

Sylvania City Council
June 15, 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. Frye.
3. Additions to the agenda.
4. Approval of the meeting minutes of June 1, 2015.
5. Planning Commission's recommendation for SUP-1-2015, St. Elias Orthodox Church. Set the public hearing for July 20, 2015, and authorize the clerk to advertise.
6. Service Director's report on the Municipal Court Parking Lot Expansion & Main Street Crosswalk Replacement Project; and authorize the clerk for advertise for bids.
7. Proposed Ordinance 41-2015, Amending Chapter 139-Position and Compensation, Section 139.02(a).
8. Proposed Ordinance 42-2015, Revising the Administrative, Departmental and Divisional Organization of the City by amending Chapter 131-Department of Law.
9. Proposed Ordinance 43-2015, Determining that a certain easement granted to the City is no longer needed for Municipal Purposed and releasing same.
10. Proposed Ordinance 44-2015, Accepting from Sylvania Country Club, a grant of Permanent Utility Easement for the Monroe Street Waterline Project.
11. Proposed Ordinance 45-2015, Accepting from the Fairways at Sylvania Co., a grant of Permanent Utility Easement for the Monroe Street waterline Project.
12. Committee reports.
13. Committee referrals.

INFORMATION

- A. May 2015 Bank Reconciliation.
- B. Municipal Planning Commission minutes from June 10, 2015.
- C. Board of Architectural Review minutes from June 10, 2015.

Minutes of the Meeting of Council
June 1, 2015

- The Council of the City of Sylvania, Ohio met in regular session on June 1, 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 (late), Sandy Husman, Mark Luetke, Jason Mishka, Mary Westphal (7) present; (0) absent. Roll call: Haynam, late. All present.
- Mr. Mishka 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:
- 4a. Presentation from Frontier Communications – “America’s Best Communities” grant for Economic Development.
 - 11a. Zoning Committee Report.
 - 11b. Schedule Economic Development Sub-Committee meeting.
 - B. May 2015 Income Tax Report.
- Mrs. Westphal moved, Mrs. Husman seconded to approve the agenda as amended; roll call vote being: Cappellini, Frye, Husman, Luetke, Mishka, Westphal, (6) 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 18, 2015 minutes. Mrs. Westphal moved, Mr. Luetke seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of May 18, 2015 be approved; roll call vote being: Frye, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried. Approval of the May 18, 2015 minutes.
- Mr. Hutchinson, General Manager for NW Ohio Frontier Communications stated the City participated in a competition for “America’s Best Communities”. The Mayor was presented with a \$5,000 grant to support Economic Development in the City. \$5,000 grant from Frontier Communications.
- Mr. Haynam arrived during the presentation from Frontier Communications.
- Mayor Stough stated that Council will now consider agenda item 5.
- Mayor Stough presented the 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 to change the pavilion to an enclosed building. Mr. Haynam moved, Mrs. Husman seconded to refer this request to the Municipal Refer SUP-1-2015 to Plan Comm.

Minutes of the Meeting of Council
May 18, 2015

Planning Commission for review and recommendation; 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 6.

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 37-2015, a written copy of same having been previously furnished to each member of Council, "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."; Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance No. 37-2015, "Adoptingwhat services provided to proposed area to be annexed...."

Mr. Haynam moved, Mr. Frye seconded, that Ordinance No. 37-2015 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the De-Icing Salt Purchase was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 38-2015, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with Detroit Salt Company for the furnishing of salt for roadway de-icing for the City of Sylvania; and declaring an emergency"; Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance No. 38-2015, "Authorizing an agreement with Detroit Salt Co for purchase of de-icing salt..."

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 38-2015 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

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

Minutes of the Meeting of Council
May 18, 2015

Service Director's report on the Harroun Community Park Storm Water Demonstration Project Change Order No. 1 (Final) was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 39-2015, a written copy of same having been previously furnished to each member of Council, "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."; Mr. Mishka moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance
39-2015,
"Authorizing CO
#1 (Final) for
Harroun Com
Park Storm
Water Demo
Project...."

Mr. Mishka moved, Mr. Frye seconded, that Ordinance No. 39-2015 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 40-2015, a written copy of same having been previously furnished to each member of Council, "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."; 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.
40-2015,
"...accepting ...
Walter H. Drane
Co....install and
maintain
Codified
Ordinances on
Internet...."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 40-2015 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 10.

Service Director's report on Gower Road Sanitary Sewer Extension was placed on file. Mr. Mishka moved, Mrs. Westphal seconded, to authorizing the Clerk of Council to advertise for bids for the project; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Gower Rd.
Sanitary Sewer
Extension
authorize for
bids.

Minutes of the Meeting of Council
May 18, 2015

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

Mr. Haynam provided an update from the Zoning & Annexation Committee that the Sylvania Architectural District Design Guidelines are currently being updated with a draft to be presented to Council for review in the near future. These changes are subject to the public hearing process. The anticipated timeline is to have these updates completed by year end.

Zoning Com.
update on
Architectural
Dist. Design
Guidelines.

Mr. Luetke scheduled an Economic Development Sub-Committee meeting for June 30, 2015 at 8:00 a.m.

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

Mrs. Westphal moved, Mr. Luetke seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:08 p.m.

Adjournment.

Clerk of Council

Mayor



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 11, 2015

To: Mayor and Members of City Council

Re: **Council Referral – Special Use Permit app. no. SUP-1-2015**

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of June 10, 2015, Council Referral – Special Use Permit app. no. SUP-1-2015, a request from St. Elias Orthodox Church, to amend the Special Use Permit to change the pavilion to an enclosed building, on the property located at 4940 Harroun Road, Sylvania, Ohio 43560:

..." Mr. Arnold moved, Mr. Marciniak seconded to recommend to council to approve the modification to the Special Use Permit as submitted. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote."...

Sincerely,

Debra Webb, Secretary
Municipal Planning Commission



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 15, 2015

To: The Mayor and Members of Sylvania City Council

Re: **Municipal Court Parking Lot Expansion & Main Street Crosswalk Replacement Project**

Dear Mr. Mayor and Council Members:

Construction drawings for the above referenced project are finalized. This project consists of performing infrastructure improvements at two locations (Municipal Court and Main Street between Monroe Street and Maplewood Avenue).

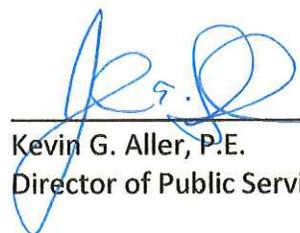
The project at the Municipal Court site will expand parking by adding 32 new parking spaces on the north side of the building. In addition, the existing parking lots on the west side and south side of the Municipal Court Building will be resurfaced. Other site furnishings include new dumpster and recycling enclosures, sidewalks, storm sewer, lighting and landscaping.

The project on Main Street between Monroe Street and Maplewood Avenue will remove and replace the existing mid-block crosswalk. The existing concrete and brick paver crosswalk will be removed in lieu of an asphalt section with decorative inlaid and colored thermoplastic pavement markings.

The Capital Improvement budget for both projects is \$227,000. Construction of the project is scheduled for August through September and will be coordinated with both Downtown Sylvania and Municipal Court schedules.

We would request that the Clerk of Council be authorized to advertise for bids.

Sincerely,



 Kevin G. Aller, P.E. Joseph E. Shaw
 Director of Public Service For KGA

ORDINANCE NO. 41 -2015

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

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

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

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure
necessary for the immediate preservation of the public peace, health, safety, property and welfare
and for the further reason that this ordinance must be immediately effective to make necessary
changes to the Codified Ordinances. Provided this Ordinance receives the affirmative vote of
five (5) or more members elected to Council, it shall take effect and be in force immediately
upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty
(30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

139.02 **CONTENT AND COVERAGE OF THE COMPENSATION PLAN.**

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

<u>CLASS CODE</u>	<u>LIST OF OCCUPATIONAL TITLES</u>	
	<u>CLASS GRADE</u>	<u>CLASS TITLE</u>
100	Clerical, Administrative and Fiscal Group (40H/W)	
	*	*
	*	*
107	8	Deputy Clerk of Courts
	*	*
	*	*

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

ORDINANCE NO. 42 -2015

REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE CHAPTER 131 – DEPARTMENT OF LAW; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Sections 131.01 and 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “Exhibit A” effective July 1, 2015 and thereafter.

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the changes to the administrative structure of the City should be made 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 this 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

131.01 DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION.

* * *

(c) The Department of Law shall have a Division of Prosecution comprised of one full-time chief prosecutor, two part-time assistant prosecutors, one Secretary II, and one Secretary who will be employed on a part-time basis, who shall serve under the direction of the Prosecutor. The chief prosecutor and assistant prosecutors in the division of Prosecution shall be primarily responsible for the prosecution of all City of Sylvania and State cases in Sylvania Municipal Court and the cases of all municipalities with whom the City of Sylvania has contracted to provide prosecutorial services, subject to the oversight of the Director of Law. The chief prosecutor and assistant prosecutors shall be attorneys at law duly admitted to practice law in the State of Ohio. The chief prosecutor and assistant prosecutors shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0(c) of Article IV of the Charter. The Director of Law may appoint, on a case by case basis, such Special Prosecutors as may be necessary when the chief prosecutor and/or assistant prosecutors have a potential conflict of interest or there exists other legal grounds why the prosecutor should not prosecute a particular case. The Chief Prosecutor and Assistant Prosecutors shall be compensated in accordance with the provision made for them in the Position and Compensation Plan. The Chief Prosecutor shall submit reports to the Director of Law at such frequency, in such detail and covering such matters as the Director shall require.

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

139.02(e)(3) Compensation for elective and appointive officials. The following elective and appointed officials which are not otherwise provided for in this chapter shall be compensated as follows:

<u>TITLE</u>	<u>RATE</u>
	* * *
Assistant Prosecutors	\$40 per hour not to exceed a total of 28 hours per week with one Assistant Prosecutor being assigned 16 hours per week and the other Assistant Prosecutor being assigned 12 hours per week commencing July 1, 2015 and thereafter.
	* * *

(Ord. ____-2015. Passed ____-2015.)

*Those persons in this subsection (e)(3) occupying the positions indicated above by an asterisk after such position shall each have the sum of one thousand dollars (\$1,000) paid and deposited by the City to their respective credit in one of the City's approved deferred compensation plans annually commencing with the year 1991.

ORDINANCE NO. 43 -2015

DETERMINING THAT A CERTAIN EASEMENT GRANTED TO THE CITY OF SYLVANIA IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND RELEASING SAME; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 92-82, passed by Sylvania City Council on December 20, 1982, approved the Planned Development of Findlay Investors and granted a sanitary sewer and waterline easement from the City of Sylvania to Findlay Investors; and,

WHEREAS, said Easement was recorded July 28, 1983 as Record No. 83 283B05; and,

WHEREAS, the Director of Public Service, by report dated June 15, 2015, has indicated that the City's 4" water main on the south side of Monroe Street between the northbound US 23 off ramp and the traffic light servicing several commercial plazas near Country Squire and Fifth Third Bank has broken several times, has become problematic for the City's Water Department and should be abandoned; and,

WHEREAS, the Director of Public Service has considered the various options for providing an alternate source for water service for three properties currently served by the 4" water main and has determined that the most efficient approach is to acquire ownership of the private water main from The Fairways at Sylvania Co. and install new taps to service the three properties; and,

WHEREAS, The Fairways at Sylvania Co. and Sylvania Country Club have agreed to provide easements to the City of Sylvania for the operation and maintenance of the water main through their respective properties; and,

WHEREAS, as the City is acquiring easements from both Sylvania Country Club and The Fairways at Sylvania Co. as well as the ownership of the waterline, it should release its existing easement as it will no longer be necessary.

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

SECTION 1. That it is hereby determined that the release of said easement, as hereinafter set forth, will not be detrimental to the interests of the general public of the City of Sylvania and that said easement should be released.

SECTION 2. That the Mayor and Director of Finance of this City be, and they hereby are, authorized and directed to execute and deliver to the owners of said property a Release of Easement, in the form and for the easement therein described as appears on "Exhibit A" attached hereto and made a part hereof.

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

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

Passed, _____, 2015, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

RELEASE OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, an Easement was granted to Findlay Investors by the City of Sylvania for the purpose of installing a private sanitary sewer and waterline; and,

WHEREAS, said Easement was recorded on July 28, 1983 as Record No. 83 288B05 in the office of the Lucas County Recorder; and,

WHEREAS, the Fairways at Sylvania Co. acquired title from Findlay Investors by instrument recorded in Microfiche 83 283C02 for the said real estate adjacent to the Easement as recorded in Plat Book Volume 104, Page 30 and Volume 113, Page 92 in the Deed Records of the Lucas County Recorder's Office; and,

WHEREAS, and the undersigned is willing to release any rights that they may have to the utility lines within same and the same are dedicated for public purposes.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned does hereby release and abandon to the City of Sylvania said Easement which was recorded on July 28, 1983 as Record No. 83 288B05, Lucas County, Ohio Records.

Dated this _____ day of _____, 2015.

Fairways at Sylvania Co.

By _____

By _____

This Instrument Prepared by:
Leslie B. Brinning, Director of Law
City of Sylvania
6730 Monroe St.
Sylvania, OH 43560
(419) 885-7865

ORDINANCE NO. 44 -2015

ACCEPTING FROM SYLVANIA COUNTRY CLUB, A GRANT OF PERMANENT UTILITY EASEMENT FOR THE MONROE STREET WATERLINE PROJECT; DEDICATING THE EASEMENT AREAS FOR PUBLIC PURPOSES AS EXPRESSED IN THE EASEMENTS; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 92-82, passed by Sylvania City Council on December 20, 1982, approved the Planned Development of Findlay Investors and granted a sanitary sewer and waterline easement from the City of Sylvania to Findlay Investors; and,

WHEREAS, the Director of Public Service, by report dated June 15, 2015, has indicated that the City's 4" water main on the south side of Monroe Street between the northbound US 23 off ramp and the traffic light servicing several commercial plazas near Country Squire and Fifth Third Bank has broken several times, has become problematic for the City's Water Department and should be abandoned; and,

WHEREAS, the Director of Public Service has considered the various options for providing an alternate source for water service for three properties currently served by the 4" water main and has determined that the most efficient approach is to acquire ownership of the private water main from The Fairways and install new taps to service the three properties; and,

WHEREAS, The Fairways and Sylvania Country Club have agreed to provide easements to the City of Sylvania for the operation and maintenance of the water main through their respective properties; and,

WHEREAS, it is necessary for the City to obtain an easement in, over and through the Sylvania Country Club property for the construction, operation and maintenance of a waterline

easement; and,

WHEREAS, Sylvania Country Club, owner of the property at 5060 Fairway Lane, Sylvania, Ohio has executed and delivered to the City of Sylvania a grant of easement for utility purposes of the northerly 25' of its property at 5060 Fairway Lane, Sylvania, Ohio, for said project, which grant of utility easement (permanent) is in the form and substance of "Exhibit A" 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 permanent easement as described on "Exhibit A" be and the same hereby is accepted from, Sylvania Country Club, the grantor therein.

SECTION 2. That the permanent easement area identified and described in said "Exhibit A" be, and the same hereby is, dedicated for the respective public purposes expresses in said easement.

SECTION 3. That the Director of Law is hereby authorized to see that the easement hereby accepted is recorded and thereafter delivered 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 Monroe Street Waterline Project should proceed without further delay and the acceptance of the easement from said grantor. 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

WATERLINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **Sylvania Country Club**, the Grantor, in consideration of one dollar (\$1.00), and other good and valuable considerations, to them paid by the **City of Sylvania**, the Grantee, does hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, a non-exclusive easement for the construction and maintenance of an underground public water main, in, on, over and through the real estate in the City of Sylvania, Lucas County, Ohio, and legally described, Exhibit A, and drawn, Exhibit B as attached.

TO HAVE AND TO HOLD the said easement rights with all the rights, privileges and appurtenances thereto belonging to the Grantee, its successors and assigns forever.

By acceptance hereof, the Grantor and Grantee acknowledge the following:

1. The Grantor claims title by instrument recorded in Microfiche 82 293B05 in the Deed Records of the Lucas County Recorder's Office. The Grantor hereby covenants that it is are the true and lawful Owner of said premises, subject to easements, agreements and restrictions of record and are well seized of the same, and have good right and full power to bargain, sell and convey the same in the manner aforesaid.
2. The City of Sylvania understands that the Grantor granted an Easement to Findlay Investors as recorded in Microfiche 83 283A09 in the Deed Records of the Lucas County Recorder's Office for private sanitary sewer and waterline purposes, in perpetuity, over, under and upon real estate owned by the Grantor and adjacent to real estate owned by

Findlay Investors as recorded in Plat Book Volume 104, Page 30 and Volume 113, Page 92 in the Deed Records of the Lucas County Recorder's Office.

3. The City of Sylvania understands that The Fairways at Sylvania acquired title from Findlay Investors by instrument recorded in Microfiche 83 283C02 for the said real estate adjacent to the Easement as recorded in Plat Book Volume 104, Page 30 and Volume 113, Page 92 in the Deed Records of the Lucas Country Recorder's Office.
4. The Fairways at Sylvania has agreed to release ownership of their private waterline to the City of Sylvania for use as a public waterline pursuant to the release attached hereto as Exhibit C. The City of Sylvania has agreed to obtain said release and record the same with the Lucas County, Ohio Recorder's Office at the City of Sylvania's sole cost and expense.
5. The Grantor hereby grants a waterline Easement to the City of Sylvania for public waterline purposes as set forth in the opening paragraph of this Easement.
6. The City of Sylvania, its successors and assigns, and without limitation shall have the right to construct, reconstruct, use and maintain the public waterline and shall promptly repair and/or restore any damage or disturbance to the Grantor's property occasioned by the construction, reconstruction, use and maintenance including, but not limited to landscaping, grass and trees.
7. The City of Sylvania shall hold the Grantor harmless, from the use of the Easement area and the construction, reconstruction, use and maintenance of the water facilities therein.
8. The Grantor, their successors and assigns, retains the right to use the described Easement area for any and all purposes, provided that such use does not interfere with nor impair the exercise of the rights herein granted.

IN WITNESS WHEREOF, the Grantors, **Sylvania Country Club**,

has hereunto set their hands this _____ day of _____, 2015.

Sylvania Country Club

By: _____

By: _____

STATE OF OHIO

}SS

COUNTY OF LUCAS,

Before me, a Notary Public, in and for said County and State, personally appeared,

_____, _____
Name Title

of **Sylvania Country Club**, who acknowledged the signing thereof to be their voluntary act and deed for the purpose therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public _____

City of Sylvania, Ohio

By: _____
Craig. A. Stough, Mayor

By: _____
Toby Schroyer, Director of Finance

Approved:

Leslie B. Brining, Director of Law

EXHIBIT A

LEGAL DESCRIPTION

Situated in the State of Ohio, County of Lucas, City of Sylvania, Southeast Quarter of Section 10, Town 9 South, Range 6 East, being part of a 28.507 acre tract of land conveyed to Sylvania Country Club, by deed recorded in Microfiche 82 293805 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Beginning at the $\frac{1}{4}$ corner of Section 10 and Section 11, Town 9 South, Range 6 East, said corner also being the northeast corner of the said Grantor's property, said corner also being on the west property line of a parcel of land conveyed to The Fairways at Sylvania Co. by deed recorded in Microfiche 83 283C02 in the Deed Records of the Lucas County Recorder's Office, said corner also being the west plat line of The Fairways at Sylvania as recorded in Volume 104, Page 30 and the west plat line of The Fairways at Sylvania (Second Record) as recorded in Volume 113, Page 92 in the Deed Records of the Lucas County Recorder's Office, said corner also being at the southeast corner of a parcel of land conveyed to GLR Ohio #6, Limited Partnership by deed recorded in Microfiche 96 661D04 in the Deed Records of the Lucas County Recorder's Office and being the **TRUE POINT OF BEGINNING**;

Thence South $01^{\circ}52'45''$ East a distance of 25.00' on the east line of the Southeast Quarter of Section 10 and the Grantor's east property line and the west property line of a parcel of land conveyed to The Fairways at Sylvania Co. and the west plat line of The Fairways at Sylvania and the west plan line of The Fairways at Sylvania (Second Record) to a point;

Thence South $87^{\circ}13'29''$ West a distance of 168.45' on a line 25.00' southerly of and parallel to the east-west centerline of Section 10 to a point on the Grantor's west property line, said point also being on the east property line of a parcel of land conveyed to the City of Sylvania by deed recorded in Deed Book Volume 1951, Page 437 in the Deed Records of the Lucas County Recorder's Office;

Thence North $44^{\circ}05'26''$ East a distance of 36.57' on the Grantor's west property line and on the east property line of said parcel of land conveyed to the City of Sylvania to a point, said point being on the Grantor's north property line, said point being on the east-west centerline of Section 10, said point also being on the south property line of said parcel of land conveyed to GLR Ohio #6, Limited Partnership;

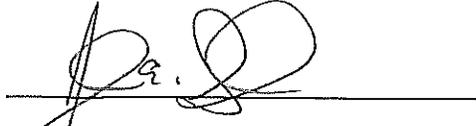
Thence North $87^{\circ}13'29''$ East a distance of 141.93' on the Grantor's north property line and on the east-west centerline of Section 10 and on the south property line of said parcel of land conveyed to GLR Ohio #6, Limited Partnership to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.089 acres of land, more or less, and is subject to all legal highways and easements of record.

Bearings used herein are based on the right-of-way plans for LUC 23-12.28 (11.76-13.22) by the Ohio Department of Transportation as recorded in Plat Book 57, Page 20 in the Deed Records of the Lucas County Recorder's Office 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 82-03434.

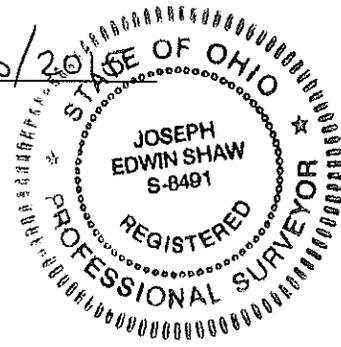
This description was prepared by Joseph E. Shaw, Registered Surveyor 8491 of the State of Ohio.

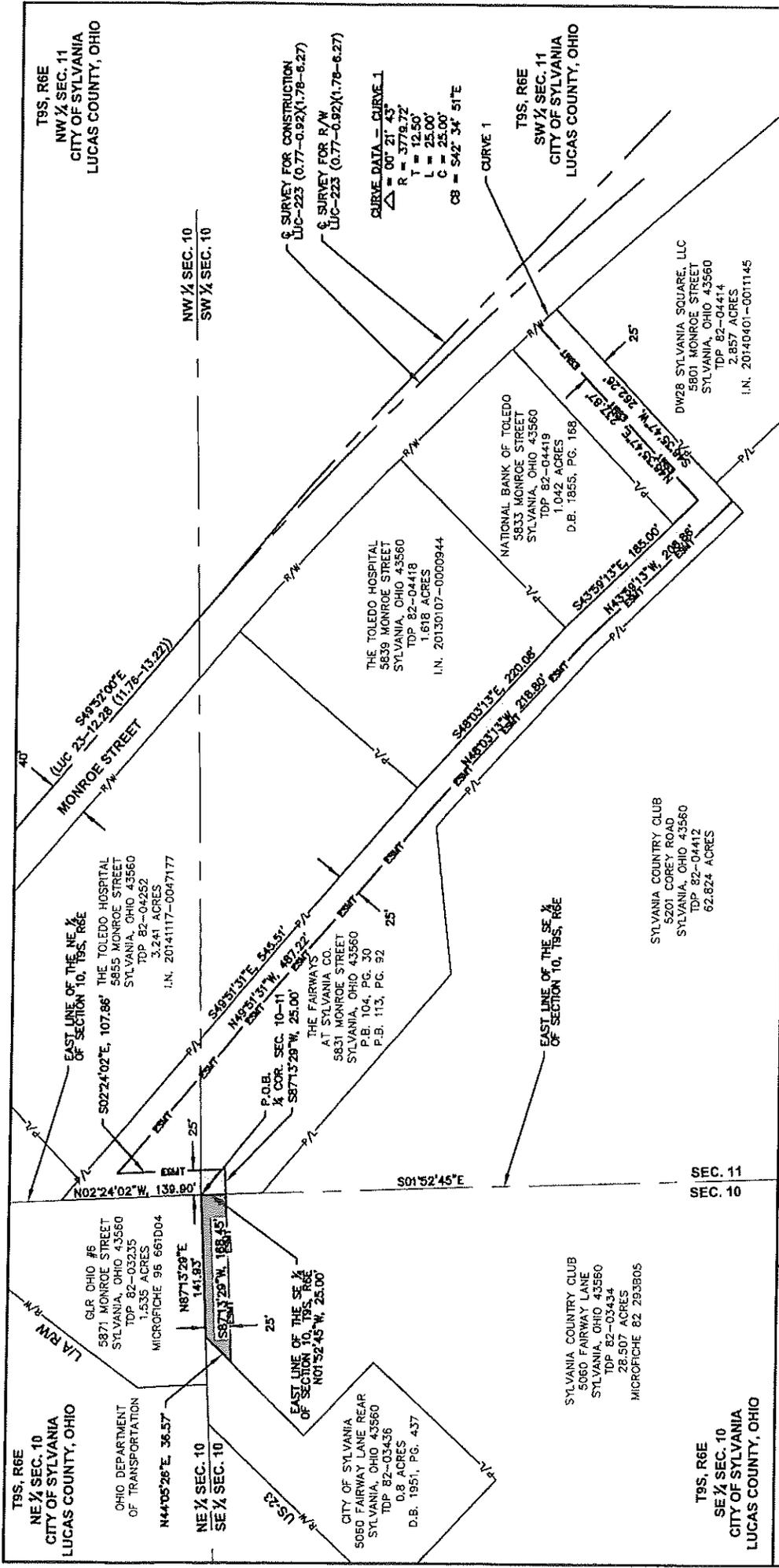


Joseph E. Shaw
Registered Surveyor of Ohio: No. 8491

5/20/2015

Date





T9S, R6E
NE 1/4 SEC. 10
CITY OF SYLVANIA
LUCAS COUNTY, OHIO

T9S, R6E
SE 1/4 SEC. 10
CITY OF SYLVANIA
LUCAS COUNTY, OHIO

T9S, R6E
SW 1/4 SEC. 10
CITY OF SYLVANIA
LUCAS COUNTY, OHIO

T9S, R6E
NW 1/4 SEC. 10
CITY OF SYLVANIA
LUCAS COUNTY, OHIO

WATERLINE EASEMENT - SYLVANIA COUNTRY CLUB (0.089 ACRES)

WATERLINE EASEMENT - THE FAIRWAYS AT SYLVANIA (0.757 ACRES)

STATE OF OHIO
JOSEPH EDWIN SHAW
S-8491
REGISTERED PROFESSIONAL SURVEYOR

BASIS OF BEARINGS:
 THE BASIS OF BEARINGS USED HEREON ARE BASED ON THE RIGHT-OF-WAY PLANS FOR LUC 23-1228 (11.76-13.22) BY THE OHIO DEPARTMENT OF TRANSPORTATION AS RECORDED IN PLAT BOOK 57, PAGE 20 IN THE DEED RECORDS OF THE LUCAS COUNTY RECORDER'S OFFICE AND ARE FOR THE EXPRESS PURPOSE OF SHOWING ANGULAR MEASUREMENT.

Joseph E. Shaw, P.E.
 JOSEPH E. SHAW, P.E., P.S.
 STATE OF OHIO REGISTERED LAND SURVEYOR #6491

0 75 150 300
HORIZONTAL SCALE IN FEET

0 150 300
HORIZONTAL SCALE IN FEET

DEPARTMENT OF PUBLIC SERVICE		
CITY OF SYLVANIA WATERLINE EASEMENTS FROM THE FAIRWAYS AT SYLVANIA AND SYLVANIA COUNTRY CLUB		
EXHIBIT:	B	
DRAWN BY:	JES	
DATE:	4/24/2015	

ORDINANCE NO. 45 -2015

ACCEPTING FROM THE FAIRWAYS AT SYLVANIA CO., A GRANT OF PERMANENT UTILITY EASEMENT FOR THE MONROE STREET WATERLINE PROJECT; DEDICATING THE EASEMENT AREAS FOR PUBLIC PURPOSES AS EXPRESSED IN THE EASEMENTS; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 92-82, passed by Sylvania City Council on December 20, 1982, approved the Planned Development of Findlay Investors and granted a sanitary sewer and waterline easement from the City of Sylvania to Findlay Investors; and,

WHEREAS, the Director of Public Service, by report dated June 15, 2015, has indicated that the City's 4" water main on the south side of Monroe Street between the northbound US 23 off ramp and the traffic light servicing several commercial plazas near Country Squire and Fifth Third Bank has broken several times, has become problematic for the City's Water Department and should be abandoned; and,

WHEREAS, the Director of Public Service has considered the various options for providing an alternate source for water service for three properties currently served by the 4" water main and has determined that the most efficient approach is to acquire ownership of the private water main from The Fairways and install new taps to service the three properties; and,

WHEREAS, The Fairways and Sylvania Country Club have agreed to provide easements to the City of Sylvania for the operation and maintenance of the water main through their respective properties; and,

WHEREAS, it is necessary for the City to obtain an easement in, over and through The Fairways at Sylvania Co. property for the construction, operation and maintenance of a waterline

easement; and,

WHEREAS, The Fairways at Sylvania Co., owner of the property at 5831 Monroe Street, Sylvania, Ohio has executed and delivered to the City of Sylvania a grant of easement for utility purposes of approximately 25' of its property at 5831 Monroe Street, Sylvania, Ohio, for said project, which grant of utility easement (permanent) is in the form and substance of "Exhibit A" 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 permanent easement as described on "Exhibit A" be and the same hereby is accepted from, The Fairways at Sylvania Co., the grantor therein.

SECTION 2. That the permanent easement area identified and described in said "Exhibit A" be, and the same hereby is, dedicated for the respective public purposes expresses in said easement.

SECTION 3. That the Director of Law is hereby authorized to see that the easement hereby accepted is recorded and thereafter delivered 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 Monroe Street Waterline Project should proceed without further delay and the acceptance of the easement from said grantor. 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

WATERLINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That **The Fairways at Sylvania**, the Grantor, in consideration of one dollar (\$1.00), and other good and valuable considerations, to them paid by the **City of Sylvania**, the Grantee, does hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, an easement for the construction and maintenance of a public water main, in, on, over and through the real estate in the City of Sylvania, Lucas County, Ohio, and legally described, Exhibit A, and drawn, Exhibit B as attached.

TO HAVE AND TO HOLD the said easement rights with all the rights, privileges and appurtenances thereto belonging to the Grantee, its successors and assigns forever.

By acceptance hereof, the Grantor and Grantee acknowledge the following:

1. The Grantor claims title from Findlay Investors by instrument recorded in Microfiche 83 283C02 in the Deed Records of the Lucas County Recorder's Office. The Grantor hereby covenants that they are the true and lawful Owner of said premises and are well seized of the same, and have good right and full power to bargain, sell and convey the same in the manner aforesaid.
2. The Grantor is the owner of a private waterline over, under and upon real estate owned by the Grantor as recorded in Plat Book Volume 104, Page 30 and Volume 113, Page 92 in the Deed Records of the Lucas County Recorder's Office.

3. The Grantor has agreed to transfer ownership of their private waterline to the City of Sylvania for use as a public waterline.
4. The Grantor hereby grants a permanent, exclusive waterline Easement to the City of Sylvania for public waterline purposes.
5. The City of Sylvania, its successors and assigns, and without limitation shall have the right to construct, reconstruct, use and maintain the public waterline and shall promptly repair any damage to the ground surface to its original condition occasioned by the construction, reconstruction, use and maintenance.
6. The City of Sylvania shall hold the Grantor harmless, from the operation of the Easement and the construction, reconstruction, use and maintenance of the water facilities therein.
7. The Grantor, their successors and assigns, retains the right to use the attached described Easement for any and all purposes, provided that such use does not interfere with nor impair the exercise of the rights herein granted.

IN WITNESS WHEREOF, the Grantor, **The Fairways at Sylvania**,

has hereunto set their hands this _____ day of _____, 2015.

The Fairways at Sylvania

By: _____

By: _____

STATE OF OHIO

}SS

COUNTY OF LUCAS,

Before me, a Notary Public, in and for said County and State, personally appeared,

_____, _____
Name Title

of **The Fairways at Sylvania**, who acknowledged the signing thereof to be their voluntary act and deed for the purpose therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public _____

City of Sylvania, Ohio

By: _____
Craig. A. Stough, Mayor

By: _____
Toby Schroyer, Director of Finance

Approved:

Leslie B. Brining, Director of Law

EXHIBIT A

EASEMENT TO MAINTAIN A WATER MAIN IN THE NAME AND FOR THE USE OF THE CITY OF SYLVANIA

An easement for the construction and maintenance of a water main in, on, over and through the described real estate.

The Grantor, their successors and assigns, retains the right to use the described property for any and all purposes, provided that such use does not interfere with nor impair the exercise of the rights herein granted.

Situated in the State of Ohio, County of Lucas, City of Sylvania, West ½ of Section 11, Town 9 South, Range 6 East, being part of a 2.178 acre tract of land conveyed to The Fairways at Sylvania, by deed recorded in Microfiche 83 283C02 in the Deed Records of the Lucas County Recorder's Office, said tract of land also being part of The Fairways at Sylvania as recorded in Volume 104, Page 30 and part of The Fairways at Sylvania (Second Record) as recorded in Volume 113, Page 92 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Beginning at the ¼ corner of Section 10 and Section 11, Town 9 South, Range 6 East, said corner also being on the Grantor's west property line, said corner also being on the west plat line of The Fairways at Sylvania as recorded in Volume 104, Page 30 and the west plat line of The Fairways at Sylvania (Second Record) as recorded in Volume 113, Page 92 in the Deed Records of the Lucas County Recorder's Office, said corner also being at the northeast corner of a parcel of land conveyed to Sylvania Country Club by deed recorded in 82 293B05 in the Deed Records of the Lucas County Recorder's Office, said corner also being at the southeast corner of a parcel of land conveyed to GLR Ohio #6, Limited Partnership by deed recorded in Microfiche 96 661D04 in the Deed Records of the Lucas County Recorder's Office and being the **TRUE POINT OF BEGINNING**;

Thence North 02°24'02" West a distance of 139.90' on the west line of the Northwest ¼ of Section 11 and the Grantor's west property line and the west plat line of The Fairways at Sylvania and the west plat line of The Fairways at Sylvania (Second Record) and the east property line of said parcel of land conveyed to GLR Ohio #6, Limited Partnership to a point, said point being at the northwest corner of the Grantor's property;

Thence South 49°51'31" East a distance of 545.51' on the Grantor's northeasterly property line and northeasterly plat line of The Fairways at Sylvania and the northeasterly plat line of The Fairways at Sylvania (Second Record) and southwesterly property line of said parcel of land conveyed to GLR Ohio #6, Limited Partnership and southwesterly property line of a parcel of land conveyed to The Toledo Hospital by deed recorded in Instrument Number 20141117-0047177 in the Deed Records of the Lucas County Recorder's Office to a point, said point being at the southeast corner of said parcel of land conveyed to The Toledo Hospital, said point also being at the southwest corner of a parcel of land conveyed to The Toledo Hospital by deed recorded in Instrument Number 20130107-0000944 in the Deed Records of the Lucas County Recorder's Office;

Thence South 48°03'13" East a distance of 220.08' on the Grantor's northeasterly property line and northeasterly plat line of The Fairways at Sylvania and the northeasterly plat line of The Fairways at Sylvania (Second Record) and southwesterly property line of said parcel of land conveyed to The Toledo Hospital by deed recorded in Instrument Number 20130107-0000944 in the Deed Records of the Lucas County Recorder's Office to a point, said point being at the southeast corner of said parcel of land conveyed to The Toledo Hospital, said point also being at the southwest corner of a parcel of land conveyed to the National Bank of Toledo by deed recorded in Deed Book 1855, Page 168 in the Deed Records of the Lucas County Recorder's Office;

Thence South 43°59'13" East a distance of 185.00' on the Grantor's northeasterly property line and northeasterly plat line of The Fairways at Sylvania and the northeasterly plat line of The Fairways at Sylvania (Second Record) and southwesterly property line of said parcel of land conveyed to the National Bank of Toledo to a point;

Thence North 46°35'47" East a distance of 237.87' to a point, said point being on the southwesterly right-of-way line of Monroe Street as shown in the right-of-way plans for LUC 223-(0.77-0.92)(1.78-6.27) by the Ohio Department of Transportation;

Thence on the southwesterly right-of-way line of Monroe Street on a curve to the right with an arc length of 25.00', arc to said curve having a radius of 3779.72', a central angle of 00°21'43", a chord bearing of South 42°34'51" East and a chord length of 25.00' to a point, said point also being at the northeast corner of the Grantor's property, said point also being on the southeasterly plat line of The Fairways at Sylvania, said point also being on the southeasterly plat line of The Fairways at Sylvania (Second Record), said point also being at the northwest corner of a parcel of land conveyed to DW28 Sylvania Square, LLC by deed recorded in Instrument Number 20140401-0011145 in the Deed Records of the Lucas County Recorder's Office;

Thence South 46°35'47" West a distance of 262.26' on the Grantor's southeasterly property line and southeasterly plat line of The Fairways at Sylvania and the southeasterly plat line of The Fairways at Sylvania (Second Record) and northwesterly property line of said parcel of land conveyed to DW28 Sylvania Square, LLC to a point;

Thence North 43°59'13" West a distance of 208.86' on a line 25.00' southwesterly of and parallel to the southwesterly property line of said parcel of land conveyed to the National Bank of Toledo by deed recorded in Deed Book 1855, Page 168 in the Deed Records of the Lucas County Recorder's Office to a point;

Thence North 48°03'13" West a distance of 218.80' on a line 25.00' southwesterly of and parallel to the southwesterly property line of said parcel of land conveyed to The Toledo Hospital by deed recorded in Instrument Number 20130107-0000944 in the Deed Records of the Lucas County Recorder's Office to a point;

Thence North 49°51'31" West a distance of 487.22' on a line 25.00' southwesterly of and parallel to the southwesterly property line of said parcel of land conveyed to The Toledo Hospital by deed recorded in Instrument Number 20141117-0047177 in the Deed Records of the Lucas County Recorder's Office to a point, said point being 25.00' easterly of and parallel to the west line of the Northwest ¼ of Section 11 and the Grantor's west property line and the west plat line of The Fairways at Sylvania and the west plat

line of The Fairways at Sylvania (Second Record) and the east property line of said parcel of land conveyed to GLR Ohio #6, Limited Partnership to a point;

Thence South 02°24'02" East a distance of 107.86' on a line 25.00' easterly of and parallel to the west line of the Northwest ¼ of Section 11 and the Grantor's west property line and the west plat line of The Fairways at Sylvania and the west plat line of The Fairways at Sylvania (Second Record) and the east property line of said parcel of land conveyed to GLR Ohio #6, Limited Partnership and the east property line of said parcel of land conveyed to Sylvania Country Club to a point;

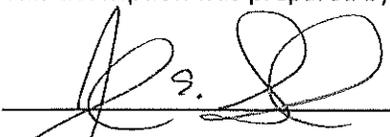
Thence South 87°13'29" West a distance of 25.00' on a line 25.00' southerly of and parallel to the extended east-west centerline of Section 10 to a point, said point also being on the west line of the Southwest ¼ of Section 11, said point also being on the Grantor's west property line, said point also being on the west plat line of The Fairways at Sylvania and the west plat line of The Fairways at Sylvania (Second Record), said point also being on the east property line of said parcel of land conveyed to Sylvania Country Club;

Thence North 01°52'45" West a distance of 25.00' on the west line of the Southwest ¼ of Section 11 and the Grantor's west property line and the west plat line of The Fairways at Sylvania and the west plat line of The Fairways at Sylvania (Second Record) and east property line of said parcel of land conveyed to Sylvania Country Club to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.757 acres of land, more or less, and is subject to all legal highways and easements of record.

Bearings used herein are based on the right-of-way plans for LUC 23-12.28 (11.76-13.22) by the Ohio Department of Transportation as recorded in Plat Book 57, Page 20 in the Deed Records of the Lucas County Recorder's Office and are for the express purpose of showing angular measurement.

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

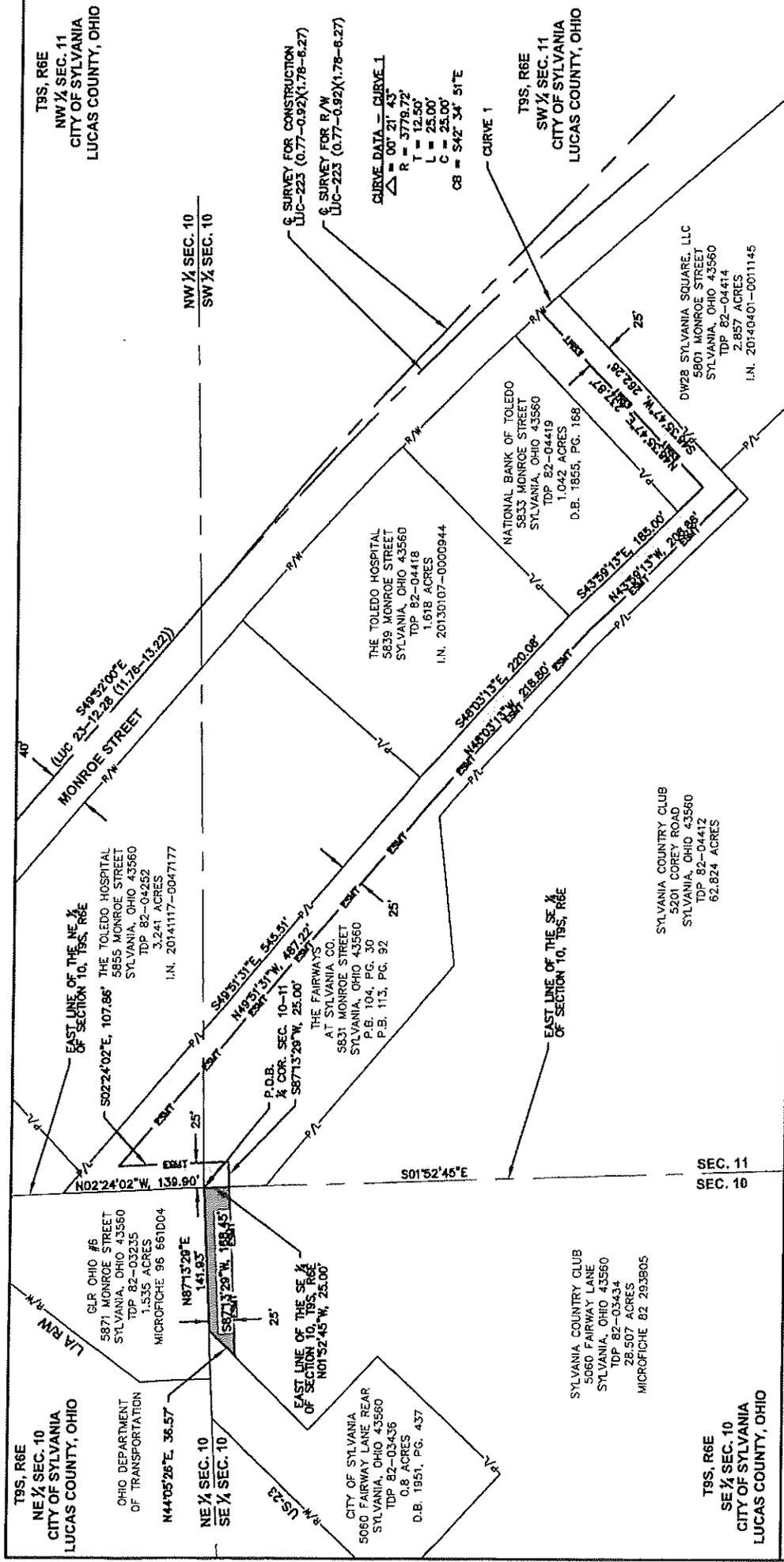


Joseph E. Shaw
Registered Surveyor of Ohio: No. 8491

5/18/2015
Date



A circular professional seal for Joseph Edwin Shaw, Registered Professional Surveyor, State of Ohio, No. 8491. The seal features a star and the text "STATE OF OHIO" at the top and "REGISTERED PROFESSIONAL SURVEYOR" at the bottom.



STATE OF OHIO
JOSEPH EDWIN SHAW
S-8491
REGISTERED SURVEYOR
PROFESSIONAL

JOSEPH E. SHAW, P.E., P.S.
STATE OF OHIO REGISTERED LAND SURVEYOR #8491

BASIS OF BEARINGS:
THE BASIS OF BEARINGS USED HEREON ARE BASED ON THE RIGHT-OF-WAY PLANS FOR LUC 23-1228 (11.76-13.22) BY THE OHIO DEPARTMENT OF TRANSPORTATION AS RECORDED IN PLAT BOOK 57, PAGE 20 IN THE DEED RECORDS OF THE LUCAS COUNTY RECORDER'S OFFICE AND ARE FOR THE EXPRESS PURPOSE OF SHOWING ANGULAR MEASUREMENT.

EXHIBIT:	B
DRAWN BY:	JES
DATE:	4/24/2015

0 75 150 300
HORIZONTAL SCALE IN FEET

NORTH

City of Sylvania

DEPARTMENT OF PUBLIC SERVICE

CITY OF SYLVANIA WATERLINE EASEMENTS
FROM THE FAIRWAYS AT SYLVANIA AND
SYLVANIA COUNTRY CLUB

City of Sylvania

Bank Reconciliation

May 2015

A

CHECKBOOK BALANCE
 Ending balance for Apr 2015 \$ 20,886,461.91
 Add: Monthly Receipts 1,657,408.95
 Subtotal \$ 22,543,870.86
 Less: Monthly Disbursements 1,796,132.59
 Ending balance for May 2015 \$ 20,747,738.27

Less:
 Certificates of Deposit \$ (2,000,000.00)
 Star Ohio (76,993.74)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (31,027.58)
 PNC MoneyMarket (1,028,326.91)
 Key Bank Securities (1,008,121.26)
 5/3rd Securities (5,942,372.08)
 SJS Account (4,221,342.55)
 Morgan Stanley Investment (2,021,072.93)
 Sylvania Township Bonds (565,000.00)
 \$ 3,850,368.36

Less:
 SSI adj for Ck# 65696 75.00
 Caremark RX adj 0.70

\$ 3,850,444.06
 (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 \$ 3,862,096.17
 Deposit in Transit 1,876.88
 Subtotal \$ 3,863,973.05

Less: Outstanding Checks (2) 13,528.99
 Adjusted Bank Balance \$ 3,850,444.06

(2)
 Apr Outstanding Checks \$ 6,398.09
 Checks written this month 564,676.83

Subtotal \$ 571,074.92
 Checks Cleared (557,545.93)
 May Outstanding Checks \$ 13,528.99



Toby Schroyer
 Director of Finance, City of Sylvania

Sylvania Municipal Planning Commission

Minutes of the regular meeting of June 10, 2015. Mr. McCann called the meeting to order.

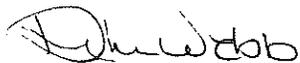
Members present: Mayor Craig Stough, Daniel Arnold, Ken Marciniak and Brian McCann (4) present. Thomas Lindsley excused. Zoning Administrator, Timothy Burns present.

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the May 13, 2015, meeting as submitted. Vote being: Stough, Arnold, McCann and Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Council Referral – SUP 1-2015, requested by Reverend Fr. Ayman Kfouf for St Elias Antiochian Orthodox Church, 4940 Harroun Road, Sylvania, Ohio 43560. Mr. Edward Sifri of St. Elias was present and stated that they will be enclosing the existing building which will be used as a Montessori Pre-School. Mr. Burns stated that the pre-school is allowed in the R-1 zone. Mr. Arnold moved, Mr. Marciniak seconded to recommend to council to approve the modification to the Special Use Permit as submitted. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Marciniak moved, Mr. Arnold 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 June 10, 2015. Mr. McCann called the meeting to order.

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

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the May 13, 2015, meeting as submitted. Vote being: Stough, Arnold, McCann and Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Building Review – app. no. 29-2015 requested by Craig Pencheff for Soft Touch Car Wash 6307 Monroe Street, Sylvania, Ohio 43560. Application is for a new accessory building. Mr. Pencheff was present and stated that the accessory building construction had already begun and that the paint of the building would match the existing building. Mayor Stough moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the building shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 – Regulated Sign – app. no. 31-2015 requested by Robin Davidson of R & R Sign Engineering, Inc. for Caress Car Wash, 7528 Sylvan Town Drive, Sylvania, Ohio 43560. Application is for an existing pole sign to be cut down and renovated into a monument sign to meet future requirements. Mr. Burns stated that the face of the sign will be an LED sign and he recommends approval of the sign with the following requirements set previously by the Board of Architectural Review:

- a. Sign is limited to not more than 3 lines with not more than 20 characters per line.
- b. No more than 2 displays should be used within any message cycle.
- c. No more than 2 messages should be displayed in any given day.
- d. No animation, fading, exploding, dissolving, or moving messages are to be used.

Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application noting the discussed LED sign restrictions. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 5 – Regulated Sign – app. no. 32-2015 requested by Nelson Pixler of Harmon Signs, Inc. for Promedica, 5700 Monroe Street, Sylvania, Ohio 43560. Application is for three wall signs. Signs are within the limits of the Sylvania Sign Code. Mr. Pixlar was present. Mayor Stough asked about the intent of the existing pole signs on the property. Mr. Pixlar stated that one of the poles signs would be removed and that the future modifications of the other pole are still being discussed. Mr. Arnold moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the signs shown in the drawings submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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- Item 6 – Building Review – app. no. 33-2015 requested by James House for Canaan Construction 6423 Monroe Street, Sylvania, Ohio 43560. Application is for the exterior renovation to an existing building. Mr. House was present and presented an updated photo of the building and explained that most of the renovations have already been completed. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the building shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.
- Item 7 – Regulated Sign – app. no. 34-2015 requested by Myra Gueli of Toledo Sign Co. for Kay & Paulus Orthodontics, 5860 Alexis Road Sylvania, Ohio 43560. Application is for two wall signs. Ms. Gueli was present and explained that one of the existing signs would be removed to allow the installation of the two new signs. Signs are within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.
- Item 8 – Regulated Sign – app. no. 35-2015 requested by Myra Gueli of Toledo Sign Co. for Sylvania Pediatric Dental Care, 5860 Alexis Road, Sylvania, Ohio 43560. Application is for two wall signs. The third sign is a directional sign. Ms. Gueli was present and explained that one of the existing signs would be removed to allow the installation of the two new signs and a directional sign. Signs are within the limits of the Sylvania Sign Code. Mayor Stough moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.
- Item 9 – Regulated Sign – app. no. 36-2015 requested by Jennifer Janney of Harmon Signs, Inc. for Great Lakes Audiology, 3780 King Road, Sylvania, Ohio 43560. Application is for a replacement panel in an existing monument sign. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.
- Item 10 – Regulated Sign – app. no. 37-2015 requested by Jennifer Janney of Harmon Signs, Inc. for Texxture Salon, 3780 King Road, Sylvania, Ohio 43560. Ms. Susan Ortiz of Texxture Salon present. Application is for a replacement panel in an existing monument sign. Sign is within the limits of the Sylvania Sign Code. Mayor Stough moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.
- Item 11 – Building Review – app. no. 38-2015 requested by Marcus Price of Midwest Contracting,

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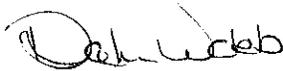
Inc. for McDonalds Corp., 5810 W. Alexis Road, Sylvania, Ohio 43560. Application is for exterior renovations of the building. Mr. Erik Hite was present and explained the building will be repainted to tannish and whitish colors, changing the current red and white colors to the beige and bisque shown in the drawing submitted with the application; and that the roof will remain red. Mr. Arnold moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the building renovations shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 12 – Regulated Sign – app. no. 39-2015 requested by Kevin Neifer of Harmon Signs, Inc. for Sewing Express, 5829 Monroe Street, Sylvania, Ohio 43560. Application is for a replacement panel on an existing pole sign. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 13 – Building Review – app. no. 30-2015 requested by Reverend Fr. Ayman Kfouf for St Elias Antiochian Orthodox Church, 4940 Harroun Road, Sylvania, Ohio 43560. Application is for the renovation of an existing pavilion into an enclosed structure for the purposes of a Montessori Pre-School. Mr. Edward Sifri of St. Elias was present and presented samples of the shingles that will be used for the roof of the structure and the stone that will be used for the walls. He also stated that the colors will match as closely as they can the colors of the existing church. Mr. Arnold moved, Mr. Marciniak seconded, to approve the modifications to building shown in the drawing submitted with the application dependent on the approval of the modification of the Special Use Permit on the agenda for the Planning Commission. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission