

Sylvania City Council

June 1, 2015

7:30 p.m. Council Meeting

Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Mishka, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Mishka.
3. Additions to the agenda.
4. Approval of the meeting minutes of May 18, 2015.
5. Zoning Ordinance Amendment Petition No. SUP-1-2015, a request from St. Elias Orthodox Church to amend the Special Use Permit at 4940 Harroun Road, Sylvania, Ohio 43560; for referral to the Planning Commission.
6. Proposed Ordinance 37-2015, Adopting a statement indicating what services will be provided to the area proposed (Holland-Sylvania Rd-Baptist Church) to be annexed to the City.
7. Road Salt Purchase.
 - a. Service Director's report on additional purchase.
 - b. Proposed Ordinance 38-2015, Authorizing agreement with Detroit Salt Company for de-icing salt for roadway.
8. Harroun Community Park Storm Water Demonstration Project.
 - a. Service Director's report on Change Order No. 1.
 - b. Proposed Ordinance 39-2015, Authorizing to approve Change Order No.1 (final) for Harroun Community Park Storm Water Demonstration Project.
9. Proposed Ordinance 40-2015, Accepting the proposal of Walter H. Drane Company to install & maintain the Sylvania Codified Ordinances on the Internet.
10. Service Director's report on Gower Road Sanitary Sewer Extension project; and authorize the clerk to advertise for bids.
11. Committee reports.
12. Committee referrals.

INFORMATION

- A. Lucas County Commissioners' letter dated 5/15/15 regarding Annexation Petition 2015-1.

Minutes of the Meeting of Council
May 18, 2015

The Council of the City of Sylvania, Ohio met in regular session on May 18, 2015 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary Westphal (7) present; (0) absent.

Roll call:
All present.

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

Pledge of Alleg.

Mayor Stough stated that Council will now consider agenda item 3.

Requests were made for the following additions to the agenda:

- 11c. Schedule a Utilities Committee Meeting-Water Rate Discussion
- 13. Maplewood Park Seating Layout Options.

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

Approval of the agenda as amended.

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

Mrs. Westphal presented the May 4, 2015 minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of May 4, 2015 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the May 4, 2015 minutes.

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

Mayor Stough made a presentation of proclamation declaring Poppy Day, May 23. Miss and Mr. Poppy were introduced and distributed poppies.

Poppy Day, May 23rd.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 33-2015, a written copy of same having been previously furnished to each member of Council, "An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances; to repeal Ordinances in conflict therewith; to publish the enactment of new matter; and declaring an emergency."; Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 33-2015, "...approve, adopt and enact replacement pages to Codified Ordinances..."

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May 18, 2015

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 33-2015 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 34-2015, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into agreements with a head teacher, teachers, and aides for the Sylvania Safety City Program being conducted by the Sylvania Division of Police; providing funds therefore; and declaring an emergency"; Mrs. Westphal moved, Mr. Mishka seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 34-2015, "Authorizing agreements for Safety City..."

Mrs. Westphal moved, Mr. Frye seconded, that Ordinance No. 34-2015 be enacted as an emergency measure as declared therein; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the Erie Street Waterline Replacement Project bids was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 35-2015, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of PHC, Inc. and awarding the contract for the Erie Street Waterline Replacement Project to same; authorizing the expenditure for the improvements in the amount of \$175,617.50; appropriating funds therefore; and declaring an emergency."; Mr. Mishka moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance 35-2015, "Accepting bid of PHC, Inc. ...Erie St. Waterline Replacement Project..."

Mr. Mishka moved, Mrs. Husman seconded, that Ordinance No. 35-2015 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the Storm Water Management Plan was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 36-2015, a written copy of same having been previously furnished to each member of Council, "Amending Part Nine-Streets, Utilities, and Public Services Code by adding Chapter 931-Sediment and Erosion Control of the Sylvania Codified Ordinances, 1979, as amended; and declaring an emergency."; Mr. Mishka moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No. 36-2015, "...Amending Part Nine...by adding Chapter 931-Sediment & Erosion Control..."

Mr. Mishka moved, Mr. Haynam seconded, that Ordinance No. 36-2015 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Haynam seconded, that no hearing be requested for the transfer of the D5 and D6 liquor permit from Pastrokos & Skiadas, LLC, 7625-27 Sylvania Ave. to Vardean, LLC, d/b/a Smokehouse Bistro, 7625-27 Sylvania Ave.; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

No objection to liquor permit transfer for Smokehouse Bistro.

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

Mrs. Westphal reported on the Finance Committee held on May 5th. Finance Director Schroyer reviewed historical financial reports for 2007-2014, and an overview of the 5 year plan for 2015-2019. He pointed out specific information on the revenue and expenditures for the 5 year plan. The Finance Committee referred the water rates to the Utility Committee for review. The committee reviewed the Ohio Checkbook.com information from Ohio Treasurer Josh Mandel. The Committee will monitor this matter once it is launched by the State.

Finance Com. Report from 5/5/15.

Mrs. Westphal reported on the Safety Committee held on May 5th. Police Chief Rhodus presented information of the current use of in-car cameras, microphones to record audio, Tasers with cameras, security cameras, and surveillance equipment availability. No formal action for the use of body cameras will be recommended at this time. A commitment of analysis and evaluate the need for body camera in the future will continue.

Safety Com. Report from 5/5/15.

Minutes of the Meeting of Council
May 18, 2015

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

Mr. Mishka set a Utility Committee meeting for June 1, 2015 at 7:00p.m. to discuss the water rates.

Utility Com.
Mtg. 6/1/15,
7:00p.m.

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

Deputy Service Director Shaw reviewed the Maplewood Park Seating options. It was determined that use of existing tables, existing landscaping, and city personnel will complete the project and will evaluate usage for possible additional upgrades.

Maplewood
Park Seating.

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

Adjournment.

Mr. Haynam moved, Mrs. Westphal seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:10 p.m.

Clerk of Council

Mayor

PETITION FOR ZONING ORDINANCE AMENDMENT

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

Application No. SUP-1-2015
Date 5-15-15

Petitioner Name(s) ST. ELIAS ANTIOCHIAN ORTHODOX Church
Petitioner Address 4940 HARBOUR ROAD
SYLVANIA, OHIO 43560
Telephone 419/882-4037

Location of property for which zoning amendment is requested:
4940 HARBOUR ROAD, SYLVANIA, OHIO 43560

Purpose of amendment request: AMEND SPECIAL USE PERMIT
CHANGE Pavilion to ENCLOSURE BUILDING

Current Zoning: R-1 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.

100 + ADVERTISING
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: Rev Walter Ayman Rfoot / [Signature]

Date referred by Council: _____

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

PA \$100.00 ✓ # 10494 5-15-15

RESOLUTION NO. 37 -2015**ADOPTING A STATEMENT, PURSUANT TO REVISED CODE OF OHIO 709.03 (D), INDICATING WHAT SERVICES WILL BE PROVIDED TO THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF SYLVANIA BY PETITION FOR ANNEXATION FILED WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.**

WHEREAS, on May 20, 2015, this Council received notice from James E. Moan that he was the authorized agent for the petitioners of the territory sought to be annexed (Parcel Nos. 78-21706, 78-21711, 78-54964 and 78-54967 on Holland-Sylvania Road) by the City of Sylvania to the City of Sylvania filed with the Board of Commissioners of Lucas County, Ohio on April 29, 2015; and,

WHEREAS, pursuant to the Revised Code of Section 709.03 (D) this Council is required to adopt a statement indicating what services, if any, the City of Sylvania will provide to the territory proposed for annexation upon annexation.

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

SECTION 1. That upon annexation to the City of Sylvania the territory proposed to be annexed by said annexation petition will be provided, by the City of Sylvania, with the following services:

- a. Domestic garbage, trash and refuse generated on the premises of each residential property will be removed and disposed of once a week;
- b. Police protection will be furnished by the City of Sylvania;
- c. Street shade trees will be sprayed, trimmed, planted, removed and their leaves and branches disposed of as a part of the City tree program;
- d. Green yard waste pickup will be provided for residential property on a bi-weekly basis during the months of March through November;
- e. Curbside recycling will be provided bi-weekly for single-family residential units;
- f. Storm drainage facilities will be regularly and routinely cleaned and cleared;
- g. The minimum sanitary sewer system value and capital connection charge for future connections will be reduced from \$940 to a charge of \$430 or less;

- h. The maximum sanitary sewer system value and capital connection charge for future connections will be reduced from \$202,100 to a charge of \$92,450;
- i. The territory described in the petition is within the Sylvania Sewer District;
- j. Snow plowing will be provided for public streets;
- k. Street sweeping will be provided for public streets;
- l. Site plan, preliminary and final plat review and approvals will be provided.
- m. The above services will be provided within six months after the date of the granting of the annexation petition.
- n. If a street or highway will be divided or segmented by the boundary line between the township and the municipal corporation as to create a road maintenance problem, the municipal corporation to which annexation is proposed has agreed as a condition of the an annexation to assume the maintenance of that street or highway or to otherwise correct the problem. As used in this section, "street" or "highway" has the same meaning as in section 4511.01 of the Revised Code.
- o. If the municipal zoning permits uses in the annexed territory that the municipal corporation determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within the township from which the territory was annexed, the legislative authority of the municipal corporation will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the township. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements; streets and street rights-of-way; and bicycle and pedestrian paths and sidewalks.

SECTION 2. That the Clerk of this Council shall file with the Board of Commissioners of Lucas County, Ohio a certified copy of this Resolution and shall also provide petitioners with a certified copy of this Resolution.

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

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

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this Resolution should be effective immediately so that it will be

effect and served upon the Board of Commissioners of Lucas County, Ohio. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2015 as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

7a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 27, 2015

To: The Mayor and Members of Sylvania City Council

Re: **Salt Purchase**

Dear Mr. Mayor and Council Members:

The results of the State Cooperative purchase with ODOT gave the City a price of \$69.36 per ton for road salt. We committed to purchase 1,600 ton and therefore have committed \$110,976 of our budgeted amount of \$300,000.

We have been offered a price of \$65.88 per ton of road salt by Detroit Salt Company. We are requesting authorization to purchase an additional 1,500 ton of road salt at this price for a total purchase of \$98,820.

Proceeding with the additional purchase would result in a total purchase cost of \$209,796. This is still well below our budgeted estimate. We recommend approval to enter into a purchase agreement with Detroit Salt Company for a maximum of 1,500 ton at a cost of \$65.88.

Please call if you have any questions.

Sincerely,

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

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

7b

ORDINANCE NO. 38 -2015

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH DETROIT SALT COMPANY FOR THE FURNISHING OF SALT FOR ROADWAY DE-ICING FOR THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 11-2015, passed March 16, 2015, authorized the Mayor and Director of Finance of the City of Sylvania, Ohio, to enter into an Agreement with the Ohio Department of Transportation (“ODOT”) for the purchase of roadway de-icing salt; and,

WHEREAS, the Director of Public Service, by report dated March 13, 2015, recommended that the City purchase 1,600 tons in the Summer Fill and forgo the Winter Fill contract; and,

WHEREAS, the Director of Public Service, by report dated May 27, 2015, reported that the ODOT purchase price was \$69.36 per ton for road salt; and,

WHEREAS, Detroit Salt Company has offered to provide 1,500 tons of road salt to the City at a cost of \$65.88 per ton for a total cost of \$98,820; and,

WHEREAS, the Director of Public Service, by report dated May 27, 2015, has recommended acceptance of the proposal submitted by Detroit Salt Company.

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

SECTION 1. That the proposal of Detroit Salt Company, for furnishing of 1,500 tons of road salt at \$65.88 per ton, piled and delivered be, and the same hereby is, determined to be the and the same is hereby accepted.

SECTION 2. That the Mayor and Director of Finance be, and they hereby are, authorized and directed to execute a contract with Detroit Salt Company named in Section 1 above for the furnishing of such salt in accordance with said proposal.

SECTION 3. That the Director of Finance of this City be, and he hereby is, authorized and directed to draw his warrant or warrants against the appropriate account to which appropriations have heretofore been made, or will be and are made, to pay for such salt as may be ordered by the Director of Public Service under said contract upon presentation of proper voucher or vouchers therefore duly approved by said Director of Public Service.

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 should be made to assure the availability of sufficient quantities of de-icing roadway salt. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

8a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 1, 2015

To: The Mayor and Members of Sylvania City Council

Re: **HARROUN COMMUNITY PARK STORM WATER DEMONSTRATION PROJECT
CHANGE ORDER NO. 1 (FINAL)**

Dear Mr. Mayor and Council Members:

The Harroun Community Park Storm Water Demonstration Project was recently completed. Geddis Paving & Excavating's original contract amount for the project was \$74,960 and received Council approval on February 2, 2015 by Ordinance 6-2015.

Now that the project is completed, the final installed quantities have been resolved and a change order is necessary to adjust the final contract price.

The installed quantities have resulted in an increase to the original contract in the amount of \$649.61. We recommend approval of Change Order No. 1 which will increase the final contract amount from \$74,960 to \$75,609.61.

Please call if you have any questions.

Sincerely,

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

Kevin G. Aller, P.E.

Director of Public Service

dsw

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 1 (FINAL)

Project Ordinance No.: 6-2015 Purchase Order No. 48897

Contract: Harroun Community Park Storm Water Demonstration Project

Title of Change Order: _____

Date: 5/18/2015

Description of Change: Final quantity adjustments.

RECOMMENDED FOR APPROVAL BY: Kevin G. Aller, P.E. *Date*
Public Service Director

Original Contract Amt	\$ 74,960	00	REVIEWED BY: _____ <i>Engineer</i>
Previous Changes (+ or --)	\$ 0	00	DATE: _____ <i>Engineers Signature</i>
This Change (+ or --)	\$ 649	61	SUBMITTED BY: _____ <i>Name of Contractor</i>
Adjusted Contract Amt	\$ 75,609	61	DATE: _____ <i>Contractor's Signature</i>

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor *Date* Toby Schroyer, Finance Director *Date*

ORDINANCE NO. 39 -2015

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 (FINAL) TO THIS CITY'S AGREEMENT WITH GEDDIS PAVING & EXCAVATING, INC. FOR THE HARROUN COMMUNITY PARK STORM WATER DEMONSTRATION PROJECT REFLECTING THE FINAL INSTALLED QUANTITIES; INCREASING THE CONTRACT AMOUNT BY \$649.61; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 6-2015, passed February 2, 2015, accepted the bid of Geddis Paving & Excavating, Inc. for the Harroun Community Park Storm Water Demonstration Project in the amount of \$74,960; and,

WHEREAS, the Director of Public Service, by report dated June 1, 2015, has recommended the acceptance of Change Order No. 1 (Final) of Geddis Paving & Excavating, Inc. for said Harroun Community Park Storm Water Demonstration Project to reflect the final installed quantities; and,

WHEREAS, the work performed and final installed quantities resulted in a net increase to the contract in the amount of Six Hundred Forty-Nine and 61/100 Dollars (\$649.61), for a total contract amount of \$75,609.61.

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 Six Hundred Forty-Nine and 61/100 Dollars (\$649.61) 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 **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7310-53575 – Harroun Park Improvement Project**, the sum of Six Hundred Forty-Nine and 61/100 Dollars (\$649.61).

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

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, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 40 -2015

ACCEPTING THE PROPOSAL OF THE WALTER H. DRANE COMPANY TO INSTALL AND MAINTAIN THE SYLVANIA CODIFIED ORDINANCES ON THE INTERNET; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$3,590; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 33-2015, passed May 18, 2015, approved, adopted and enacted the replacement pages to the Codified Ordinances; and,

WHEREAS, at the May 18, 2015 Sylvania City Council meeting, there was discussion on ensuring that the most current version of the Sylvania Codified Ordinances are available online; and,

WHEREAS, the Director of Law and Information Technology Manager have met to review the options for installing and maintaining the Codified Ordinances available online and have recommended that The Walter H. Drane Company install and maintain the Sylvania Codified Ordinances online; and,

WHEREAS, the Director of Law has received a proposal from The Walter H. Drane company to install and maintain the Sylvania Codified Ordinances on the internet at a cost not to exceed Three Thousand Five Hundred Ninety Dollars (\$3,590.00); and,

WHEREAS, the Director of Law and the Information Technology Manager have recommended that the proposal of The Walter H. Drane Company at a cost not to exceed Three Thousand Five Hundred Ninety Dollars (\$3,590.00), be accepted.

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

SECTION 1. That the proposal of The Walter H. Drane Co., 23811 Chagrin Blvd., Suite 344, Beachwood, OH 44122 for an amount not to exceed the total sum of Three Thousand Five Hundred Ninety Dollars (\$3,590.00) for installing and maintaining the Sylvania Codified Ordinances online, is hereby accepted.

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

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **GENERAL FUND** from funds therein not heretofore appropriated to **Account No. 110-7320-51294 – Special Projects**, an amount not to exceed Three Thousand Five Hundred Ninety Dollars (\$3,590.00).

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

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

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

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

Passed, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 1, 2015

To: The Mayor and Members of Sylvania City Council

Re: **Gower Road Sanitary Sewer Extension**

Dear Mr. Mayor and Council Members:

This project was requested by petition from two property owners on Gower Road in Sylvania Township. The project is located within the City of Sylvania Sanitary Sewer Service Area and consists of extending the existing 8" sanitary sewer northerly approximately 190 feet. 100% of the project costs will be assessed to the two property owners.

On March 2, 2015 we requested Council authorization to prepare a Resolution of Necessity pursuant to Ohio Revised Code (ORC) Chapter 727. A Notice of Tentative Assessment was mailed to each resident on May 4, 2015. According to ORC each resident had fourteen (14) days to object to the Notice. Our Department did not receive any objections during that timeframe.

As a result the next step in the process is public advertisement and bidding of the construction documents. The estimated construction cost for the project is \$30,923. We would request that the Clerk of Council be authorized to advertise for bids.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

dsw



RECEIVED

MAY 19 2015

CITY OF SYLVANIA
CITY COUNCIL

Board of County
Commissioners
Tina Skeldon Wozniak
President
Pete Gerken
Carol Contrada

Jody L. Balogh
Clerk of the Board

May 15, 2015

Ms. Sharon Bucher
Clerk of Council
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

Re: Annexation Petition 2015-1
Portion of Sylvania Township to the City of Sylvania (2.588± Acres)

Dear Ms. Bucher:

Enclosed is a copy of Resolution No. 15-333, accepting the filing of the above-referenced annexation petition. The hearing date for this annexation is set for Tuesday, July 14, 2015, at 11:00 a.m., One Government Center, First Floor, Commissioners' Chambers, Toledo, Ohio.

If you need additional information, please feel free to contact me.

Sincerely,

A handwritten signature in black ink that reads "Jody L. Balogh".

Jody L. Balogh, Clerk

/jlb
enc.

Date: May 5, 2015

Resolution No. 15-333

Title: Accepting the Filing of Annexation Petition No. 2015-1, Portions of Sylvania Township to the City of Sylvania, Parcel Nos. 78-21706, 78-21711, 78-54964, 78-54967 (2.588 acres±)

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Summary/Background: There was filed with this Board on April 29, 2015, a petition for the annexation by a majority of the owners of approximately 2.588 acres of land, more or less, of real estate in Sylvania Township to the City of Sylvania by James A. Moan, Esq., agent for the petitioners. The petitioner requests that the territory be annexed pursuant to the **Regular Annexation** procedures contained in R.C. 709.02

Budget Impact: N/A

Statutory Authority/ORC: 709.02

Commissioner Gerken offered the following resolution:

WHEREAS, in consideration of the above, NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Lucas County, Ohio, that:

Section 1. This Board acknowledges receipt of Annexation Petition No. 2015-1, Portions of Sylvania Township to the City of Sylvania, Parcel Nos. 78-21706, 78-21711, 78-54964, 78-54967 (2.588 acres±) with a deposit of \$150.00 to be placed into account 8040-8035-418160. The clerk of this Board is directed to enter said petition upon the journal of this Board.

Section 2. This Board's May 5, 2015 meeting is the first available regular session of the Board since the filing of the petition.

Section 3. This Board hereby sets the hearing date of **July 14, 2015, at 11:00 a.m.**, in the Commissioners' Hearing Room, First Floor, One Government Center, Toledo, Ohio.

Section 4. The petition, legal description and map are hereby referred to the Lucas County Engineer to determine that there is an accurate legal description of the perimeter of the territory proposed to be annexed, and a map or plat of the territory.

Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in a meeting open to the public in compliance with the law.

May 5, 2015

Accepting the Filing of Annexation Petition No. 2015-1, Portions of Sylvania Township to the City of Sylvania, Parcel Nos. 78-21706, 78-21711, 78-54964, 78-54967 (2.588 acres±)

Page 2

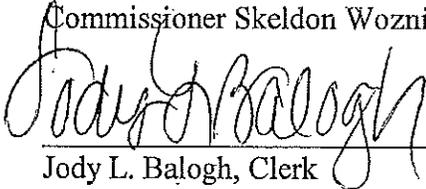
Section 6. This resolution shall be in full force and effect from and immediately upon its adoption.

Action Taken:

Commissioner Gerken voted yes

Commissioner Contrada voted yes

Commissioner Skeldon Wozniak voted yes



A handwritten signature in cursive script, reading "Jody L. Balogh", is written over a horizontal line.

Jody L. Balogh, Clerk