

**Sylvania City Council**

January 19, 2016

**6:15 p.m. Streets Committee**  
King Road Speed Adjustment

**6:45 p.m. Public Hearing**  
Amendments to Chapter 1187  
Design Review Regulations

**7:30 p.m. Council Meeting**  
Agenda

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Cappellini.
3. Additions to the agenda.
4. Approval of the meeting minutes of January 4, 2016.
  - a. 2016 Organizational meeting.
  - b. Regular Council meeting.
5. Sanitary Sewer Easement from Ryan & Gia Schwartz.
  - a. Service Director's report on Easement terms.
  - b. Proposed Ordinance No. 3-2016, Authorizing to Ryan & Gia Schwartz an Easement across Buffer Lot A in Sylvan Lakes, Plat 5.
6. Gower Road Sanitary Sewer Extension.
  - a. Service Director's report on recommended Final Assessment.
  - b. Proposed Ordinance No. 4-2016, Levying Special Assessment for Improvements of Gower Road by installing Sanitary Sewer Lines.
7. River Trail, Phase 2, Clean Ohio Trails Fund
  - a. Service Director's report on project.
  - b. Proposed Resolution 1-2016, Authorizing to prepare and submit an application to Ohio Department of Natural Resources.
8. Proposed Ordinance No. 5-2016, Authorizing to enter into a 3-year Collective Bargaining Agreement on behalf of the City of Sylvania Municipal Employees Association with American Federation of State, County and Municipal Employees, AFL-CIO.

9. Proposed Ordinance No. 6-2016, Authorizing to enter into an agreement with the Criminal Justice Coordinating Council to provide Noris Terminal for Prosecutor's Office.
10. Proposed Ordinance No. 7-2016, Authorizing an agreement between the City and the Board of Lucas County Commissioners for the Suburban Court Services program.
11. Approval for the 2001 Dodge 1500 Ram Truck, (VIN 3B7HF13Z61G813468) forfeited to the Sylvania Police Department, to be offered for auction on GovDeals.com.
12. Notice of New Liquor Permit from R. Fuentes 2, LLC, dba El Salto 2, 5817 Monroe Street, Sylvania, Ohio:.....
13. Committee reports.
14. Committee referrals.

#### **Information**

- A. December 2015 Cash Report from the Division of Taxation.
- B. December 2015 Bank Reconciliation.
- C. Municipal Planning Commission minutes from January 13, 2016.
- D. Board of Architectural Review minutes from January 13, 2016.
- E. 4<sup>th</sup> Quarter 2015 Management Reports.

Minutes of the Meeting of Council  
January 4, 2016

Mayor Craig A. Stough called the Organizational Meeting of Council for the 2016 – 2017 term to order on Monday, January 4, 2016 at 7:15 p.m. Present were: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary J. Westphal. Call to Order.

Mayor Stough led the Pledge of Allegiance to the United States of America. Pledge of Alleg.

Judge M. Scott Ramey administered the Oath of Office to the Council Members-Elect who were duly elected at the General Election on November 3, 2015, and not previously sworn-in: Mark Frye, Douglas G. Haynam, Sandy Husman, Mark D. Luetke and Jason Mishka. Immediately thereafter the members signed written Oaths of Office for filing with the Director of Finance. Council members sworn-in.

Mrs. Westphal moved, Mr. Haynam seconded that Council hereby determines it is duly constituted of elected and qualified members consisting of Katie Cappellini, Mark Frye, Douglas Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary J. Westphal; roll call vote being, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal (7) yeas; (0) nays. The motion carried. Council duly constituted of elected and qualified members.

Mayor Stough stated that Council will now consider the selecting of the Office of President of Council for the 2016-2017 term. Mrs. Husman moved, Mr. Luetke seconded, to nominate Mary Westphal as President of Council. Mr. Haynam moved, Mr. Frye seconded to close the nominations for President; all present voting yea (7); (0) nays. The motion carried. The ballot being cast in favor of Mary Westphal as President of Council; all present voting yea (7); (0) nays. The motion carried. Westphal elected President of Council for the 2016-2017 term.

Mrs. Westphal presented the List of Committee assignments for 2016-2017. 2016-2017 Committee Assignments.

ANNEXATION & ZONING

Doug Haynam, Chair  
Katie Cappellini  
Sandy Husman  
Mark Luetke

BUILDINGS & GROUNDS

Sandy Husman, Chair  
Katie Cappellini  
Jason Mishka  
Mary Westphal

EMPLOYEE & COMM. RELATIONS

Mark Luetke, Chair  
Katie Cappellini  
Sandy Husman  
Jason Mishka

FINANCE

Mary Westphal, Chair  
Mark Frye  
Doug Haynam  
Mark Luetke

Minutes of the Meeting of Council  
January 4, 2016

PARKS & FORESTRY

Katie Cappellini, Chair  
Doug Haynam  
Sandy Husman  
Jason Mishka

SAFETY

Mary Westphal, Chair  
Mark Frye  
Doug Haynam  
Mark Luetke

STREETS

Mark Frye, Chair  
Doug Haynam  
Jason Mishka  
Mary Westphal

UTILITIES & ENVIRONMENT

Jason Mishka, Chair  
Mark Frye  
Sandy Husman  
Mary Westphal

Mr. Haynam moved, Mrs. Husman seconded to confirm the Council Committee .....  
Assignments as presented by Mrs. Westphal; roll call vote being, Frye, Haynam,  
Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion  
carried.

Mayor Stough stated that this concludes the Organizational Meeting of Council for the 2016-2017 term. Mrs. Westphal moved, Mrs. Husman seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 7:26 p.m. Adjournment.

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Clerk of Council

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Mayor

Minutes of the Meeting of Council  
January 4, 2016

The Council of the City of Sylvania, Ohio met in regular session on January 4, 2016 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.

Mrs. Westphal 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:

Additions to the  
agenda.

- 4a. Discussion on legal age to purchase tobacco products.

Mr. Haynam moved, Mrs. Husman 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.

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

Mrs. Westphal presented the December 21, 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 December 21, 2015 be approved as amended; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the  
December 21  
minutes as  
amended.

Ms. Mallory Rinckey, from University of Toledo Graduate School provided statistics on the dangers of smoking. She requested the City to pass an ordinance to change the legal age to purchase tobacco and related products from age 18 to 21 as a grassroots effort to lobby the State of Ohio to make this change.

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

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 1-16, a written copy of same having been previously furnished to each member of Council, "Approving the offer to purchase of Sylvania Properties, LLC, to purchase the City's Real Estate located at 6430 Longfellow Road, Sylvania, Ohio at the sale price of \$10,000.00; authorizing the Mayor and Director of Finance to accept said offer to purchase on behalf of the City of Sylvania; determining said real estate to be no longer needed for municipal purposes; and declaring an emergency.;" Mrs. Husman moved,

Ordinance No.  
1-2016, "...  
approving offer  
to purchase City  
property...6430  
Longfellow..."

Minutes of the Meeting of Council  
January 4, 2016

Mr. Mishka 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.

Mrs. Husman moved, Mr. Hayman seconded, that Ordinance No. 1-2016 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 6.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 2-16, a written copy of same having been previously furnished to each member of Council, "Authorizing an Agreement between Donald J. Schonhardt & Associates, Inc. and the City of Sylvania whereby said firm will assist the City in preparation of its 2015, 2016, and 2017 Basic Financial Statements (BFSs) in compliance with Generally Accepted Accounting Principles (GAAP) at costs not to exceed \$13,500 for 2015, \$13,500 for 2016, and \$13,500 for 2017 plus mileage for each year; authorizing the Mayor and Director of Finance to sign the agreement on behalf of the City; and declaring an emergency."; Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance  
2-2016,  
"Authorizing  
Schonhardt &  
Assoc, Inc. to  
assist in BFSs  
for 2015-17."

Mrs. Westphal moved, Mr. Mishka seconded, that Ordinance No. 2-2016 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mr. Frye moved, Mr. Haynam seconded to authorize the Clerk for advertise for bids for the Northbrook Court Improvement Project.....

Advertise Bids;  
Northbrook Ct.  
Improvement  
Project.

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

Mrs. Westphal moved, Mrs. Husman seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:04 p.m.

Adjournment.

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Clerk of Council

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Mayor

5a



**City Of Sylvania**

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

January 19, 2016

To: The Mayor and Members of Sylvania City Council

Re: **Sanitary Sewer Easement for the City of Sylvania from Ryan M. Schwartz and Gia M. Schwartz  
0 Sylvania Avenue**

Dear Mr. Mayor and Council Members:

Mr. and Mrs. Ryan Schwartz are the owners of real estate in the City of Sylvania and in Sylvania Township at the westerly end of Hawkins Court. According to the Lucas County Auditor's Office the address is 0 Sylvania Avenue and consists of Tax District Parcel numbers 82-06350 (City) & 78-24922 (Township). The owners are using the parcels for residential purposes.

City Council approved an easement from the City to Mr. & Mrs. Schwartz at the December 7, 2015 Council meeting (Ord. 69-2015). This easement was required to provide access through Buffer Lot A in Sylvan Lakes Plat Five for sanitary sewer purposes.

One additional easement is necessary. Approximately 16' of sanitary sewer and one manhole was installed beyond the Sylvan Lakes Plat Five plat boundary during sewer construction in 2005. It was the intent in 2005 to continue the sanitary sewer with the final plat for Sylvan Lakes (Plat Six). Plat Six was never developed and as a result the 16' of sewer and manhole are located on Mr. and Mrs. Schwartz's property.

The City will need to access this sewer and manhole for future maintenance and cleaning purposes. As a result we request approval of the attached easement with Mr. and Mrs. Ryan Schwartz for sanitary sewer purposes.

Sincerely,

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

Kevin G. Aller, P.E.  
Director of Public Service

## SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the **Ryan M. Schwartz and Gia M. Schwartz**, the Grantors, in consideration of one dollar (\$1.00), and other good and valuable considerations, to them paid by the **City of Sylvania, Ohio**, the Grantee, and their successors and assigns, does hereby grant, bargain, sell, convey and release to the said Grantee, an exclusive easement for the construction and maintenance of a private, underground sanitary sewer, 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 Grantors and Grantee acknowledge the following:

1. The Grantors are the owners of the subject real estate by deed recorded in Instrument Number 20130829-0046050 in the Deed Records of the Lucas County Recorder's Office.
2. The Grantors hereby covenant that they are the true and lawful Owners of said real estate 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.
3. The Grantee is the owner and operator of a public 8" sanitary sewer installed as a part of the construction plans for Sylvan Lakes Plat Five as recorded in Instrument Number 20051205-0090149. Sanitary Manhole #21 and approximately 16 feet of sanitary sewer

IN WITNESS WHEREOF, the said Grantee, **City of Sylvania, Ohio** has hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**City of Sylvania, Ohio**

By: \_\_\_\_\_  
Craig A. Stough, Mayor

By: \_\_\_\_\_  
Toby Schroyer, Director of Finance

Approved:

\_\_\_\_\_  
Leslie B. Brining, Director of Law

**T9S, R6E  
SE QTR. SEC. 17  
CITY OF SYLVANIA  
LUCAS COUNTY, OHIO**

10' DRAINAGE EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)  
EX. 8" SAN. SEWER  
(SYLVAN LAKES PLAT FIVE,  
SANITARY SEWER IMPROVEMENTS)

AXIUS DEVELOPMENT, LLC  
4203 STRATFORD COURT  
82-93890  
SYLVAN LAKES PLAT FIVE  
LOT 68  
0.442 ACRES

10' SANITARY EASEMENT,  
TOLEDO EDISON EASEMENT  
& UTILITY EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)

S87°53'14"E, 30.00'  
N00°41'41"E, 15.00'

2' BUFFER LOT A

P.O.B.

ESMT ESMT ESMT ESMT

**HAWKINS COURT**

N87°53'14"W, 30.00'

S00°41'41"W, 15.00'

S87°53'14"E

RYAN M. SCHWARTZ  
& GIA M. SCHWARTZ  
0 WEST SYLVANIA AVENUE  
82-06350  
1.530 ACRES

10' SANITARY EASEMENT,  
TOLEDO EDISON EASEMENT  
& UTILITY EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)

2' BUFFER LOT A

R/W

23'  
60' R/W

BOND REAL ESTATE INVESTMENT COMPANY LLC  
7901 HAWKINS COURT  
82-93889  
SYLVAN LAKES PLAT FIVE  
LOT 67  
0.262 ACRES

10' DRAINAGE EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)



**BASIS OF BEARINGS:**  
THE BASIS OF BEARINGS USED HEREON ARE BASED ON AN ASSUMED MERIDIAN AND ARE FOR THE EXPRESS PURPOSE OF SHOWING ANGULAR MEASUREMENT.

**CERTIFICATION:**  
I HEREBY CERTIFY THAT THE FOREGOING WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES. ONLY THOSE EASEMENTS SPECIFICALLY BROUGHT TO MY ATTENTION SHALL BE SHOWN HEREIN.

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



EX. 6" DIA. X 30" CONCRETE  
WITH 2" DIA. ALUMINUM DISK  
STAMPED "ESA LLC #7837"  
WITH "X" PUNCH AND IRON PIN

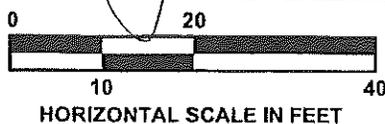


EX. 5/8" X 36" REBAR



SANITARY SEWER EASEMENT  
(0.010 ACRES)

EXHIBIT: B  
DRAWN BY: JES  
DATE: 12/11/2015



DEPARTMENT OF PUBLIC SERVICE  
SANITARY SEWER EASEMENT FOR  
THE CITY OF SYLVANIA FROM  
RYAN M. SCHWARTZ AND  
GIA M. SCHWARTZ

ORDINANCE NO. 3 -2016

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AND DELIVER TO RYAN M. SCHWARTZ AND GIA M. SCHWARTZ AN EASEMENT ACROSS BUFFER LOT A IN SYLVAN LAKES PLAT 5 FOR THE PURPOSE OF CONNECTING ONE SINGLE-FAMILY RESIDENCE TO THE CITY’S SANITARY SEWER SYSTEM; AND DECLARING AN EMERGENCY.**

WHEREAS, Ryan M. Schwartz and Gia M. Schwartz are the owners of real estate known as 0 Sylvania Avenue, Parcel Nos. 82-06350 and 78-24922 in the City of Sylvania and in Sylvania Township at the westerly end of Hawkins Court; and,

WHEREAS, Mr. and Mrs. Schwartz desire to construct one single-family residence on the above-referenced property; and,

WHEREAS, in order to obtain sanitary sewer service to said property, the sewer line must be extended across Buffer Lot A in Sylvan Lakes Plat Five, which is owned by the City of Sylvania; and,

WHEREAS, the granting of said easement as set forth in “Exhibit A” will permit Mr. and Mrs. Schwartz to extend the sanitary sewer line across Buffer Lot A in Sylvan Lakes Plat Five for the purpose of extending sanitary sewer service to one single-family residence to be constructed at 0 Sylvania Avenue, Parcel Nos. 82-06350 and 78-24922; and,

WHEREAS, the Director of Public Service, by report dated November 16, 2015, has recommended the City grant the easement as set forth on the attached.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to execute on behalf of this City, the easement set forth as “Exhibit A” and to deliver the same to Ryan M. Schwartz and Gia M. Schwartz for the purpose of extending the City’s sanitary sewer service to one single-family residence.

SECTION 2. That the method, manner, consideration and procedure for the granting of said easement to Ryan M. Schwartz and Gia M. Schwartz is hereby determined to be as set forth in this Ordinance.

SECTION 3. That the City execute the easement for the above mentioned purposes.

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the easement should be granted immediately so that Mr. and Mrs. Schwartz can install the sanitary sewer line to provide service to one single-family residence. 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

## SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That the **Ryan M. Schwartz and Gia M. Schwartz**, the Grantors, in consideration of one dollar (\$1.00), and other good and valuable considerations, to them paid by the **City of Sylvania, Ohio**, the Grantee, and their successors and assigns, does hereby grant, bargain, sell, convey and release to the said Grantee, an exclusive easement for the construction and maintenance of a private, underground sanitary sewer, 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 Grantors and Grantee acknowledge the following:

1. The Grantors are the owners of the subject real estate by deed recorded in Instrument Number 20130829-0046050 in the Deed Records of the Lucas County Recorder's Office.
2. The Grantors hereby covenant that they are the true and lawful Owners of said real estate 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.
3. The Grantee is the owner and operator of a public 8" sanitary sewer installed as a part of the construction plans for Sylvan Lakes Plat Five as recorded in Instrument Number 20051205-0090149. Sanitary Manhole #21 and approximately 16 feet of sanitary sewer

was installed beyond the Sylvan Lakes Plat Five plat line in anticipation of future development for Sylvan Lakes Plat Six.

- 4. The Grantors hereby grant to the Grantee, its successors and assigns forever, an exclusive easement for the construction and maintenance of the public 8" sanitary sewer and manhole beyond the Sylvan Lakes Plat Five plat line and on the Grantors real estate, as legally described on Exhibit A, and drawn, Exhibit B as attached.

IN WITNESS WHEREOF, the said Grantors, **Ryan M. Schwartz and Gia M.**

**Schwartz**, has hereunto set their hands this 7<sup>th</sup> day of January, 2016.

**Ryan M. Schwartz and Gia M. Schwartz**

*Ryan M. Schwartz*  
Ryan M. Schwartz  
*Gia M. Schwartz*  
Gia M. Schwartz

STATE OF OHIO

}SS

COUNTY OF LUCAS,

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of January, 2016 by Ryan M. Schwartz and Gia M. Schwartz.

*Nicole Robbins*

Notary Public, LUCAS COUNTY State of Ohio

My Commission Expires: 10/27/16



NICOLE L. ROBBINS  
NOTARY PUBLIC - OHIO  
MY COMMISSION EXPIRES 10-27-2016

IN WITNESS WHEREOF, the said Grantee, **City of Sylvania, Ohio** has hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**City of Sylvania, Ohio**

By: \_\_\_\_\_  
Craig A. Stough, Mayor

By: \_\_\_\_\_  
Toby Schroyer, Director of Finance

Approved:

\_\_\_\_\_  
Leslie B. Brining, Director of Law

EXHIBIT A

SANITARY SEWER EASEMENT

Situated in the State of Ohio, County of Lucas, City of Sylvania, Southeast Quarter of Section 17, Town 9 South, Range 6 East, being part of a parcel of land conveyed to Ryan M. Schwartz and Gia M. Schwartz by deed recorded in Instrument Number 20130829-0046050 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Beginning at a concrete monument with a 2" diameter aluminum disk found at the northwest corner of Buffer Lot A of Sylvan Lakes Plat Five as recorded in Instrument Number 20051205-0090149 in the Deed Records of the Lucas County Recorder's Office, said concrete monument found also being on the east line of a parcel of land conveyed to Ryan M. Schwartz and Gia M. Schwartz, by deed recorded in Instrument Number 20130829-0046050 in the Deed Records of the Lucas County Recorder's Office, said concrete monument found also being on the north right-of-way line of Hawkins Court, said point also being the **TRUE POINT OF BEGINNING**;

Thence South 00°41'41" West a distance of 15.00' on the west line of said Buffer Lot A and the east line of said parcel of land conveyed to Ryan M. Schwartz and Gia M. Schwartz to a point;

Thence North 87°53'14" West and parallel with the north right-of-way line of Hawkins Court a distance of 30.00' to a point;

Thence North 00°41'41" East and parallel with the said west line of Buffer Lot A and the said east line of a parcel of land conveyed to Ryan M. Schwartz and Gia M. Schwartz a distance of 15.00' to a point;

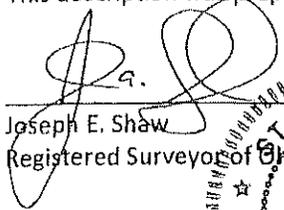
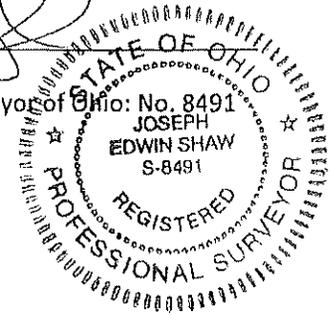
Thence South 87°53'14" East and parallel with the north right-of-way of Hawkins Court a distance of 30.00' to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.010 acres of land, more or less, and is subject to all legal highways and easements of record.

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

The above described area is contained within Lucas County Auditor's tax district parcel number 80-00076.

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  


12/14/2015  
Date

**T9S, R6E  
SE QTR. SEC. 17  
CITY OF SYLVANIA  
LUCAS COUNTY, OHIO**

10' DRAINAGE EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)  
EX. 8" SAN. SEWER  
(SYLVAN LAKES PLAT FIVE,  
SANITARY SEWER IMPROVEMENTS)

AXIUS DEVELOPMENT, LLC  
4203 STRATFORD COURT  
82-93890  
SYLVAN LAKES PLAT FIVE  
LOT 68  
0.442 ACRES

10' SANITARY EASEMENT,  
TOLEDO EDISON EASEMENT  
& UTILITY EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)

S87°53'14"E, 30.00'  
N00°41'41"E, 15.00'

2' BUFFER LOT A

P.O.B.

**HAWKINS COURT**

N87°53'14"W, 30.00'

S00°41'41"W, 15.00'

RYAN M. SCHWARTZ  
& GIA M. SCHWARTZ  
0 WEST SYLVANIA AVENUE  
82-06350  
1.530 ACRES

10' SANITARY EASEMENT,  
TOLEDO EDISON EASEMENT  
& UTILITY EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)

2' BUFFER LOT A

BOND REAL ESTATE INVESTMENT COMPANY LLC  
7901 HAWKINS COURT  
82-93889  
SYLVAN LAKES PLAT FIVE  
LOT 67  
0.262 ACRES

10' DRAINAGE EASEMENT  
(SYLVAN LAKES PLAT FIVE)  
(20051205-0090149)



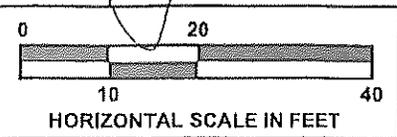
**BASIS OF BEARINGS:**  
THE BASIS OF BEARINGS USED HEREON ARE BASED ON AN ASSUMED MERIDIAN AND ARE FOR THE EXPRESS PURPOSE OF SHOWING ANGULAR MEASUREMENT.

**CERTIFICATION:**  
I HEREBY CERTIFY THAT THE FOREGOING WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES. ONLY THOSE EASEMENTS SPECIFICALLY BROUGHT TO MY ATTENTION SHALL BE SHOWN HEREIN.

*[Signature]*  
JOSEPH E. SHAW, P.E., P.S.  
STATE OF OHIO REGISTERED LAND SURVEYOR #8491

- EX. 6" DIA. X 30" CONCRETE WITH 2" DIA. ALUMINUM DISK STAMPED "ESA LLC. #7837" WITH "X" PUNCH AND IRON PIN
- EX. 5/8" X 36" REBAR
- SANITARY SEWER EASEMENT (0.010 ACRES)

EXHIBIT:	B
DRAWN BY:	JES
DATE:	12/11/2015



DEPARTMENT OF PUBLIC SERVICE  
SANITARY SEWER EASEMENT FOR  
THE CITY OF SYLVANIA FROM  
RYAN M. SCHWARTZ AND  
GIA M. SCHWARTZ

ba



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

January 12, 2016

To: The Mayor and Members of Sylvania City Council

Re: **GOWER ROAD SANITARY SEWER EXTENSION  
RECOMMENDED FINAL ASSESSMENT**

Dear Mr. Mayor and Council Members:

Construction of the project is complete.

The total cost of the project is \$30,128.49. This cost includes surveying, engineering, public notices during bidding, OEPA Permit-to-Install fees, construction, inspection services & certified mailings.

It was previously agreed that 100% of the project costs would be assessed on a front footage basis. There is a total of 520 feet of assessable front footage on the project yielding an assessment rate of \$57.94/foot.

We recommend approval of this final assessment. Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

dsw



**DEPARTMENT OF PUBLIC SERVICE  
GOWER ROAD SANITARY SEWER EXTENSION PROJECT**

11/20/2015

**FINAL PROJECT & ASSESSABLE COSTS**

HOURS	RATE	TASK	COST
		TOPOGRAPHIC SURVEY	\$1,440.00
52.75	67.56	ENGINEERING	\$3,563.79
		PUBLIC NOTICES & BIDDING	\$582.12
		OEPA PERMIT TO INSTALL APPLICATION	\$396.90
		CERTIFIED LETTERS	\$13.48
23.50	40.00	CONSTRUCTION INSPECTION	\$940.00
		CONSTRUCTION	\$23,192.20
		<b>TOTAL</b>	<b>\$30,128.49</b>

FINAL PROJECT COST    \$30,128.49

**TOTAL ASSESSABLE PROJECT COST    \$30,128.49**

<b>FINAL ASSESSMENT</b>				
		HENINGER PROJECT FRONTAGE	320	FEET
		NELSON PROJECT FRONTAGE	200	FEET
		TOTAL FRONTAGE	520	FEET
		FRONT FOOTAGE ASSESSMENT	\$57.94	PER FOOT
		FINAL HENINGER ASSESSMENT	\$18,540.61	
		FINAL NELSON ASSESSMENT	\$11,587.88	
		<b>TOTAL FINAL ASSESSMENT</b>	<b>\$30,128.49</b>	

Mail List

SYLVANIA TOWNSHIP, OHIO  
 GOWER ROAD SANITARY SEWER  
 November 20, 2015

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Parcel	Owner	StreetNum	StreetName	City	State	ZIP	Final Assessment
7850694	RONALD O. & JUDITH A. NELSON	5046	GOWER ROAD	SYLVANIA	OH	43560	\$5,793.94
7850687	RONALD O. & JUDITH A. NELSON	5046	GOWER ROAD	SYLVANIA	OH	43560	\$5,793.94
7862621	TIMOTHY T. HENINGER	5051	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58
7862624	TIMOTHY T. HENINGER	5047	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58
7862627	TIMOTHY T. HENINGER	5043	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58
7862631	TIMOTHY T. HENINGER	5039	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58
7862634	TIMOTHY T. HENINGER	5035	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58
7862637	TIMOTHY T. HENINGER	5031	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58
7862641	TIMOTHY T. HENINGER	5027	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58
7862644	TIMOTHY T. HENINGER	5023	GOWER ROAD	SYLVANIA	OH	43560	\$2,317.58

6b

**ORDINANCE NO. 4 -2016**

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF GOWER ROAD BY INSTALLING EIGHT INCH SANITARY SEWER LINES, TOGETHER WITH THE NECESSARY APPURTENANCES THERETO; AND DECLARING AN EMERGENCY.**

WHEREAS, the improvement described in Section 1 hereof has been completed and the final costs of that improvement have been determined.

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

SECTION 1. That the special assessments for the cost and expense of improving Gower Road by installing eight inch sanitary sewer line together with the necessary appurtenances thereto, pursuant to Resolution No. 2-2015, adopted March 2, 2015, amounting in the aggregate to Thirty Thousand One Hundred Twenty-Eight and 49/100 Dollars (\$30,128.49), which were filed and are on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in Resolution No. 2-2015 in the respective amounts set forth in the Schedule of Special Assessments now on file with the Clerk of this Council which special assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

SECTION 2. That this Council finds and determines that the special assessments are in the same proportion to the estimated special assessments as the actual cost of the improvement is to the estimated cost of the improvement as originally filed.

SECTION 3. That the special assessment against each lot or parcel of land shall be payable in cash within thirty (30) days after the passage of this Ordinance, if bonds are not issued, there shall be charged an interest rate of two percent (2%) per annum. All cash payments shall be made to the Director of Finance of this City. All special assessments remaining unpaid at the expiration of those thirty (30) days shall be certified by the Clerk of Council to the County Auditor as provided by law, to be placed on the tax duplicate and collected as taxes are collected.

SECTION 4. That the Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor within twenty (20) days after its passage.

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

formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the immediate effectiveness of this Ordinance is required in order that the levy of the special assessments and the commencement of the cash payment period may be immediately effective so that bonds may be issued to reimburse the City for funds it expended to finance the construction of the improvements described in Section 1. 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, \_\_\_\_\_, 2016, 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

January 12, 2016

To: The Mayor and Members of Sylvania City Council

Re: **River Trail Phase 2**  
**Clean Ohio Trails Fund**

Dear Mr. Mayor and Council Members:

As you're aware, this project is moving forward and is planned to begin construction later this year.

The Ohio Department of Natural Resources administers the Clean Ohio Trails Fund (COTF) program from which we hope to receive grant funds. The COTF program reimburses 75% of a project's cost up to a maximum of \$750,000.

We are requesting approval to apply for these funds to assist us with financing this project.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller", written over a horizontal line.

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

**RESOLUTION NO. 1 -2016****A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO PREPARE AND SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES AND TO EXECUTE CONTRACTS AS REQUIRED; AND DECLARING AN EMERGENCY.**

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the Clean Ohio Trails Fund; and,

WHEREAS, the City of Sylvania desires financial assistance under the Clean Ohio Trails Fund for the River Trail Project.

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

SECTION 1. That the City of Sylvania approves filing an application for Clean Ohio Trails Fund financial assistance.

SECTION 2. That the Mayor and Director of Finance be, and they hereby are, authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance.

SECTION 3. That the City of Sylvania does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Clean Ohio Trails Fund Program.

SECTION 5. It is hereby found and determined that for 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 6. 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 7. 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 the City should file its application for the grant immediately and indicate its willingness to enter into an Agreement and appropriate the funds for said project as necessary and therefore this Resolution should be made effective immediately. 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, \_\_\_\_\_, 2016, as an emergency measure.

ATTEST:

\_\_\_\_\_  
President of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Director of Law

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ORDINANCE NO. 5 -2016****AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A 3-YEAR COLLECTIVE BARGAINING AGREEMENT COMMENCING JANUARY 1, 2016, ON BEHALF OF THE CITY OF SYLVANIA MUNICIPAL EMPLOYEES ASSOCIATION (SMEA), AFFILIATED WITH DISTRICT 8, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO; AND DECLARING AN EMERGENCY.**

WHEREAS, the General Assembly of the State of Ohio, enacted new Sections 4117.01 to 4117.05, and enacted Sections 4117.06 to 4117.23 of the Revised Code of Ohio, thereby establishing Collective Bargaining procedures for Public Employers and Public Employees, effective October 6, 1983; and,

WHEREAS, the State Employment Relations Board (SERB) in June, 1984, certified the Sylvania Municipal Employees Association (SMEA), as the exclusive representative of all full-time laborers, public works servicemen, water maintenance workers, sewer maintenance workers, street maintenance workers, and construction inspectors in the City=s Division of Streets, Vehicle Maintenance, Utilities, and Parks and Forestry, pursuant to Case No. 84-VR-05-1085; and,

WHEREAS, on September 4, 1986, the City of Sylvania Received Notice from SMEA that it had affiliated with District 2A, Transportation, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO, and would thereafter be known as Sylvania Municipal Employees Association, affiliated with District 2A, Transportation, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO; and,

WHEREAS, District 2A, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO decided to end its relationship with Sylvania Municipal Employees Association, AFL-CIO and voted to be with District 8, American Federation of State, County and

Municipal Employees, AFL-CIO; and,

WHEREAS, the ninth 3-year Collective Bargaining Agreement with the Sylvania Municipal Employees Association expired on December 31, 2011; and,

WHEREAS, the one-year Collective Bargaining Agreement with the Sylvania Municipal Employees Association expired on December 31, 2012; and,

WHEREAS, the tenth 3-year Collective Bargaining Agreement with the Sylvania Municipal Employees Association expired on December 31, 2015; and,

WHEREAS, pursuant to said agreement, a timely notice to negotiate was received by the City from said Sylvania Municipal Employees Association, so affiliated; and,

WHEREAS, the City, through its Director of Public Service, Director of Finance, Director of Law, and said Union, through its Negotiating Committee, having negotiated a Collective Bargaining Agreement, a copy of which is now on file with the Clerk of this Council; and,

WHEREAS, as reported by the Director of Public Service, Director of Finance and Director of Law, negotiations with the Sylvania Municipal Employees Association have resulted in a settlement allowing a wage increase of 2%, 2.25% and 2.5% for the years 2016, 2017 and 2018 together with other terms all as set forth in a Collective Bargaining Agreement; and,

WHEREAS, the Mayor and Director of Finance should be authorized to enter into the Collective Bargaining Agreement on behalf of this City.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, on behalf of this City, authorized and directed to enter into a Collective Bargaining Agreement in the form and substance of said Agreement now on file with the Clerk of this Council for the years 2016, 2017 and 2018 with the Sylvania Municipal Employees Association, affiliated with District 8,

American Federation of State, County and Municipal Employees, AFL-CIO, and the Mayor and Director of Finance be, and they hereby are authorized to make any incidental changes in the language of said Collective Bargaining Agreement now on file with the Clerk of this Council if the Director of Personnel approves said Collective Bargaining Agreement as modified as to content and, both the Collective Bargaining Agreement now on file with said Clerk and/or the Agreement as modified and approved as to content by the Director of Personnel, are approved as to form by the Director of Law.

SECTION 2. That said Collective Bargaining Agreement authorized by Section 1. hereof shall be effective on and after January 1, 2016 in accordance with Article XXXV thereof.

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 authorization for signing the Collective Bargaining Agreement should be given forthwith to permit implementation of wage adjustments 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, \_\_\_\_\_, 2016, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

ORDINANCE NO. 6 -2016

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH THE CRIMINAL JUSTICE COORDINATING COUNCIL TO PROVIDE A NORIS TERMINAL FOR USE OF THE SYLVANIA PROSECUTOR’S OFFICE FOR 2016; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.**

WHEREAS, the Sylvania Prosecutor’s Office has had access to NORIS since it occupied the new Municipal Court Building in January, 1999; and,

WHEREAS, attached hereto and made a part hereof is an Agreement for the period January 1, 2016 through December 31, 2016, with a ninety (90) day cancellation clause, for the use of a NORIS terminal by the Sylvania Prosecutor’s Office at a cost of Nine Thousand One Hundred Thirty-Five Dollars (\$9,135.00), which represents no change over the 2015 rate, payable quarterly at the end of each quarter.

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

SECTION 1. That the Mayor and Director of Finance are hereby authorized to enter into the NORIS Agreement, a copy of which is attached hereto as “Exhibit A”, at a cost of Nine Thousand One Hundred Thirty-Five Dollars (\$9,135.00), for the period from January 1, 2016 through December 31, 2016, payable quarterly.

SECTION 2. That the funds for said rental payments will be provided by the 2016 **GENERAL FUND** and all sums payable under said contract shall be charged to **Account No. 110-7726-51577 - Equipment Rental.**

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. 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 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 appropriate equipment should be provided immediately for the use by the Sylvania Prosecutor's Office. 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, \_\_\_\_\_, 2016, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**Statement of Agreement  
Between  
City of Sylvania For Use By  
Sylvania Municipal Prosecutor  
And  
Criminal Justice Coordinating Council**

**WHEREAS**, the Criminal Justice Coordinating Council (CJCC) provides criminal justice information services through the Northwest Ohio Regional Information System (NORIS); and

**WHEREAS**, the City of Sylvania, Sylvania Municipal Prosecutor (CUSTOMER) desires to implement NORIS software;

**NOW THEREFORE**, it is agreed as follows:

- I. CUSTOMER shall be entitled to membership in the NORIS User Group (NUG) due to its contracting for these services.
- II. NORIS shall provide access for the services listed in Section V and provide training to Customer for this purpose.
- III. CUSTOMER shall provide to the CJCC the sum of **\$9,135** dollars for NORIS SOFTWARE application and maintenance during **calendar year 2016 starting January 1, 2016 and ending December 31, 2016.**
- IV. NORIS will provide a perpetual non-exclusive license for the right to use the NORIS applications listed in Section V provided CUSTOMER maintains software maintenance. This license is limited to use by the CUSTOMER for internal needs and may not be resold, transferred or shared. As used in this section, the term license refers only to the NORIS applications listed.
- V.

<b>2016 Services</b>	\$6,135.00
RegionWISE/XQuery	
NORIS LEADS • LEADS fee paid by NORIS	3,000.00
Global Info	
<b>Annual Total</b>	<b>\$9,135.00</b>

Annual maintenance will consist of:

- A. Maintenance of user accounts.
- B. First level telephone support available 24 X 7 through the NORIS Data Center.
- C. Respond within 8 hours to business critical issues 24 x 7. Routine support issues will be handled Monday through Friday during normal business hours.

## NORIS STATEMENT OF AGREEMENT

City of Sylvania For Use By Sylvania Municipal Prosecutor 2016 Contract Total \$9,135

- D. Periodic upgrades to software functionality.
  - E. Repair of identified software bugs.
  - F. Database software to support the applications.
  - G. 24 X 7 hardware support for equipment in the NORIS Data Center used to support the software.
  - H. Reorganizing and optimizing databases and files when necessary to maintain system performance.
  - I. Performing daily file and database backups and/or database file recoveries.
  - J. Periodic installation of fixes, updates and new releases of operating system and database software.
  - K. Integration of CUSTOMER'S data in data sharing applications.
  - L. Monitoring the network for reasonable performance, intrusions, and outages.
- VI. NORIS contracts may be subject to an annual increase not to exceed 3%.
- VII. CUSTOMER is responsible for the procurement of all computer supplies not covered in this agreement.
- VIII. Any equipment owned by NORIS at the CUSTOMER's site shall be maintained by NORIS. Optionally, NORIS may maintain CUSTOMER owned equipment. This may include but is not limited to PC terminals, printers, routers, LAN extenders and CSU/DSU equipment. NORIS will repair or replace, at its option, any NORIS owned equipment that fails to work as required. CUSTOMER is required to pay for any repairs that arise from any component not being used as specified or damaged through fire, flood, war or other natural or manmade disasters. Further, any repair cost caused by malicious and/or negligent treatment of the equipment or use of the equipment for the purpose other than those intended by the manufacturers shall be the responsibility of the user.
- IX. NORIS will not allow any non-NORIS installed software to be used on its NORIS/LEADS terminals without prior written approval from NORIS.
- X. The end-user may NOT decompile, reverse engineer, disassemble or otherwise reduce the Software to a human readable form. The end-user may NOT modify, adapt, translate, rent, lease, load, resell for profit, distribute, or otherwise assign or transfer the software.
- XI. The CUSTOMER will be invoiced on an annual basis.
- XII. ITEMS NOT INCLUDED  
Software maintenance and CUSTOMER support does not include:
- A. Maintenance of CUSTOMER owned PCs.
  - B. Maintenance of CUSTOMER owned network equipment such as routers, switches and hubs.
  - C. Maintenance of printer parts.
  - D. Installation of hardware or software, except as noted above, on CUSTOMER owned PCs for the purpose of providing a connection to the NORIS network. NORIS software, established between the NORIS and

## **NORIS STATEMENT OF AGREEMENT**

**City of Sylvania For Use By Sylvania Municipal Prosecutor 2016 Contract Total \$9,135**

CUSTOMER network with two level authentication, allows customer access to NORIS.

### **TERMS AND CONDITIONS**

#### **I. LIMITATION OF LIABILITY**

##### **A. CUSTOMER'S LIMITATION OF LIABILITY**

1. The CUSTOMER, its employees, agents and subcontractors will not be liable to NORIS or any other person for any claim or damages arising directly or indirectly from the information technology (IT) services, or any documentation relating to such services described hereunder, or from any other cause, except for claims resulting from bodily injury or damage to personal property unrelated to the delivery of its services and due to the sole negligence of the CUSTOMER'S employees.

a) In no event will the CUSTOMER be liable to any party for indirect, incidental, special or consequential damages of any kind arising hereunder even if the CUSTOMER has been advised of the possibility of such damages.

b) The CUSTOMER specifically disclaims any responsibility for performance and suitability for purpose, or software provided by any third-party provider.

##### **B. NORIS'S LIMITATION OF LIABILITY**

1. **NORIS makes no other warranties or representations, express or implied, in fact or in law with regard to their services provided under this agreement. NORIS shall have no further liability of any kind on this agreement, whether direct or indirect for any loss or damage suffered by CUSTOMER's employees, agents, representatives or CUSTOMER's customers, clients or licensees, invitees or inmates using the facilities or retaining the services of the CUSTOMER as a result of or arising out of NORIS provision of services under this agreement. In no event shall NORIS or its employees be liable for any incidental, indirect, special or consequential damages whatsoever, including, but not limited to, loss of use, revenue or profit arising out of or otherwise relating to this agreement or the use of performance of the systems relating to this agreement even if NORIS has been advised or knew of the possibility of such damages.**

## NORIS STATEMENT OF AGREEMENT

City of Sylvania For Use By Sylvania Municipal Prosecutor 2016 Contract Total \$9,135

2. The CUSTOMER shall indemnify, defend and hold CJCC/NORIS and all officers harmless from any and all claims, actions, damages and liabilities, costs and expenses, including attorney's fees, which CJCC/NORIS may incur due to or in connection with claims by any third party to the contrary.
3. The CUSTOMER shall indemnify, defend, and hold CJCC/NORIS harmless from any claim, action, damage, liability, cost or expense, including attorney's fees, arising from any loss, damage, injury or death caused by the negligent or reckless performance of any agent, employee, customer, business invitee or business visitor of the CUSTOMER or of any duties or obligations of the CUSTOMER pursuant to this agreement. The indemnification provided for in the foregoing sentence shall apply whether the claim relating to such loss, damage, injury or death arises in tort, contract or otherwise.

## II. RESOLUTION OF ISSUES

For any issues relating to unsatisfactory work production or severe defects by the project team, the NORIS Director will endeavor to first understand and then resolve the issue directly with CUSTOMER. If for any reason the NORIS Director does not manage any issue to the CUSTOMER's satisfaction, the issue may be escalated to:

Holly Matthews, Executive Director, CJCC  
[holly.matthews@noris.org](mailto:holly.matthews@noris.org)  
Tel: (419) 213-3828

The process of Binding Arbitration will settle disputes, which may arise between the CUSTOMER and NORIS with regard to this Agreement. The parties will utilize the services of a certified Arbitrator appointed by the Court of Common Pleas of Lucas County, and will abide by the ruling of the court appointed Arbitrator.

## III. DISCLAIMER

**NORIS makes no warranties of any kind, either expressed or implied, and disclaims the implied warranties of merchantability and fitness for a particular purpose with respect to technical information or technical assistance provided by NORIS under and pursuant to this AGREEMENT.**

## IV. LIMITATION OF DAMAGES

CJCC/NORIS will not be liable for any delay in or failure to provide services if due to any cause or conditions beyond NORIS's reasonable control, whether foreseeable or not. NORIS's entire liabilities for damages for any cause whatsoever, and regardless of the form of action, shall be limited to CUSTOMER's actual direct damages not to exceed the amount paid to NORIS under this AGREEMENT. In no event shall CJCC/NORIS, its officers, agents and

## **NORIS STATEMENT OF AGREEMENT**

**City of Sylvania For Use By Sylvania Municipal Prosecutor 2016 Contract Total \$9,135**

employees, be liable under or in connection with this AGREEMENT under any theory or tort, agreement, strict liability or other legal or equitable theory for lost profits, special, incidental or consequential damages.

### **V. CONFIDENTIALITY**

Without the prior written consent of the CUSTOMER, NORIS shall maintain the confidentiality of and shall not disclose any information disclosed to, obtained by or created by NORIS in connection with its performance of the services or otherwise in connection with this AGREEMENT. The obligations of confidentiality and non-disclosure imposed under this AGREEMENT shall not apply to:

- A. Information which is published or otherwise becomes available to the general public as part of the public domain without breach of this AGREEMENT;
- B. Information which has been furnished or made known to NORIS by a third party which does not involve a breach of the third party's obligations to CUSTOMER;
- C. Information that was in NORIS's possession without proprietary restrictions prior to the date of disclosure to NORIS;
- D. Information that NORIS establishes was developed independently of any information furnished to it; and
- E. General information of a nonproprietary nature.

### **VI. ASSIGNMENT**

This AGREEMENT may not be assigned or transferred by either party, in whole or in part, either voluntarily or by operation of law, without the prior written consent of the other party.

### **VII. OWNERSHIP**

NORIS retains all marketing and resell rights to all software, components, methodologies and documentation developed in conjunction with the application covered by this AGREEMENT.

### **VIII. WAIVER**

The failure of either party to exercise any of its rights or to enforce any of the provisions of this AGREEMENT on any occasion shall not be a waiver of such rights or provisions, nor affect the right of such party thereafter to enforce each and every provision of this AGREEMENT.

### **IX. INDEPENDENT CONTRACTOR STATUS**

NORIS is performing the services and duties required of it pursuant to this AGREEMENT as an independent contractor and not as an employee, agent, partner or joint venture. NORIS shall not have authority to bind or obligate the CUSTOMER in any manner. CUSTOMER shall neither have nor exercise any control over the methods by which NORIS accomplishes the performance of the

**NORIS STATEMENT OF AGREEMENT**

**City of Sylvania For Use By Sylvania Municipal Prosecutor 2016 Contract Total \$9,135**

services. The sole interest of CUSTOMER is to assure that the services shall be provided in a competent, efficient, and satisfactory manner. NORIS will be solely responsible for the payment or withholding of all federal, state or local income taxes, Medicare taxes, unemployment taxes, workers' compensation and other insurance required by law arising from NORIS's compensation hereunder. NORIS will maintain Worker's Compensation and comprehensive general liability coverage in form, in amount, and with carriers, which it deems satisfactory to the prudent operation of its business.

**X. SEVERABILITY**

If any provision of this AGREEMENT is invalid or unenforceable under any applicable statute to rule of law, then the affected provision shall be curtailed and limited only to the extent necessary to bring said provision within legal requirements, and this AGREEMENT as so modified shall continue in full force and effect.

**XI. NOTICES**

All notices required by or relating to this AGREEMENT shall be in writing and shall be sent to the addresses set forth below. A notice shall be deemed duly given 1) if deposited, postage prepaid in the United States mail and directed to the below-described address or as changed if notice is provided to the other party or 2) if it is delivered by email, the other party acknowledges receipt of the email.

(CUSTOMER)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CJCC/NORIS  
One Government Center  
Suite 1720  
Toledo, OH 43604  
Attn: Holly Matthews  
Email: holly.matthews@noris.org

**XII. ENTIRE AGREEMENT**

This AGREEMENT and all appendices attached hereto and all associated work authorization documents accepted hereunder, constitute the entire AGREEMENT between the parties and shall supersede all proposals or prior AGREEMENT, oral or written, and all other communications between the parties relating to the subject matter of this AGREEMENT.

**XIII. RIGHTS AND AUTHORITY**

The CUSTOMER warrants and represents that it has full right and authority to enter into this AGREEMENT and that neither the act of doing so nor its conduct as contemplated hereby shall be in violation of any AGREEMENT or obligation to which it is a party or by which it is bound.

**NORIS STATEMENT OF AGREEMENT**

**City of Sylvania For Use By Sylvania Municipal Prosecutor 2016 Contract Total \$9,135**

**XIV. GOVERNING LAW**

This AGREEMENT shall be governed and construed in accordance with the laws of the Lucas County, State of Ohio, of the United States.

**XV. RELATIONSHIP**

Nothing contained in this AGREEMENT shall be constructed to imply a joint venture or principal and agent relationship between NORIS and the CUSTOMER and neither party shall have any right, power or authority to create any obligation, express or implied, on behalf of the other party.

**XVI. TERMINATION**

A. This AGREEMENT is effective until terminated by either party. Written notice of intent to terminate shall be provided ninety (90) days prior to the date of actual termination. The notice should specify the extent to which performance of work under this AGREEMENT is terminated, and the future date upon which such termination becomes effective. The CUSTOMER agrees to pay NORIS for all work performed up to the date of such termination, including any prepaid items or cancellation fees to third party suppliers. Any CUSTOMER owned equipment, located within the NORIS Data Center or elsewhere, will be returned to the CUSTOMER upon termination of this AGREEMENT.

B. This AGREEMENT may be amended from time-to-time in writing by the parties provided that such amendments shall be attached hereto and become a part thereof. Any changes in fees, services, conditions or guidelines shall be dealt with under this paragraph.

Remainder of page left intentionally blank.

**NORIS STATEMENT OF AGREEMENT**

**City of Sylvania For Use By Sylvania Municipal Prosecutor 2016 Contract Total \$9,135**

BY:

\_\_\_\_\_  
Name Typed or Printed

Holly K. Matthews  
Holly K. Matthews

Executive Director, CJCC

\_\_\_\_\_  
Signature

12/23/15  
Date

\_\_\_\_\_  
Title

BY:

\_\_\_\_\_  
Name Typed or Printed

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**CUSTOMER BILLING INFORMATION:**

Billing Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Billing Contact:

\_\_\_\_\_

Phone:

\_\_\_\_\_

Email:

\_\_\_\_\_

ORDINANCE NO. 7 - 2016

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SYLVANIA BETWEEN THE CITY OF SYLVANIA AND THE BOARD OF LUCAS COUNTY COMMISSIONERS FOR THE SUBURBAN COURT SERVICES PROGRAM; AGREEING TO PARTICIPATE IN FUNDING A PORTION OF THE LOCAL SHARE FOR SUBURBAN COURTS' SERVICES; APPROPRIATING \$25,000 THEREFORE; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 169-97 approved the application by the Suburban Court Services to the Victims of Crime Assistance (hereinafter "VOCA") grant and authorized the City of Sylvania to share one-third of the 25% match required by the grant; and,

WHEREAS, said Ordinance authorized the expenditure of up to \$12,622.00 for Sylvania's local share of this grant; and,

WHEREAS, Ordinance No. 56-99, passed May 17, 1999, approved the Suburban Court Services grant application for federal funds under the Victims of Crime Act ("VOCA") through the office of the Ohio Attorney General's Office and agreed to participate in funding a portion of the local share up to \$15,056.34 for Sylvania's share of this grant; and,

WHEREAS, by Ordinance No. 17-2001, passed February 20, 2001, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services which portion of funding increased to \$36,568.14 for the year 2001 due to the expiration of funding through the Byrne Memorial Grant and also included a three percent per year increase over the duration of the Agreement through September 30, 2003; and,

WHEREAS, by Ordinance No. 25-2004, passed March 15, 2004, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2003 through September 30, 2004 in the amount of \$38,795.14; and,

WHEREAS, by Ordinance No. 94-2004, passed November 15, 2004, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2004 through September 30, 2005 in the amount of \$38,795.14; and,

WHEREAS, by Ordinance No. 97-2006, passed October 2, 2006, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2006 through September 30, 2007 in the amount of \$9,635.00, which price decrease was a result of the City now providing office space and supplies; and,

WHEREAS, by Ordinance No. 33-2008, passed April 7, 2008, the City of Sylvania agreed to participate in a portion of the local share funding of Suburban Court Services from October 1, 2007 through September 30, 2008 in the amount of \$25,000; and,

WHEREAS, since 2008, the City of Sylvania has participated in a portion of the local share funding of Suburban Court Services in the amount of \$25,000; and,

WHEREAS, the City of Sylvania has received a request for funding Suburban Court Services in the amount of \$25,000.00 for October 1, 2015 through September 30, 2016.

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

SECTION 1. That City of Sylvania hereby agrees to participate in funding a portion of the local share in an amount of not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for the year October 1, 2015 – September 30, 2016.

SECTION 2. That the Mayor and Director of Finance be, and they hereby are, authorized to evidence such approval and agreement by signing such documents as may be necessary and the Clerk of this Council is hereby authorized and directed to certify a copy of this Ordinance and provide such certified copy to Judge Ramey.

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. 110-7740-51295 - LCCPC Board Services** the total sum of Twenty-Five Thousand Dollars (\$25,000.00).

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in

such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that funding for Suburban Court Services should be provided for 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, \_\_\_\_\_, 2016, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

12

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

29578900005 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	R FUENTES 2 LLC DBA EL SALTO 2 5817 MONROE ST SYLVANIA OH 43560	
12 24 2015 <small>ISSUE DATE</small>				
12 24 2015 <small>FILING DATE</small>				
D3 <small>PERMIT CLASSES</small>				
48 <small>TAX DISTRICT</small>	077 <small>PERMIT CLASSES</small>	A	B05921 <small>RECEIPT NO.</small>	

FROM 01/11/2016

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



MAILED 01/11/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN 02/11/2016

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES

A NEW 2957890-0005

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING.

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

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

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF SYLVANIA CITY COUNCIL  
6730 MONROE ST  
SYLVANIA OHIO 43560

29578900005 PERMIT NBR  
R FUENTES 2 LLC  
DBA EL SALTO 2  
5817 MONROE ST  
SYLVANIA OH 43560

\*\*\*\*\*

RICARDO ROMO

01/07/2016 ACTIVE

PRESIDENT

5% MEMSHIP

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



# City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

January 4, 2016

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

Dear Mayor Stough and Council Members:

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

	Deposits	Refunds	Balance
December 31, 2015	\$655,646.88	\$664.82	\$654,982.06
December 31, 2014	\$678,697.63	\$3,035.81	\$675,661.82
	-----	-----	-----
Monthly Difference	-\$23,050.75	-\$2,370.99	-\$20,679.76
Year to Date 2015	\$9,770,084.51	\$247,855.37	\$9,522,229.14
Year to Date 2014	\$9,458,929.67	\$239,902.61	\$9,219,027.06
	-----	-----	-----
Yearly Difference	\$311,154.84	\$7,952.76	\$303,202.08
			3.29%

Respectfully submitted,

Christy M. Golis  
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director



C

Sylvania Municipal Planning Commission

Minutes of the regular meeting of January 14, 2016. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Daniel Arnold, Brian McCann, and Thomas Lindsley (5) present. Zoning Administrator, Timothy Burns present.

Mr. Arnold moved, Mr. McCann seconded to approve the Minutes of the December 16, 2015, meeting as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 - Organizational Meeting

a. Election of Officers: Mr. Lindsley called for nominations.

1. Chair - Mr. McCann moved, Mr. Marciniak seconded to elect Tom Lindsley as chair of the Sylvania Municipal Planning Commission. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.
2. Vice-Chair - Mr. Marciniak moved, Mr. Arnold seconded to elect Brian McCann as vice-chair of the Sylvania Municipal Planning Commission. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,



Debra Webb, Secretary  
Municipal Planning Commission

## Board of Architectural Review

Minutes of the regular meeting of January 13, 2016. Mr. Lindsley called the meeting to order.

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

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the December 16, 2015, meeting as submitted. Vote being: Stough, Arnold, McCann, Marciniak and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. McCann arrived.

Item 3 – Regulated Sign – app. no. 66-2015 requested by Robert M. Paxton for R&C Land Holdings, LLC, dba Farmers Insurance, 5700 Alexis Road, Sylvania, Ohio 43560. Application is for a new monument sign. Mr. Paxton was present and stated that he will be replacing the current pole sign with a new monument sign that will include an updated Farmers Insurance logo and will meet the City's updated sign code. He also stated that the bush that is currently in front of the existing sign will be removed. 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, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Regulated Sign – app. no. 67-2015 requested by Tony Lockard of Marygrove Awnings for 5<sup>th</sup> Street Pub, 5577 Monroe Street, Sylvania, Ohio 43560. Application is for a new awning sign. Mr. Lockard was present. Sign is within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 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

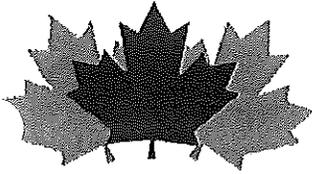
E

# MEMO

January 15, 2016

To: City Council Members and Administration  
Fm: Laura Bigelow  
Re: 4<sup>th</sup> Quarter Reports

Please find enclosed the 4<sup>th</sup> Quarter Reports for 2015 excluding the Vehicle Maintenance Department. Please call me at 885-8926 with any questions.



# City of Sylvania

Division of Taxation

## Management Report - Fourth Quarter - 2015

<b>Key Statistics:</b>	<b>2015</b>	<b>2014</b>
Number of tax returns processed	1632	1602
Number of e-filed returns	7	4
Gross Receipts	\$2222969.68	\$2165869.02
Number of withholding payments processed	2420	2282
Number of online payments	59	44
Number of refunds processed	56	75
Delinquent totals	\$676372.10	\$644173.87
Amount of money received from collection	\$8293.77	\$21994.69
Number of accounts turned over for collection	62	24

### Items of Special Interest:

The fourth quarter is a time to prepare for the upcoming tax season. Information has been sent to the printer. This year we are sending out postcards rather than letters. No major changes were made to either the forms or the internet tax preparation and filing tool. The tax ordinance was updated in December of 2015 to comply with the changes imposed by the passing of House Bill 5.

The refuse process was begun in the fourth quarter and will be complete in the first quarter of 2016.

Tax revenues in 2015 increased 3.29% over 2014.

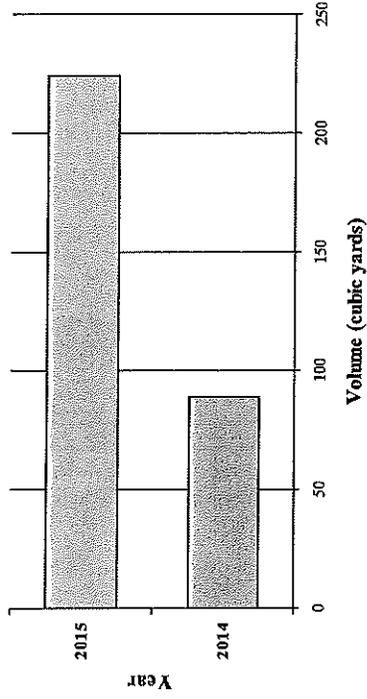
Respectfully submitted,

Christy M. Golis  
Commissioner of Taxation

# Parks & Forestry Quarterly Report : October - December, 2015

## Green Yard Waste

2014 - 2015 Cu Yds. of Compost Sold



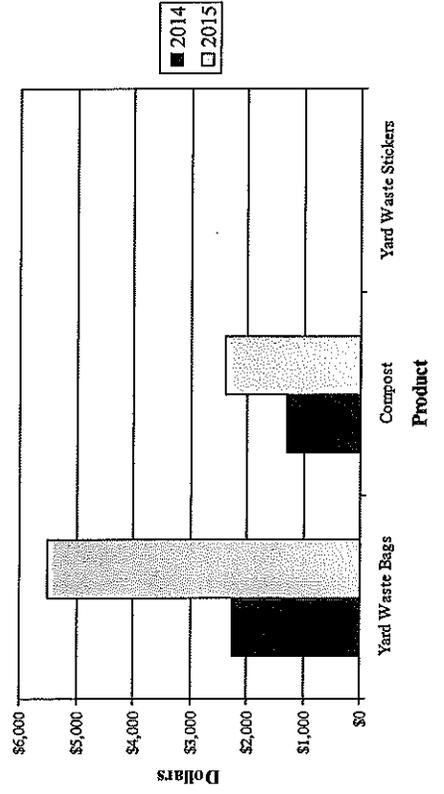
Volume Collected (cubic yards)

\* Route A 65.0<sup>~</sup>

\* Route B 62.0<sup>~</sup>

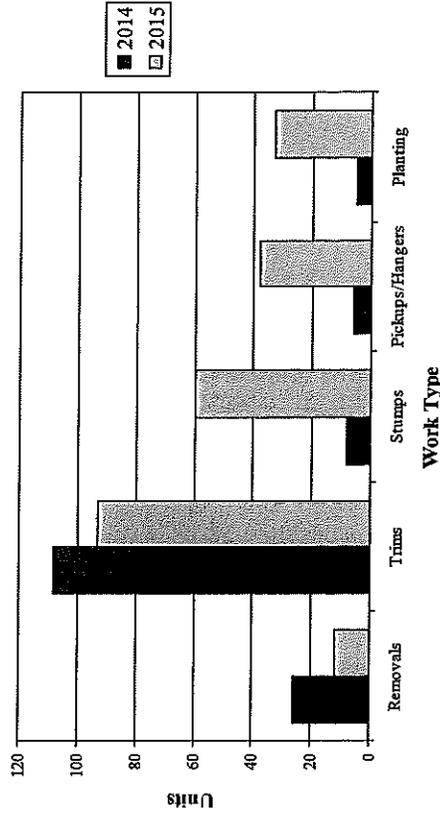
<sup>~</sup> Processed Volume

2014 - 2015 Revenue Comparison

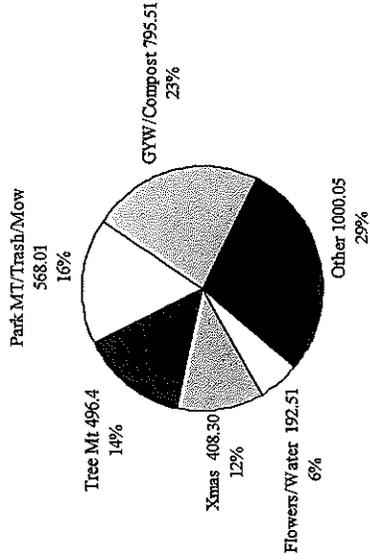


# Parks & Forestry Quarterly Report : October - December, 2015

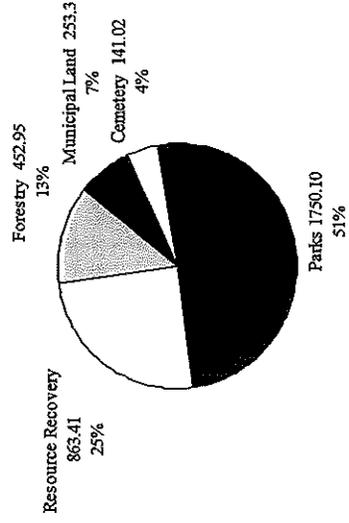
## 2014 - 2015 Work Comparison



## Man-Hours by Work Type



## Man-Hours by Account





**SYLVANIA POLICE DIVISION**  
**4TH QUARTER 2015**  
**Management Report Worksheet**

	<u>2015</u>	-	<u>2014</u>
Crime Reports	269		304
Crime Offenses	297		332
Criminal Arrests - Juvenile/Adult	128		151
Traffic Citations	290		314
Written Warnings	299		452
Parking Ticket	19		14
OVI	14		13
Traffic Crashes	127		113
Traffic Crash injuries/fatalities	21/0		20/0
Calls for Police Service	3863		1269
Hours Spent Handling Police Calls	1057:07		636:57
Emergency Response Time – Priority 1	3.52		2.36
Overtime Hours - Police	777.5		871
Overtime Hours - Dispatch	211.25		180.25
Training Hours	494.5		503
Vehicle Lockouts	87		32
Motorist Assists	59		22
False Alarms - Commercial	48		16
False Alarms - Residential	22		8
Child Safety Seats Installed	9		15

# Sylvania Police Division Office of Community Affairs

## Quarterly Report – 4th Quarter 2015

*"The mission of the Office of Community Affairs is to support the Sylvania Police Division in its efforts to maintain an atmosphere of safety and security for members of the community. To be effective in assisting in this mission, the Office of Community Affairs shall provide education in the areas of substance abuse and positive decision-making in all Sylvania Schools. The Office of Community Affairs shall also provide crime prevention programs and services to educate our citizens and businesses."*

### **I. Introduction**

- Officer Gallup and Officer Roe have completed the first half of the 2015-2016 School-Year at NVHS and SVHS.
- Officer Hendricks graduated elementary DARE classes at Highland, Maplewood and Sylvan Elementary Schools.

### **II. Youth Programs / DARE Events/Community Involvement**

- Officer Hendricks and Sgt. Music gave numerous presentations and attended meetings with various school and community groups.
- Officer Roe gave 2 presentations and attended numerous meetings with various school and community groups at Southview.
- Officer Gallup gave 6 presentations and attended numerous meetings with various school and community groups at Northview High School.

### **III. RUOK Program**

- *Four (4) non-emergency alerts this quarter.*

### **IV. School Resource Officer Programs**

<b>Northview High School - Officer Gallup</b>	
<b>Presentations</b>	10
<b>Meetings</b>	30
<b>General Offense Reports</b>	1
<b>Accident Reports</b>	0
<b>Citations / Warnings</b>	2
<b>School Related Complaints</b>	30
<b>Parking Lot Assists</b>	6
<b>Court Appearances</b>	0

<b>Southview High School – Officer Roe</b>	
<b>Presentations</b>	12
<b>Meetings</b>	104
<b>General Offense Reports</b>	6
<b>Accident Reports</b>	2
<b>Citations / Warnings</b>	0
<b>School Related Complaints</b>	49
<b>Parking Lot Assists</b>	2
<b>Court Appearances</b>	0

V. **Volunteer Program – 4th Quarter Report**

A. **Summary**

<b>Hour Summary</b>	
Total Patrol Volunteer hours for October 2015 - December 2015	<b>102</b>
Total Event Volunteer hours for October 2015 - December 2015	<b>18.25</b>
<b>Total</b>	<b>120.25</b>
<b>Total Hours for 2015</b>	<b>652.5</b>

<b>Volunteer Patrol Log</b>	
Lockouts	1
House Checks	0
Road Patrol/Traffic Assists	17
Citizen/Motorist Assists	4
Business Checks	0
Business Surveys	0
Juvenile Court Runs	0
<b>Special Assignments:</b>	
A. SRT assist's/Training -1 time	
<b>B. Events:</b>	
<ul style="list-style-type: none"> <li>• Volunteers assisted with Seven (7) events in the community this quarter.</li> </ul>	

Respectfully,

Sgt. 

Sgt. Justin Music #851

## Quarterly Detective Bureau Summary

**Active investigation monthly average:** 50

**Active case load by investigator:**

<u>Detective</u>	<u>Assigned</u>	<u>Cleared</u>	<u>Current Total [Non-Drug / Drug]</u>		
Sgt. Seney	11	10	14	/	0
Det. Bliss	5	6	8	/	0
Det. Papenfuss	7	10	8	/	11
Inv. Gibbs	5	4	2	/	0
Inv. Beadle	4	3	3	/	0
Inv. Barnswell	4	3	2	/	0
Inv. Vargo	2	3	1	/	0
Inv. Collins	1	2	1	/	0
<b><u>Monthly Case Totals:</u></b>	39	41	39		11

**Number of Call-Ins & Hold Overs:**

Call-Ins: 4  
Hold Overs: 2

**Narratives**

- The DB conducted a drug search warrant execution on one of Det. Papenfuss' drug cases in our East district. It involved the sale of marijuana.
- Det. Bliss is working the breaking and entering into the Sylvania Country Club's pro-shop. NW Ohio area golf courses are currently being targeted, as others in the area were hit in a similar manner. Det. Papenfuss was assigned the Highland Meadows Country Club break in and the previous Sylvania CC case was shifted from Det. Bliss to Det. Papenfuss as well.
- Sgt. Seney is working two counterfeit currency cases, each involving a separate group of suspects. The case is being worked in conjunction with the U.S. Secret Service, Sylvania Twp, Maumee, Bowling Green and Monroe County S.O. at this time.
- Det. Bliss responded to what is appearing to be a suicide involving a 17 year old girl, who hung herself.
- Det. Papenfuss responded to Ciaos restaurant after employees arrived and found that it was broken into and the safe stolen.

- Inv. Barnswell is working on a telephone harassment case involving a 13 year old girl who has been receiving sexually oriented phone messages, from someone who sounds like an adult male.
- Det. Bliss is following up on a burglary to an ATF agent's residence that Det. Bliss and Sgt. Seney responded to on a call out, among the property stolen was a firearm.
- Det. Bliss was also assigned an armed robbery investigation involving the robbery of the clerks at one of our gas stations. The incident also involved individuals stating that a weapon was observed.

**Forfeitures:**

- GO#15-3536 \$65 seized
- GO#15-542 2001 Dodge Ram 1500 forfeited for disposal by LCCC
- GO#15-3659 \$40 seized
- GO#15-3833 \$140 seized

**Drug Evidence Seizure:**

- 109.9 grams of marijuana
- 3 Vyvanse 40mg pills
- 3x heroin folds
- 1x cocaine fold
- 4 Percocet pills
- 1 fold of Heroin/Fentanyl

Respectfully submitted,

Sgt. Joshua Seney

**Management**

The mission of the Sylvania Police Division is to serve the citizens of Sylvania in a professional and efficient manner by providing comprehensive law enforcement services to the community, so that each citizen may be safe and secure to enjoy their pursuit and enjoyment of all lawful activities.

During the 4<sup>th</sup> quarter 2015, Tonya Ifland-Murd began her employment as a telecommunicator October 21. As we move into 2016 I, as well as my command staff, officers, telecommunicators and administrative secretary, look forward to serving the needs of our citizens, our wonderful community. We also look forward to our continued working relationship with city council.

Our authorized strength is 34 Police Officers, 6 Telecommunicators, and 1 Administrative Secretary. Currently we have 33 sworn police officers with one vacancy choosing not to fill it at this time. We ended this quarter with no suspensions, no personnel off on Family Medical Leave, and no personnel on Sick/Injury Leave or Military deployment.

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William H. Rhodus  
Chief of Police

<b>Zoning Office Key Statistics</b>	2015 1st Qtr	2015 2nd Qtr	2015 3rd Qtr	2015 4th Qtr	2015 Year End
Residential Renovations, Additions & Accessory	2	18	9	9	38
New Dwelling (Residential)	2	10	6	4	22
New Commercial Construction	0	1	1	0	60
Commercial Additions & Renovations	8	11	4	5	28
Sign Permits Issued	21	30	12	14	77
Demolition Permits Issued	0	7	0	2	105
Swimming Pool Permits Issued	0	5	1	0	6
Sidewalk Permits Issued	0	19	27	12	58

<b><u>Municipal Planning Commission</u></b>					
Lot Splits	0	0	0	0	0
Council Referrals	4	0	1	2	7
Site Plan Review	0	0	1	0	7

<b><u>Architectural Board of Review</u></b>					
Regulated District	1	5	2	1	9
Unregulated District	3	30	6	0	39
Regulated Signs	15	0	4	8	48

<b><u>Zoning Complaints</u></b>					
On Site Inspections	2	64	44	31	141
Open Zoning Complaints	19	43	7	12	81
Closed Zoning Complaints	12	21	37	19	222
Letters & Warnings Sent	0	8	9	4	21

**City of Sylvania Management Report**  
**For The Division of Streets**  
**Fourth Quarter - 2015**

**Key Statistics**

<b>Leaf Pick Up :</b>	<b><u>2015</u></b>	<b><u>2014</u></b>
Full Time Employees	8	10
Full Time Employees Hrs	1708 hrs	2050 hrs.
*Full Time Employees O.T. Hours	186 hrs.	315 hrs.
Temporary Labor Hours	1058 hrs.	1600 hrs.
Temporary Labor O.T. Hours	32 hrs.	26 hrs.
Cubic Yds. of Leaves Picked Up	12,566 cu.yds	15,627 cu.yds
Leaf Pick - Up Rounds	6(Completed 12/15/15)	6(Completed 12/12/14)

\* 4 Employees from other City Departments were utilized for Veterans Day

**Ice & Snow Control :**

Ice Control & Snow Removal Hrs	20 hrs.	51 hrs.
Salt Tonnage Used	43 tons.	85 tons.
Calibrate Salt Spreader and New liquid Tanks	48 hrs.	76 hrs.
Maintenance to Salt Brine System	16 hrs.	0

**Traffic Signs Repaired and / or Replaced :**

Sign Maintenance Hours	294 hrs.	229 hrs.
Regulatory Signs	4	7
Warning Signs	2	12
Street Name & Informative Signs	11	10

**Road Maintenance & Repairs :**

Cold Patch Hours	71 hrs.	170 hrs.
Cold Mix Tonnage Used	1 ton.	3 tons
Street Sweeping Hours	149 hrs.	20 hrs.
Asphalt Placed for Repairs	1.5 tons.	7 tons.
Crack-Fill Hours	161 hrs.	47 hrs.
Guardrail Repair or Replacement	32 hrs.	8 hrs.
Repair and Replace Pavement Markings (Traffic Paint)	109 hrs.	27 hrs.

**Equipment Maintenance :****2015****2014**Leaf Loader - Leaf Box Repair &  
Repainting Hours

135 hrs.

91 hrs.

Snow Removal Equipment Repair &  
Repainting Hours

0

36 hrs.

Miscellaneous Equipment Repairs Hours

210 hrs.

61 hrs.

**Miscellaneous :**

Snow Plow Damage

( Mail Box &amp; Yard Repair )

0

0

Dead Animals Removed From Right-of-Way  
Maintenance Bldg.

9

5

( Repairs, Cleaning, Painting ) Hours

214 hrs.

221 hrs.

Inventory &amp; Green Tag Hours

100 hrs.

117 hrs.

Stack Salt at 8425 Sylvania-Metamora Rd. &  
5509 Harroun Rd. ( Salt Storage Buildings )

144 hrs.

0

Clean up Oil Spills on Roadways

5 hrs

0

Hours Helping Other Depts.

82 hrs.

2 hrs.

**Special Events Setup :****2015****2014****Total Hours for Events**

44 hrs.

37 hrs.

Block Parties

Treo's Fundraiser for Art Commission

Toledo Roadrunners Club

Annual Fall Festival &amp; Parade

Maplewood Halloween Walk / Parade

Northview / Southview Football Game

Tree Lighting / Santa's Arrival / Parade

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Jim Campbell  
Foreman of Streets  
1/12/2016

## LEAF PICK UP

Unit #	Total Loads	Northwest	South	East	1 Load =
33	102	101	0	1	19 cu.Yards
37	25	0	25	0	15 cu.Yards
38	0	0	0	0	18 cu.Yards
40	93	0	6	87	18 cu.Yards
41	106	105	0	1	16 cu.Yards
43	0	0	0	0	19 cu.Yards
45	108	0	5	103	18 cu.Yards
47	79	0	79	0	17 cu.Yards
72	124	27	97	0	29 cu.Yards
46(sweeper)	46				8 cu.Yards
49(sweeper)	0				8 cu.Yards
	<b>683</b>	<b>233</b>	<b>212</b>	<b>192</b>	
		<b>4,382 cu.yrd</b>	<b>4729 cu.yrd</b>	<b>3455 cu.yrd</b>	

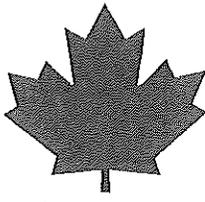
<b>Totals</b>	<b>12,566 cu.yrds</b>	2015
	15,627 cu.yrds	2014
	13,744 cu.yrds	2013

# of Round	Northwest	South	East
1	6 Days	8 Days	5 Days
2	8 Days	8 Days	8 Days
3	6 Days	5 Days	7 Days
4	4 Days	4 Days	5 Days
5	4 Days	5 Days	3 Days
6	2 Day	2 Day	2 Day

Working Days Only

Unit #	Start Mileage	End mileage	Total Mileage
33	43,030	43,984	954
37	65,202	65,719	517
38			0
40	33,999	34,841	842
41	58,018	59,152	1134
43			0
45	38,122	39,068	946
47	53,350	54,415	1065
72	26,865	28,007	1142

<b>Total Miles</b>	6,600	2015
	6,379	2014
	6,425	2013



# City Of Sylvania

DIVISION OF UTILITIES

4th Quarter 2015

DAVID W. FRANCE, UTILITY MANAGER

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Y-T-D	Prior Year
Number of Water Accounts	7,158	7,168	7,175	7,178		
Number of Sewer Accounts	8,511	8,506	8,580	8,544		
Number of Water Tap Permits	1	10	14	8	33	33
Number of Sanitary Tap Permits	8	21	28	13	70	113
Number of Storm Tap Permits	1	10	8	8	27	18
Number of Second Meter Permits	0	13	8	1	22	18
<b>Utilities</b>						
Number of Payments Received	19,669	19,427	19,674	19,695	78,465	77941
Total Collection Water	\$809,318.97	\$825,695.93	\$1,122,750.38	\$992,562.78	\$3,750,328.06	\$3,806,663.08
Total Collection Sewer	\$479,964.18	\$445,454.46	\$496,411.44	\$491,244.14	\$1,913,074.22	\$1,997,412.31
Total Collection Refuse	\$115,785.43	\$113,569.35	\$114,598.31	\$116,087.51	\$460,040.60	\$441,598.63
Total Collection On/Off	\$335.00	\$150.00	\$100.00	\$50.00	\$635.00	\$840.00
Total Collection Fire	\$870.86	\$881.64	\$882.04	\$871.17	\$3,505.71	\$3,612.95
Total Collection Misc	\$3,136.53	\$4,343.43	\$3,823.73	\$3,477.74	\$14,781.43	\$17,111.72
Total Collection Water Tap Pay Plan	\$261.40	\$135.67	\$130.77	\$266.44	\$794.28	\$1,385.03
Collecton Sewer Tap Pay Plan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Water Tap	\$0.00	\$0.00	\$0.00	\$26.69	\$26.69	\$0.00
<b>Utility/Zoning Permit Sales</b>						
Water Tap Permits	\$1,200.00	\$12,095.00	\$17,753.73	\$6,285.00	\$37,333.73	\$32,870.26
Sanitary Tap Permits	\$960.00	\$1,995.00	\$2,470.00	\$2,378.37	\$7,803.37	\$12,427.51
Sanitary Connections Fees	\$2,740.00	\$7,550.00	\$16,150.00	\$5,070.00	\$31,510.00	\$100,725.35
Sanitary Cost Recovery	\$0.00	\$907.24	\$13,124.47	\$13,486.01	\$27,517.72	\$0.00
Sanitary Project Reimbursement	\$0.00	\$10,295.04	\$0.00	\$0.00	\$10,295.04	\$0.00
Storm Tap Permits	\$110.00	\$950.00	\$760.00	\$665.00	\$2,485.00	\$1,805.00
Second Meter Permits	\$0.00	\$3,900.00	\$2,400.00	\$300.00	\$6,600.00	\$5,400.00
Hydrant Permits	\$0.00	\$3,900.00	\$600.00	\$184.01	\$4,684.01	\$5,560.88
Zoning Permits	\$2,919.00	\$11,302.36	\$11,944.44	\$3,088.83	\$29,254.63	\$18,015.93
<b>Service Dept Sales</b>						
Sewer and Sidewalk Licenses	\$420.00	\$325.00	\$167.00	\$600.00	\$1,512.00	\$2,452.00
Plans/Bid Documents	\$120.00	\$650.00	\$730.00	\$250.00	\$1,750.00	\$900.00
<b>Refuse/Green Yard Waste</b>						
Refuse Extra Bag Tags	\$209.00	\$246.00	\$500.00	\$381.00	\$1,336.00	\$1,253.00
Refuse Bulk Item Sticker	\$532.00	\$713.00	\$1,036.00	\$581.00	\$2,862.00	\$2,590.00
Green Yard Waster Stickers/Bags	\$2,148.00	\$11,226.00	\$1,518.00	\$322.00	\$15,214.00	\$13,328.00
<b>Misc.</b>						
Misc.	\$0.00	\$675.00	\$2,933.21	\$825.00	\$4,433.21	\$14,314.01
<b>Total Collection</b>	<b>\$1,421,030.37</b>	<b>\$1,456,960.12</b>	<b>\$1,810,783.52</b>	<b>\$1,639,002.69</b>	<b>\$6,327,776.70</b>	<b>\$6,480,265.66</b>

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Y-T-D	Prior year
Water Purchased (Gallons)	136,775,540	153,657,900	181,303,980	131,147,588	602,885,008	658,389,040
Average Daily Water Purchased	1,519,728	1,707,310	2,014,788	1,457,195	1,674,755	1,803,806
Total Sewer Flow (Gallons)	220,380,000	270,190,000	322,070,000	unavailable	812,640,000	1,092,060,000
Average Daily Sewer Flow	2,448,666	3,002,111	3,578,555	unavailable	9,029,332	2,991,945
Estimated Population Served-Water	21,400					
Estimated Population Served-Sewer	25,300					

**\*Activities To Be Performed\***

- Evaluate water meter transmitters to determine remaining lifetime
- Monitoring meter reading
- Continue comparison of master meter and pump station mag meter

**\*Progress This Period\***

- Systematic Cleaning of sewer collection system
- Online utility account availability and email billing
- Maintenance and repairs of water distribution system
- Replace meter transmitters due to dead batteries




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David W. France  
Utility Manager