylvania	OH	43560	82-09047
12	6718 Long St	Diane Wilhelm	6718 Long St.	Sylvania	OH	43560	82-09044
13	6722 Long St	Julie Watkins	7122 Erie St.	Sylvania	OH	43560	82-09041
14	6726 Long St	Andrew & Jennifer Kuhlman	6726 Long St.	Sylvania	OH	43560	82-09037
15	6734 Long St	Gary Coon	6736 Long St.	Sylvania	OH	43560	82-09034
16	6736 Long St	Gary Coon	6736 Long St.	Sylvania	OH	43560	82-09031
17	6740 Long St	Gary Coon	6736 Long St.	Sylvania	OH	43560	82-09027
18	6744 Long St	Edward & Agnes Grosswiler	6744 Long St.	Sylvania	OH	43560	82-09024
19	6750 Long St	Bella Hall	6750 Long St.	Sylvania	OH	43560	82-09021
20	6754 Long St	Daniel & Joyce Manes	6754 Long St.	Sylvania	OH	43560	82-09017
21	6044 Main St.	Stephan Risher	6044 Main St.	Sylvania	OH	43560	82-09001
22	5911 Woodrow Dr.	Board of Education	P.O. Box 608	Sylvania	OH	43560	82-01001