

Sylvania City Council

March 7, 2016

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

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Husman.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of February 16, 2016.
5. King Road Widening & Resurfacing & Harroun Road Resurfacing Project.
 - a. Service Director's report on project.
 - b. Authorize the Clerk to advertise for bids.
6. Zoning Ordinance Amendment Petition No. ZA-1-2016, a request from David Schmitt for a zoning change from R-1, "Single Family Residential Large Lot District" to R-3 PD, "Multiple Dwelling Medium Density District"; for referral to the Planning Commission.
7. Notice of the new D3 liquor permit for Dansul Inc., dba Executive Diners, 5629 Main St., Sylvania, Ohio 43560.
8. Proposed Ordinance No. 14-2016, Authorizing amending Chapter 1149 of the Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1149.001 – General Provisions to change the date of the floodplain map.
9. Dump truck purchase.
 - a. Service Director's report on purchase.
 - b. Proposed Ordinance No. 15-2016, "Authorizing the Mayor and Director of Finance to accept the proposal of Cleveland Freightliner, Inc. for the provision of a new dump truck."
10. Crackfill Machine purchase.
 - a. Service Director's report on purchase.
 - b. Proposed Ordinance No. 16-2016, "Authorizing the Mayor and Director of Finance to accept the proposal of D.J.L. Material & Supply, Inc. for the provision of a new crackfill machine."
11. Proposed Ordinance No. 17-2016 Authorizing amending Chapter 735 of the Sylvania Codified Ordinances by amending Section 735.03 – Sales on Private Property; and License Registration.
12. Committee reports.
13. Committee referrals.

Minutes of the Meeting of Council
February 16, 2016

The Council of the City of Sylvania, Ohio met in regular session on February 16, 2016 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary Westphal (6) present; Mark Frye,(1) absent.

Roll call:
Frye, absent;
excused.

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

Pledge of Alleg.

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

Requests were made for the following additions to the agenda:

Additions to the
agenda.

- 13. C.O.W. Executive Session to discuss possible legal action.

Mrs. Westphal moved, Mr. Haynam seconded to approve the agenda as amended; roll call vote being: Cappellini, Haynam, Husman, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented the February 1, 2016 meeting 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 February 1, 2016 be approved; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the
February 1
meeting
minutes.

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

Ms. Erika Buri, Executive Director of the Olander Park System provided a 2016 Update of the Park System.

2016 Olander
Park system
update.

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

Service Director's report on Alexis Road & Acres Road Traffic Signal Improvements Project was placed on file. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 13-2016, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Tetra Tech, Inc. to provide engineering services for the Alexis Road and Acres Road Traffic Signal Improvements Project; appropriating funds therefore in the amount of \$11,000; and declaring an emergency."; Mr. Haynam moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Ordinance No.
13-2016,
"Accepting
Tetra Tech...
engineering
services...Alexis
& Acres Traffic
Signal
Improvements"

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Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 13-2016 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

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

Mr. Haynam presented and read aloud by title only, proposed Resolution No. 4-2016, a written copy of same having been previously furnished to each member of Council, "Adopting a statement, pursuant to Revised Code of Ohio 709.03(D), indicating what services will be provided to the area proposed to be annexed to the City of Sylvania by petition for annexation filed with the Board of Lucas County Commissioners; and declaring an emergency."; Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Mishka, Westphal, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Resolution No.
4-2016,
"...Adopting...
what services to
annexed area..."

Mr. Haynam moved, Mrs. Westphal seconded, that Resolution No. 4-2016 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Haynam, Husman, Luetke, Mishka, (6) yeas; (0) nays. The motion carried.

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

Mr. Haynam presented and read aloud by title only, proposed Resolution No. 5-2016, a written copy of same having been previously furnished to each member of Council, "Adopting a statement, pursuant to Revised Code of Ohio 709.03(D), indicating what services will be provided to the area proposed to be annexed to the City of Sylvania by petition for annexation filed with the Board of Lucas County Commissioners; and declaring an emergency."; Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

Resolution No.
5-2016,
"...Adopting...
what services to
annexed area..."

Mr. Haynam moved, Mrs. Westphal seconded, that Resolution No. 5-2016 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
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Mayor Stough stated that Council will now consider agenda item 9.

Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 2-2016, a written copy of same having been previously furnished to each member of Council, "A Resolution designating the Clerk of Council as the Mayor and City Council's Designee to attend training programs and seminars about the Public Records Law as required by Ohio Revised Code Section 109.43; and declaring an emergency."; Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Resolution No. 2-2016, "...Clerk of Council as designee... Public Records Law..."

Mrs. Westphal moved, Mr. Luetke seconded, that Resolution No. 2-2016 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Haynam, Husman, Cappellini, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Mishka seconded to not request a hearing for the transfer of liquor permit from Khodal India, LLC, dba Sylvan Pantry, 4900 McCord Rd., Unit B6, to Megha, LLC, dba Sylvan Pantry, 4900 McCord Rd., Unit B6, Sylvania, Ohio. Roll call vote being: Westphal, Haynam, Husman, Cappellini, Luetke, Mishka, (6) yeas; (0) nays. The motion carried.

No hearing for Sylvan Pantry liquor permit.

Mayor Stough stated that there were no items for agenda items 11 and 12, so Council will now consider agenda item 13.

Mr. Haynam moved, Mrs. Westphal seconded to enter into C-O-W Executive Session to discuss possible legal action. Roll call vote being: Haynam, Husman, Cappellini, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

C-O-W Executive Session re: possible legal action.

Mrs. Westphal moved, Mrs. Husman seconded to return from C-O-W Executive Session and return to regular session. Roll call vote being: Husman, Cappellini, Luetke, Mishka, Westphal, Haynam, (6) yeas; (0) nays. The motion carried.

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February 16, 2016

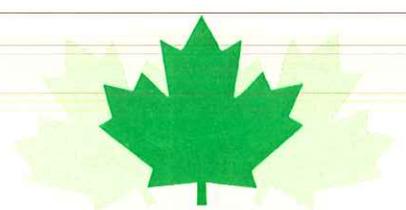
Mayor Stough stated that all items on the agenda had been considered.

Mr. Haynam moved, Mrs. Westphal seconded that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:36 p.m.

Adjournment.

Clerk of Council

Mayor



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 7, 2016

To: The Mayor and Members of Sylvania City Council

Re: **King Road Widening & Resurfacing & Harroun Road Resurfacing Project**

Dear Mr. Mayor and Council Members:

Bidding documents for the above-mentioned project are now complete and ready for advertisement.

This project involves work at two separate locations in the City. The work on King Road consists of adding right turn drop lanes for vehicles and bicycles for northbound King Road at Sylvania Avenue. Other items include traffic signal upgrades at the intersections of King Road & Sylvania Avenue and King Road & Sylvan Towne Drive/Cougar Lane, pedestrian signal upgrades at King Road and Sylvania Avenue, resurfacing from Sylvania Avenue to 250' south of Sylvan Towne Drive/Cougar Lane and pavement marking and signing upgrades. The Lucas County Engineer will be providing inspection services for this location.

The work on Harroun Road consists of resurfacing and spot curb replacement between Monroe Street and the bridge over the Ottawa River. The contract has specified for the resurfacing to be performed at night to mitigate daytime traffic congestion.

The estimated cost of the project is \$570,793 with construction scheduled to begin in June. Construction is to be completed in August before the start of school. 49% of the construction cost is being funded with grant and loan monies through the Ohio Public Works Commission (OPWC).

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

Sincerely,

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

PETITION FOR ZONING ORDINANCE AMENDMENT

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

Application No. ZA-1-2016
Date 2-26-16

Petitioner Name(s) DAVID SCHMITT
Petitioner Address 5153 S. MAIN ST.
SYLVANIA OHIO 43560
Telephone 419-270-5359

Location of property for which zoning amendment is requested:

4337 McCORD RD. SYLVANIA OHIO 43560
WEST SIDE McCORD RD. BETWEEN VICTORIA CT. &
LINCOLN PKWY.
Purpose of amendment request: TO CONSTRUCT VILLA LOTS
SINGLE FAMILY & MULTI FAMILY LOTS

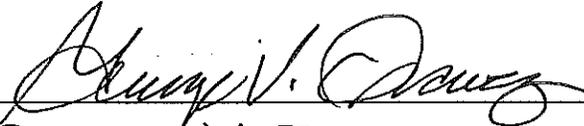
Current Zoning: R-1

Requested Zoning: R-3 PD

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

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

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

By: 
GEORGE V. ORAVEC PE.PS
AGENT FOR DAVID SCHMITT

Date referred by Council: _____

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

7

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

19255690010 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	DANSUL INC DBA EXECUTIVE DINERS 5629 MAIN ST SYLVANIA OH 43560
02 09 2016 <small>ISSUE DATE</small>			
02 09 2016 <small>FILING DATE</small>			
D3 <small>PERMIT CLASSES</small>			
48 <small>TAX DISTRICT</small>	077 <small>PERMIT CLASSES</small>	A <small>PERMIT CLASSES</small>	

FROM 02/24/2016

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



MAILED 02/24/2016

RESPONSES MUST BE POSTMARKED NO LATER THAN. 03/28/2016

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 1925569-0010

(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

PERMIT NUMBER (CORPORATION) **19255690010**
DANSUL INC
DBA EXECUTIVE DINERS
5629 MAIN ST
SYLVANIA OH 43560

F.T.I. NUMBER **46-1117042**
STATUS (ACTIVE OR INACTIVE) **ACTIVE**
SHARES OUTSTANDING **100.00**
ACTIVE DATE **02/22/16**
INACTIVE DATE
EXCEPTION CODE TEXT
STOCK TRANSFER CODE TEXT AND DATE
DANIEL SULLIVAN **100.00** **02/22/16** **ACTIVE** **PRESIDENT**

ORDINANCE NO. 14-2016

AMENDING CHAPTER 1149 OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED, BY AMENDING SECTION 1149.001 – GENERAL PROVISIONS; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 39-77, passed December 19, 1977, established Flood Plain Zoning Districts and comprehensive Flood Plain Regulations for the City of Sylvania, Ohio; and,

WHEREAS, subsequently those regulations were codified and now appear in this City’s Planning and Zoning Code as Chapter 1149; and,

WHEREAS, Ordinance No. 13-2001, passed February 5, 2001 and Ordinance Np. 75-2011, passed August 15, 2011 amended Chapter 1149 – Flood Plain Districts to comply with the most recent flood plain regulations; and,

WHEREAS, new Flood Insurance Rate Maps dated March 15, 2016 were recently prepared and therefore the Sylvania Municipal Code should be updated to reflect the most current Flood Insurance Rate Map.

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

SECTION 1. That Section 1149.001 – General Provisions, of the Codified Ordinances of Sylvania, 1979, as amended, be, and the same hereby is, added to read as set forth on “Exhibit A” attached hereto and made a part hereof.

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the amendments are required to be made forthwith so that this City will not be suspended from the National Flood Insurance Program. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect

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

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

Passed, _____, 2016, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

1149.001 GENERAL PROVISIONS.

* * *

(d) Basis for Establishing the Areas of Special Flood Hazard

For the purposes of these regulations, the following studies and / or maps are adopted:

1. Flood Insurance Rate Map for Lucas County, Ohio and Incorporated Areas and Flood Insurance Study for Lucas County, Ohio and Incorporated Areas both effective March 15, 2016 and any revisions thereto hereby adopted by reference and declared to be a part of this Section.
2. Other studies and / or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.
3. Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the City of Sylvania as required by Section 1149.36(D) Subdivisions and Large Scale Developments.

Any revisions to the aforementioned maps and / or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at 6730 Monroe Street, Sylvania, OH 43560.

* * *

9a.



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 3, 2016

To: The Mayor and Members of Sylvania City Council

Re: **Dump Truck Purchase**

Dear Mr. Mayor and Council Members:

We are requesting approval to purchase a new dump truck per the attached quote. This truck will be placed into service in our streets department.

An existing truck in the streets department that has become less reliable will be transferred to the water department. Finally, the existing dump truck in the water department will be disposed of through the GovDeals website.

This purchase was included in the 2016 capital improvement plan. We believe this to be a needed replacement and recommend purchasing a freightliner chassis from Cleveland Freightliner, Inc. at a cost of \$82,292.00.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

Prepared for:
 City of Sylvania
 Ohio Dept of Transportation
 1980 W Broad
 Columbus, OH 43233
 Phone: 614-351-2831

Prepared by:
 Greg Simonic
 CLEVELAND FREIGHTLINER, INC.
 10901 Brookpark Rd
 Parma, OH 44130
 Phone: 216-267-4800

Q U O T A T I O N

M2 106 CONVENTIONAL CHASSIS	
SET BACK AXLE - TRUCK	16,000# FLAT LEAF FRONT SUSPENSION
CUM ISL 350 HP @ 2000 RPM, 2200 GOV RPM, 1000 LB/FT @ 1400 RPM	106 INCH BBC FLAT ROOF ALUMINUM CONVENTIONAL CAB
ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION	3875MM (153 INCH) WHEELBASE
RS-26-185 26,000# T-SERIES SINGLE REAR AXLE	7/16X3-9/16X11-1/8 INCH STEEL FRAME (11.11MMX282.6MM/0.437X11.13 INCH) 120KSI
30,000# FLAT LEAF SPRING REAR SUSPENSION WITH HELPER AND RADIUS ROD	2275MM (90 INCH) REAR FRAME OVERHANG
DETROIT DA-F-16.0-5 16,000# FL1 71.0 KPI/3.74 DROP SINGLE FRONT AXLE	BODY COMPANY INSTALLED ADDITIONAL FRONT FRAME REINFORCEMENT FOR SNOW PLOW

		PER UNIT	TOTAL
VEHICLE PRICE	TOTAL # OF UNITS (1)	\$ 78,231	\$ 78,231
EXTENDED WARRANTY		\$ 4,061	\$ 4,061
DEALER INSTALLED OPTIONS		\$ 0	\$ 0
CUSTOMER PRICE BEFORE TAX		\$ 82,292	\$ 82,292

TAXES AND FEES			
TAXES AND FEES		\$ 0	\$ 0
OTHER CHARGES		\$ 0	\$ 0

TRADE-IN			
TRADE-IN ALLOWANCE		\$ (0)	\$ (0)
BALANCE DUE	(LOCAL CURRENCY)	\$ 82,292	\$ 82,292

Quoted pricing based under Ohio Department of Transportation contract 023-15 Co-Op pricing with ODOT 5 year, 100k mile truck warranty. Please consult with your body builder to assure all dimensions and needed components are included the specification.

Invoicing will occur upon delivery of bare chassis to customer or location of customer s choice. Payment is due upon receipt of invoice. Title will be delivered promptly upon receipt of payment.

APPROVAL: Please indicate your acceptance of this quotation by signing below:

Customer: X _____ Date: ___ / ___ / ___.



ORDINANCE NO. 15-2016

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF CLEVELAND FREIGHTLINER, INC. FOR THE PROVISION OF A NEW DUMP TRUCK FOR THE DIVISION OF STREETS, DEPARTMENT OF PUBLIC SERVICE; APPROPRIATING \$82,292 THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service has indicated that the existing dump truck in the Streets Department is in need of replacement; and,

WHEREAS, the Director of Public Service has received a proposal from Cleveland Freightliner, Inc. for the purchase of one (1) new freightliner chassis dump truck at a total cost of \$82,292; and,

WHEREAS, the Director of Public Service, by report dated March 3, 2016, recommended the acceptance of the proposal of Cleveland Freightliner to purchase a new dump truck for the Streets Division, Department of Public Service.

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 the Director of Finance be, and they hereby are, authorized to sign the proposal of Cleveland Freightliner, Inc. on behalf of this City, thereby indicating such approval and acceptance for the provision of a new dump truck for the Division of Streets, Department of Public Service.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to sign any and all instruments and to do any and all things necessary to complete said purchase.

SECTION 3. That, upon receipt of delivery of said dump truck by the City of Sylvania, the Director of Finance is hereby authorized to issue his warrant or warrants in payment therefore from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7110-53401 – Vehicles**, the total sum of Eighty-Two Thousand Two Hundred Ninety-Two Dollars (\$82,292.00).

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 proposal for said dump truck should be approved immediately so that the purchase can be made at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by 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

10a.



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 3, 2016

To: The Mayor and Members of Sylvania City Council

Re: **Crackfill Machine**

Dear Mr. Mayor and Council Members:

Our existing crackfill machine is 14 years old. We have had to have the unit serviced several times this past year and we continued to have problems with the unit properly heating the material. The material that is used must be applied at proper temperatures, otherwise it will either not spread properly or it could be broken down and therefore not effective.

We have attached a quote to replace the crackfill machine. The replacement was included in the 2016 capital improvement plan. We believe this to be a needed replacement and ask for approval to purchase a new crackfill machine from D.J.L. Material & Supply, Inc. at a cost of \$43,680.00.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

D.J.L. MATERIAL & SUPPLY, INC.

P.O. Box 5293

Akron, OH 44334-0293

1-330-922-3630 • 1-330-922-8070 (FAX)

PROPOSAL TO: City of Sylvania
Attn.: Jason Music
419-885-0994
419-824-9814 Fax
jmusic@cityofsylvania.com

Remarks:

Crafco SuperShot Melters
Purchased By: Ohio State Term Schedule
Schedule Number: 800173
Index Number: STS515
Dealer OAKS Contract ID: 800173-1

Quote:

1-#43800 Crafco Supershot 125 Diesel Melter w/
Electric Hose and Air Compressor
Price includes 22% Discount, Freight, and Training.

\$43680.00

Dollars

(Payment terms: 30 Days)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Customer to carry fire, theft, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized DJL Signature: Michael Leahy

DATE: October 10, 2015

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

(Printed Name, Title)

(Signature)

(Telephone and Fax Number)

(Date of Acceptance)

ORDINANCE NO. 16-2016

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF D.J.L. MATERIAL & SUPPLY, INC. FOR THE PROVISION OF A NEW CRACKFILL MACHINE FOR THE DIVISION OF STREETS, DEPARTMENT OF PUBLIC SERVICE; APPROPRIATING \$43,680 THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service has indicated that the existing crackfill machine in the Streets Department is in need of replacement; and,

WHEREAS, the Director of Public Service has received a proposal from D.J.L. Material & Supply, Inc. for the purchase of one (1) new crackfill machine at a total cost of \$43,680; and,

WHEREAS, the Director of Public Service, by report dated March 3, 2016, recommended the acceptance of the proposal of D.J.L. Material & Supply, Inc. to purchase a new crackfill machine for the Streets Division, Department of Public Service.

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 the Director of Finance be, and they hereby are, authorized to sign the proposal of D.J.L. Material & Supply, Inc. on behalf of this City, thereby indicating such approval and acceptance for the provision of a new dump truck for the Division of Streets, Department of Public Service.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to sign any and all instruments and to do any and all things necessary to complete said purchase.

SECTION 3. That, upon receipt of delivery of said crackfill machine by the City of Sylvania, the Director of Finance is hereby authorized to issue his warrant or warrants in payment therefore from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7110-53401 – Vehicles**, the total sum of Forty-Three Thousand Six Hundred Eighty Dollars (\$43,680.00).

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 proposal for said crackfill machine should be approved immediately so that the purchase can be made at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by 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. 17-2016

AMENDING CHAPTER 735 OF THE SYLVANIA CODIFIED ORDINANCES BY AMENDING SECTION 735.03 – SALES ON PRIVATE PROPERTY; LICENSE; REGISTRATION; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 28-2011, passed April 18, 2011, increased the fee from \$15.00 to \$25.00; and,

WHEREAS, the Chief of Police recommended that the fee for obtaining a peddler or solicitor license remain \$25.00 but that an additional fee of \$40.00 be imposed to cover the cost of a Bureau of Criminal Investigation fingerprint check on the applicant.

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

SECTION 1. That Section 735.03 – Sales on Private Property; License; Registration, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this ordinance must be immediately effective to provide for the increase to the peddler/solicitor application fee and to make necessary changes to the Codified Ordinances. Provided this Ordinance receives the affirmative vote of five (5) or more members

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

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

Passed, _____, 2016, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

735.03 SALES ON PRIVATE PROPERTY; LICENSE; REGISTRATION.

* * *

(b) Application; Fee; License; Registration.

* * *

- (3) Each applicant shall pay a nonrefundable license application fee of twenty-five dollars (\$25.00), which fee shall be paid at the time the application is submitted. An additional nonrefundable fee of forty dollars (\$40.00) is required per applicant for criminal background assessments.

* * *

(Ord. ____-2016. Passed _____-2016.)

“Exhibit A”