

Sylvania City Council
July 18, 2016

6:30 p.m. Streets Committee Meeting
Future Street Repair & Replacement Program

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 June 20, 2016.
5. Report from the Zoning & Annexation Committee meeting held on July 5, 2016 regarding ZA-1-2016.
 - a. Proposed Ordinance No. 37-2016, Modifying the recommendation of the Municipal Planning Commission to approve Petition for Zoning Ordinance Amendment No. ZA-1-2016.
 - b. Safety Coordination with McCord Junior High School Crossing Guard.
6. Sylvania Water Supply Study presentation and discussion.
7. Service Director's report on the City of Sylvania & Lucas County Sanitary Engineer Sanitary Lining Project; and authorize the clerk to advertise for bids.
8. Refuse/Recycling Collection 2016-2021.
 - a. Service Director's report on bids.
 - b. Proposed Ordinance No. 38-2016, Determining the lowest and best bid for Collection and Disposal of Residential Curbside Refuse and Recycling in the City of Sylvania.
9. Zoning Ordinance Amendment Petition No. ZA-2-2016, a request from Toledo-Lucas County Public Library for a zoning change from "R-1" Single-Family Residential Large Lot District to "B-1-B" Modified Business and Office District for property located at 7461 Sylvania (82-93917), 7453 Sylvania (82-93918), 7445 Sylvania (82-93919), and 3986 King (82-93920); for referral to the Planning Commission.
10. Juvenile Diversion Program
 - a. Law Director and Chief of Police memo regarding program.
 - b. Proposed Ordinance 39-2016, Amending the Sylvania Codified Ordinances by adding Chapter 165-Alternative Dispute Program.
11. Proposed Ordinance No. 40-2016, Amending the Sylvania Codified Ordinances by added Chapter 765-Dealers in Second-Hand Articles.

12. Notice of a new liquor permit from K and B Ventures Corp, dba Charlies Homemade Ice Cream & Edibles, 6600 Sylvania Ave., Sylvania, OH.
13. Approval of Public Service Director's list of items to be offered for auction on GovDeal.com.
14. Committee reports.
 - a. Employee & Community Relations Committee meeting held on July 5, 2016.
 - b. Streets Committee meeting held at 6:30p.m. on this date.
15. Committee referrals.

INFORMATION

- A. Letter from Lucas County Commissioners regarding Annexation Petition No. 2016-1.
- B. Letter from Lucas County Commissioners regarding Annexation Petition No. 2016-2.
- C. Noise Mitigation Petition US-23 (I-475 to Monroe Street) letter to city residents.
- D. June 2016 Bank Reconciliation.
- E. June 2016 Cash Report from the Division of Taxation.
- F. Board of Architectural Review minutes from July 13, 2016.
- G. Municipal Planning Commission minutes from July 13, 2016.

NOTE: Buildings & Grounds Committee meeting 7/20/16 at 7:30 a.m.

Minutes of the Meeting of Council
June 20, 2016

The Council of the City of Sylvania, Ohio met in regular session on June 20, 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, Mark Luetke, Doug Haynam, Sandy Husman, Jason Mishka, Mary Westphal: (7) present;, (0) absent.

Roll call:
All present.

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.

- 10. Mr. Sanford to provide an update on the community calendar.
 - 5a. Move agenda item 8 here and schedule a Zoning & Annexation Committee meeting.
 - 9a. Schedule a Buildings & Grounds Committee meeting.
 - 9b. Schedule a Streets Committee meeting.

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

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

Mrs. Westphal presented the June 6, 2016 meeting minutes. Mrs. Westphal moved, Mrs. Husman seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of June 6, 2016 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the June 6 meeting minutes.

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

Mr. Clint McCormick, Race Director, Mercy Health Glass City Marathon provided recognition of the Sylvania Police Department for their participation in this event and presented Chief Rhodus a plaque. He provided information on the race that included 8,000 people participated with 500 being Sylvania residents.

Glass City Marathon-Police Recognition.

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

Minutes of the Meeting of Council
June 20, 2016

Mrs. Westphal presented and read aloud by title only proposed Resolution No. 10-2016, a written copy of same having been previously furnished to each member of Council, "A Resolution of the Council of the City of Sylvania approving the City of Sylvania Financial and Debt Policy; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Mishka, Westphal, Luetke, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Resolution No. 10-2016;
"...approving the Financial & Debut Policy..."

Mrs. Westphal moved, Mr. Luetke seconded, that Resolution No. 10-2016 be enacted as an emergency measure as declared therein; roll call vote being Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam; (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Haynam seconded to not request a public hearing on the new D-2 liquor permit from Dansul, Inc. dba as Executive Diners, 5629 Main St., Sylvania, OH; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

No hearing requested for new D2 Liquor Permit... Executive Diner.

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

Mr. Haynam reported the Zoning & Annexation Committee met on June 15th to discuss the Zoning Amendment Application No. ZA-1-2016 from David Schmitt. Petition seeks to change the zoning from R-1, "Single-Family Residential Large Lot District" to R-1, Planned Development for property at 4337 McCord Rd., Sylvania, Ohio. Mr. Haynam reported that discussion topics included traffic, density, setbacks, screenings, and drainage. Mr. Haynam set a Zoning & Annexation Committee Meeting to continue the review of this application for July 5, 2016 at 6:30p.m. in council chambers.

Z & A Com Mtg Report... ZA-1-2016.

Set Z & A Mtg. 7/5/16, 6:30p.m.

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

Mrs. Husman set a Buildings & Grounds Committee meeting for July 20, 2016 at 7:30a.m. at the Historical Village to discuss the Lathrop House and Historical Village activities.

Set Bldgs & Ground Mtg. 7/20/16, 7:30a.m.

Minutes of the Meeting of Council
June 20, 2016

Mr. Frye set a Streets Committee meeting for July 18, 2016 at 6:30p.m. in Council Chambers to discuss the street repair and replacement program for the future years and review funding options.

Set Street Mtg.
7/18/16,
6:30p.m.

Mr. Sanford provided an update on the Community Calendar which included the content and costs for distribution.

Update on
Community
Calendar.

Mr. Luetke set an Employee & Community Relations Committee meeting for July 5, 2016 at 5:30p.m. in the Police Conference Room to discuss the Community Calendar.

Emp & Com
Relations Mtg
7/5/16, 5:30p.m.

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

Ms. Westphal moved, Mr. Haynam seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:05 p.m.

Adjournment.

Clerk of Council

Mayor

ORDINANCE NO. 37 -2016

MODIFYING THE RECOMMENDATION OF THE MUNICIPAL PLANNING COMMISSION TO APPROVE PETITION FOR ZONING ORDINANCE AMENDMENT NO. ZA-1-2016 ON THE PETITION OF GEORGE V. ORAVECZ, AGENT FOR DAVID SCHMITT TO CHANGE THE ZONING OF HIS PROPERTY AT 4411, 4351, 4325, and 4337 McCORD RD., SYLVANIA, OHIO; AND DECLARING AN EMERGENCY.

WHEREAS, Application No. ZA-1-2016, dated February 26, 2016, to develop the property located at 4325, 4351, 4411, and 4337 McCord Road to construct villa lots, single-residential and two-family residential units was, by George V. Oravec, on behalf of David Schmitt, presented to the Clerk of this Council and by the Clerk presented to Council on March 2016, and the same thereupon was referred to the Municipal Planning Commission for its review and recommendation; and,

WHEREAS, the Municipal Planning Commission considered said Application on April 13, 2016, and by report dated April 14, 2016, recommended the approval of such request, which recommendation was as follows:

..."Mr. Marciniak moved, Mr. Arnold seconded to recommend that Council approve a zoning change to R-1 PD, inclusive of meeting the requirements of the Service Department's March 10, 2016 Development Plan Review. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to0 vote."

WHEREAS, this Council, on April 18, 2016, established June 6, 2016, at 7:00 p.m., as the date and time for the Public Hearing before this Council on said Application; and,

WHEREAS, at the May 11, 2016 meeting of the Sylvania Municipal Planning Commission, the minutes of the April 13, 2016 Sylvania Municipal Planning Commission were corrected to reflect the nay vote of Brian McCann on the motion to recommend that approve the zoning change, therefore, the vote was: Stough, Marciniak, Arnold and Lindsley (4)

aye; McCann (1) nay. Motion passed by a 4 to 1 vote; and,

WHEREAS, at the June 6, 2016 meeting of Sylvania City Council, it was reported that there was considerable discussion at the public hearing regarding the safety, density, screening of the proposed development and thereafter Sylvania City Council referred this matter to the Zoning and Annexation Committee for further review; and,

WHEREAS, the Zoning and Annexation Committee met on June 15, 2016 to consider said Zoning Amendment; and,

WHEREAS, at the June 20, 2016 meeting of Sylvania City Council, the Chairman of the Zoning and Annexation Committee reported that several residents attended the Zoning and Annexation Committee on June 15, 2016 and discussed traffic impact, density, setbacks, screenings and drainage; and,

WHEREAS, the Zoning and Annexation Committee again met on July 5, 2016 to continue review of the proposed Zoning Amendment; and,

WHEREAS, at the July 5, 2016 Zoning and Annexation Committee, further public input was received and thereafter, the Committee voted to recommend Sylvania City Council act on said proposed zoning amendment at its July 18, 2016 meeting of Sylvania City Council; and,

WHEREAS, said real estate is currently zoned "R-1 Single Family Residential Large Lot District"; and,

WHEREAS, the action of the Municipal Planning Commission on April 13, 2016 was that the zoning on said real estate should be changed to "R-1 PD Single Family Residential Large Lot District Planned Development" as shown on the preliminary site plan dated February 24, 2016 and revised March 18, 2016 attached to said application; and,

WHEREAS, this Council held a public hearing on said application (petition) on June 6,

2016, after thirty (30) days prior publication of notice of such public hearing, and after twenty (20) or more days of prior written notice of the hearing to all owners of the property within, contiguous to, and directly across the street from the subject property was duly made; and,

WHEREAS, the Director of Law was authorized to prepare the appropriate legislation modifying the recommendation of the Municipal Planning Commission, as hereinabove and hereinafter set forth and approving said application (petition) as so modified; and,

WHEREAS, all things required to be done under the Codified Ordinances of the City of Sylvania and the Charter of the City before Council may take final action on said zoning ordinance amendment application (petition) have been done.

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

SECTION 1. That the recommendation of the Municipal Planning Commission to approve Petition for Zoning Ordinance Amendment, Application ZA-1-2016, filed by George V. Oravec on behalf of David Schmitt on February 26, 2016, to change the zoning for 4325, 4351, 4411 and 4337 McCord Road, Sylvania, Ohio 43560 described in said Petition from "R-1 Single Family Residential Large Lot District" to "R-1 PD Single Family Residential Large Lot District Planned Development" and to provide for a planned development to permit more than one building on the site located at 4325, 4351, 4411 and 4337McCord Rd., Sylvania, Ohio is hereby approved, subject to the following:

1. The rear yard setback for those residential units installed along the western property line abutting the Appomattox lots shall be increased from twenty-five feet (25') to thirty feet (30');
2. A ten-foot screening buffer within the rear yard setback shall be installed along the western property line and other appropriate screening shall be installed along the northern and southern property lines, which buffer and screening shall be detailed and incorporated into a Landscaping Plan which shall be subject to approval as part of the required Development Plan;
3. There shall be no two-family residential units installed along the perimeter of the site; rather, all two-family units shall be constructed in the center of the site with single-family units along the perimeter;
4. Two (2) fifteen foot (15') landscape screening buffers shall be installed at the North and South ends of Maddie Lane from the western property line easterly to the westerly property line of Lots 8 and 17 as shown on the site plan attached hereto and incorporated herein dated February 24, 2016 and revised July 11, 2016, which

- screening shall be detailed and incorporated into the Landscape Plan;
5. The density of the site shall be twenty-four (24) single family residential units and twenty (20) two-family units as shown on the site plan dated February 24, 2016 and revised July 11, 2016 attached hereto and incorporated herein;
 6. Sidewalks shall be installed on both sides of Sylvan Hills Drive and Woodland Hills Drive and on the west side of Maddie Drive as shown on the site plan dated February 24, 2016 and revised July 11, 2016 attached hereto and incorporated herein;
 7. Mr. David Schmitt, the developer of the property, agrees to maintain as many mature trees around the perimeter of the site as possible and has agreed to survey the site with Patrick O'Brien, the Superintendent of Parks and Forestry to accurately determine which trees are to remain, and shall designate the trees to be maintained in the Landscaping Plan;
 8. As part of the Development Plan the developer shall include provisions to be incorporated into a Homeowners Association for the Single Family residential units that will prohibit the rental of those units.
 9. As part of the Development Plan the developer shall include provisions to be incorporated into a Homeowners Association for the two-family residential units to be developed as an over-55 community under the Housing for Older Persons Act of 1995..
 10. The exterior appearance of the residential units shall be included in the Development Plan and shall substantially comparable to the renderings supplied by the developer to Council attached hereto.
 11. In the event that construction is not started within four years after approval by Council, the zoning certificate shall expire and reapplication for the PD shall be necessary.

SECTION 2. That the Secretary of the Municipal Planning Commission is hereby directed to change the Current Official Zoning Maps adopted and maintained pursuant to Chapter 1113 of the Codified Ordinances of Sylvania, to conform to the within Ordinance.

SECTION 3. That the granting of this planned development shall not dispense with, or be in lieu of, a building permit.

SECTION 4. That the Clerk of Council is hereby authorized and directed to provide Applicant with a certified copy of this Ordinance.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

July 18, 2016

To: The Mayor and Members of Sylvania City Council

Re: City of Sylvania & Lucas County Sanitary Engineer Sanitary Lining Project

Dear Mr. Mayor and Council Members:

Bidding documents for the above-mentioned project are ready for bidding.

This is a joint agency project with the City of Sylvania and Lucas County Sanitary Engineer (LCSE) aimed at lining various sanitary sewer appurtenances within both collection systems. Both entities entered into a Joint Cooperation Agreement that received Council approval on November 2, 2015 by Ordinance 64-2015. In addition, both entities were successful in obtaining Ohio Public Works Commission (OPWC) funding in a joint application.

The project consists of lining 7,160 feet of sanitary sewer and 147 vertical feet of manholes within the City of Sylvania Sanitary Service Area. The locations of lining are on Erie Street between Elden Drive and Main Street, Garden Park Drive, Main Street between Franklin Drive and Monroe Street and Sylvanwood Drive between Sylvania Avenue and Centerwood Drive.

The project consists of lining 14 wet wells and discharge manholes at various locations within the LCSE Sanitary Service Area. The total vertical footage of wet wells and manholes to line is 378 feet.

The estimated cost of the project is \$648,994 with \$318,007 (49%) being covered by OPWC funding, \$228,380 (35%) by the City of Sylvania and \$102,607 (16%) by the LCSE. Construction is to be completed by June 30, 2017.

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

Sincerely,

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

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City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

July 13, 2016

To: The Mayor and Members of Sylvania City Council

Re: **Refuse & Recycling Collection 2016-2021**

Dear Mr. Mayor and Council Members:

We received bids for this service on Thursday, July 7, 2016 and received 1 bid. Our current service provider, Allied Waste Services of North America, LLC, dba Allied Waste Services of Toledo, submitted the only bid received, as attached.

It is our recommendation that we maintain the current levels of service for refuse and recycling collection. The refuse collection cost will be an increase of 3% over our current pricing. The recycling collection cost will be an increase of 20% over our current pricing. While this is a higher increase than normal, it is to be expected due to the poor market for recyclable material and in line with recent bids in area municipalities.

Therefore, with this new contract, our monthly collection cost for both programs will increase from \$9.54 to \$10.34 per household on September 1, 2016.

Allied Waste Services has provided excellent service in the past and we would recommend continuing our relationship with them. Therefore, we recommend awarding this "Refuse & Recycling Collections, 2016-2021" contract to Allied Waste Services.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

**CITY OF SYLVANIA
REFUSE AND RECYCLING BID SUBMISSION FORM**

BIDDER

Name: Allied Waste Services of North America, LLC.
Address: 6749 S. Dixie Hwy
Erie, Mi. 48133
Telephone: 734-848-5216
Email: cjonesdd7ee@republicservices.com

A. REFUSE BID (Weekly collection)

Residential Unit Cost Fee per Month
5800 Units; (Three Container Limit) \$ 6.80 /unit/month

Fee for Extra Container
beyond three container limit (Fee
includes special tag or bag cost) \$ 2.25 /bag or tag

Fee for Bulky Item
(Includes cost of tag) \$ 12.50 /bulky item

Alternate No. 1: Unit Cost per Residential Unit
Fall Unlimited Refuse Pickup
(October) \$ 4.49 /unit

Alternate No. 2: Unit Cost per Residential Unit
Spring Unlimited Refuse Pickup
(April or May) \$ 4.49 /unit

Alternate No. 3 Fuel Surcharge Program Attached yes no (circle one)
Base Fuel Charge \$ 2.50

Alternate No. 4 Contractor supplied 95 Gallon
Rolling Cart with automatic
Collection System \$ 8.88 /unit/month

Alternate No. 5 Contractor supplied 65 Gallon
Rolling Cart with automatic
Collection System \$ 8.88 /unit/month

Landfill Name: Vienna Junction Landfill
Address: 6233 Hagman Road
Erie, Michigan 48133
Telephone: 419-726-9465

Regulatory Agency & Fees (list) (Included in unit cost)	State of Michigan .12 cents per yard
	Erie Township 4.87% of revenue
	Monroe County .18 cents per yard
	Lucas County Generator Fee \$5.20 per ton

B. RECYCLABLE MATERIALS BID (Bi-Weekly collection)

Residential Unit Cost Fee per Month
(Contractor-supplied 95 Rolling Cart) \$ 3.54 /unit/month

Alternate No. 1 Fuel Surcharge Program Attached yes no (circle one)
Base Fuel Charge \$ 2.50

Alternate No. 2 Weekly Collection \$ 4.08 /unit/month

In submitting this bid, the bidder hereby certifies and guarantees the following:

1. The bid is made without any previous understanding, agreement or connection with any other person, firm or corporation making the bid.
2. No officer or employee of the City of Sylvania is directly or indirectly interested in this bid, the services to which it relates, or any portion of the profits thereof.
3. The bidder has carefully examined and understands the Notice To Bidders and Bid Specifications and if successful in the bid will provide all services described therein.

SUBMITTED BY:

Allied Waste Service of North America, LLC.

COMPANY NAME

6749 S. Dixie Hwy.

COMPANY ADDRESS

Erie, Michigan 48133

CITY, STATE ZIP



SIGNATURE OF AUTHORIZED REPRESENTATIVE

Chris Jones General Manager

TYPED NAME & TITLE

ORDINANCE NO. 38 -2016

DETERMINING THE LOWEST AND BEST BID FOR COLLECTION AND DISPOSAL OF RESIDENTIAL CURBSIDE REFUSE AND RECYCLING IN THE CITY OF SYLVANIA, OHIO; ACCEPTING THE BID OF ALLIED WASTE SERVICES OF NORTH AMERICA, LLC, d/b/a ALLIED WASTE SERVICES OF TOLEDO; REJECTING ALL OTHER BIDS; AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A CONTRACT PURSUANT TO THE LOWEST AND BEST BID, THE ADVERTISEMENT THEREFORE, NOTICE TO BIDDERS, REQUEST FOR BIDS INCLUDING SPECIFICATIONS FOR THE REFUSE AND RECYCLING COLLECTION AND DISPOSAL CONTRACT, AND CHAPTERS 941 AND 943 OF THE CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 53-2006, passed June 5, 2006, determined that the lowest and best bid for collection and disposal of residential refuse was that of Allied Waste Services and awarded the contract for the same to them; and,

WHEREAS, Ordinance No. 54-2006, passed June 5, 2006, accepted the bid of Allied Waste Services and authorized the Mayor and Director of Finance to enter into a contract pursuant to the lowest and best bid for the curbside recycling collection and disposal contract, and Chapter 943 of the Codified Ordinances of Sylvania, 1979, as amended; and,

WHEREAS, Ordinance No. 33-2009, passed May 4, 2009, accepted the proposal of Allied Waste Services to provide residential curbside refuse collection for a one-year term; and,

WHEREAS, Ordinance No. 38-2009, passed May 4, 2009, accepted the proposal of Allied Waste Services to provide residential curbside recycling collection for a one-year term; and,

WHEREAS, Ordinance No. 69-2010, passed July 19, 2010, accepted the bid of Allied Waste Services to provide residential curbside refuse collection for a three-year term; and,

WHEREAS, Ordinance No. 70-2010, passed July 19, 2010, accepted the bid of Allied Waste Services to provide residential curbside recycling collection for a three-year term; and,

WHEREAS, Ordinance No. 67-2012, passed December 3, 2012, accepted the proposal of Allied Waste Services to provide residential curbside recycling collection for a three-year term; and,

WHEREAS, Ordinance No. 68-2010, passed December 3, 2012, accepted the proposal of Allied Waste Services to provide residential refuse collection for a three-year term; and,

WHEREAS, at the May 2, 2016 meeting of Sylvania City Council, the Clerk was authorized to advertise for bids for the collection and disposal of residential refuse and recycling; and,

WHEREAS, after advertising therefore, one (1) bid was received on July 7, 2016 for the residential curbside refuse and recycling collection and disposal for the City of Sylvania as follows:

<u>BIDDER</u>	<u>BID PRICE</u>
Allied Waste Services	\$10.34/unit/month

WHEREAS, the Director of Public Service, in a report dated July 13, 2016, has recommended approval of a five-year contract for residential refuse and recycling collection with an initial fee of \$10.34/unit/month with annual increases based on the Trash Collection and Recycling Index.

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

SECTION 1. That the bid of Allied Waste, 6749 Dixie Hwy., Erie, MI 48133, for a five

year contract, commencing September 1, 2016 through August 31, 2021, for the collection and disposal of City of Sylvania, Ohio residential refuse and recycling, for a unit cost per residential unit collection fee on a limited collection basis, with a three (3) container limit, of Ten and 34/100 Dollars (\$10.34) per unit, per month, and with a collection fee, unit cost per container in excess of the specified three (3) container limit of One and 50/100 Dollar (\$1.50) per container, all as set forth in the bid of said bidder hereby accepted, is hereby determined to be the lowest and best bid, and the same is hereby accepted, and the Mayor and Director of Finance are hereby authorized to enter into a contract with the bidder whose bid is hereby accepted for the combined collection and disposal, pursuant to said bid, the notice to bidders, the collection and disposal contract specifications, the provisions of Chapters 941 and 943 of the Codified Ordinances of Sylvania, 1979, as amended, and containing such the provisions as the Mayor, Director of Finance and Director of Law shall require.

SECTION 2. That the monthly payment under such residential refuse and recycling collection and disposal contract authorized by this Ordinance shall be charged to **Account No. 110-7515-51265 - Refuse Collection and Disposal and Account No. 705-7312-51265 – Recycling.**

SECTION 3. That all bids not accepted by Section 1. hereof are hereby rejected.

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 continuous collection and disposal of refuse and recycling should be assured by authorizing a contract therefore immediate and consequently this Ordinance should be effective forthwith. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2016, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

PETITION FOR ZONING ORDINANCE AMENDMENT

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

Application No. ZA-2-2016
Date 07/12/2016

Petitioner Name(s): Toledo-Lucas County Public Library

Petitioner Address: 325 N. Michigan Street, Toledo, Ohio 43604

Email: Charlie.Oswanski@toledolibrary.org Telephone: (419) 304-0907

Location of property for which zoning amendment is requested: N. King Road and Sylvania Avenue

Parcels: 82-93917, 82-93918, 82-93919 & 82-93920

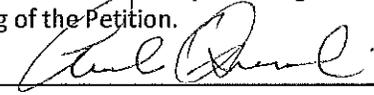
Purpose of amendment request: To rezone newly annexed parcels from Sylvania Township to the current zoning classification of the parcels to the south, which are to be combined into one future parcel

Current Zoning: Residential (R-1) Requested Zoning: B-1-B

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 \$100.00 + cost of advertising, 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: 
Charles Oswanski

Date referred by Council: _____

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

For Office Use Only

Date: 7/13/16 Check #: 18813 Cash: _____ Fee: \$ 100.00

Prior Deed: 20131220-0065022,
20140425-0015480, 20140425-
0015471 & 20140114-0001207
Parcel: 82-93917, 82-93918, 82-
93919 & 82-93920
LE Survey #42875

Legal Description King Road Zone Change: Being part of Section 21, Town 9 South, Range 6 East, in the City of Sylvania, Lucas County, Ohio, bounded and described as follows:

Commencing at an iron bar monument found at the Northwest corner of Section 21, said point also being the intersection of Sylvania Avenue, so called, and King Road, so called.

Thence North 85 degrees, 38 minutes, 29 seconds East, along the North line of Section 21, said line also being the centerline of Sylvania Avenue, a distance of 57.59 feet to the True Point of Beginning.

Thence continuing North 85 degrees, 38 minutes, 29 seconds East, along the North line of Section 21, said line also being the centerline of Sylvania Avenue, a distance of 74.83 feet.

Thence South 00 degrees, 14 minutes, 30 seconds West, along a line that is parallel with the West line of Section 21, a distance of 30.10 feet to the South right-of-way of Sylvania Avenue.

Thence North 85 degrees, 38 minutes, 29 seconds East, along the South right-of-way of Sylvania Avenue, a distance of 50.16 feet.

Thence North 00 degrees, 14 minutes, 30 seconds East, along a line that is parallel with the West line of Section 21, a distance of 30.10 feet to the North line of Section 21, said line also being the centerline of Sylvania Avenue.

Thence North 85 degrees, 38 minutes, 29 seconds East, along the North line of Section 21, said line also being the centerline of Sylvania Avenue, a distance of 41.13 feet.

Thence South 00 degrees, 14 minutes, 30 seconds West, along a line that is parallel with the West line of Section 21, passing the South right-of-way of Sylvania Avenue at a distance of 30.10 feet, an overall distance of 331.07 feet.

Thence North 85 degrees, 38 minutes, 29 seconds East, along a line that is parallel with the North line of Section 21, a distance of 41.13 feet.

Thence South 00 degrees, 14 minutes, 30 seconds West, along a line that is parallel with the West line of Section 21, a distance of 57.05 feet.

Thence South 85 degrees, 38 minutes, 29 seconds West, along a line that is parallel with the North line of Section 21, passing the East right-of-way of King Road at a distance of 210.67 feet, an overall distance of 264.85 feet to the West line of Section 21, said line also being the centerline of King Road.

Thence North 00 degrees, 14 minutes, 30 seconds East, along the West line of Section 21, said line also being the centerline of King Road, a distance of 57.05 feet.

Thence North 85 degrees, 38 minutes, 29 seconds East, along a line that is parallel with the North line of Section 21, a distance of 40.13 feet.

Thence North 00 degrees, 14 minutes, 30 seconds East, along a line that is parallel with the West line of Section 21, a distance of 182.92 feet.

Thence North 89 degrees, 45 minutes, 30 seconds West, along a line that is perpendicular to the West line of Section 21, a distance of 10.00 feet.

Thence North 00 degrees, 14 minutes, 30 seconds East, along a line that is parallel with the West line of Section 21, a distance of 87.00 feet.

Thence North 42 degrees, 38 minutes, 41 seconds East, a distance of 44.21 feet.

Thence North 04 degrees, 21 minutes, 31 seconds West, along a line that is perpendicular to the North line of Section 21, a distance of 30.00 feet to the True Point of Beginning. Bearings used herein are based upon the West line of Section 21, said line also being the centerline of King Road and the having a bearing of North 00 degrees, 14 minutes, 30 seconds East and are intended to indicate angular measurement only.

Excepting therefrom the following parcels WD-14 & WD-15:

(WD-14)

Situated in the State of Ohio, County of Lucas, City of Sylvania, Northwest Quarter of Section 21, Town 9 South, Range 6 East, being part of a 0.346 acre tract of land conveyed to Toledo Lucas County Public Library, by deed recorded in Instrument Number 201401140001207 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Commencing at a ½" bar in a monument box found at the northwest corner of Section 21, said ½" bar in a monument box found also being at the intersection of the centerline of right-of-way of Sylvania Avenue and King Road, said ½" bar in a monument box found also being at station 20+00 in the construction plans for the King Road Right Turn Lane & Resurfacing Project on file with the City of Sylvania;

Thence South 00°40'19" East a distance of 331.07' on the centerline of right-of-way of King Road and the west line of Section 21 to a point on the north property line of said parcel of land conveyed to Toledo Lucas County Public Library by deed recorded in Instrument Number 201401140001207 in the Deed Records of the Lucas County Recorder's Office, said point also being at station 16+68.93 and being the **TRUE POINT OF BEGINNING**;

Thence North 84°44'03" East a distance of 54.17' on the north property line to a point on the proposed east right-of-way line of King Road, said point also being 54.00' right of station 16+73.27;

Thence South 00°40'19" East a distance of 57.05' on the proposed east right-of-way line of King Road to a point on the south property line of said parcel of land conveyed to Toledo Lucas County Public Library

by deed recorded in Instrument Number 201401140001207 in the Deed Records of the Lucas County Recorder's Office, said point also being 54.00' right of station 16+16.22;

Thence South 84°44'03" West a distance of 54.17' on the south property line to a point on the west line of Section 21, said point also being on the centerline of right-of-way of King Road, said point also being at station 16+11.88;

Thence North 00°40'19" West a distance of 57.05' on the west line of Section 21 and the centerline of right-of-way of King Road to the **TRUE POINT OF BEGINNING**.

The above described area contains 0.071 acres, of which 0.039 acres is PRO (Present Road Occupied), leaving a net take of 0.032 acres, more or less, subject to all legal highways and easements of record.

Grantor claims title by instrument recorded in Instrument Number 201401140001207 in the Deed Records of the Lucas County Recorder's Office.

The above described area is contained within Lucas County Auditor's tax district parcel number 82-93920.

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

This description was based on a field survey conducted by Engineers, Surveyors & Associates, LLC in July 2015 under the direction and supervision of Gregory L. Boudouris, Registered Surveyor 8083 of the State of Ohio. This description was prepared by Joseph E. Shaw, Registered Surveyor 8491 of the State of Ohio.

(WD-15)

Situated in the State of Ohio, County of Lucas, City of Sylvania, Northwest Quarter of Section 21, Town 9 South, Range 6 East, being part of a 0.703 acre tract of land conveyed to Toledo Lucas County Public Library, by deed recorded in Instrument Number 201312200065022 in the Deed Records of the Lucas County Recorder's Office and being more particularly described as follows:

Commencing at a ½" bar in a monument box found at the northwest corner of Section 21, said ½" bar in a monument box found also being at the intersection of the centerline of right-of-way of Sylvania Avenue and King Road, said ½" bar in a monument box found also being at station 20+00 in the construction plans for the King Road Right Turn Lane & Resurfacing Project on file with the City of Sylvania;

Thence South 00°40'19" East a distance of 331.07' on the centerline of right-of-way of King Road and the west line of Section 21 to a point, said point being at the extended intersection of the south property line of said parcel of land conveyed to Toledo Lucas County Public Library by deed recorded in Instrument Number 201312200065022 in the Deed Records of the Lucas County Recorder's Office, said point also being at station 16+68.93;

Thence North 84°44'03" East a distance of 40.13' on the extended intersection of the south property line to a point, said point also being 40.00' right of station 16+72.14 and being the **TRUE POINT OF BEGINNING**;

Thence North 00°40'19" West a distance of 182.92' on a line parallel to the centerline of right-of-way to a point, said point also being 40.00' right of station 18+55.07;

Thence South 89°19'41" West a distance of 10.00' to a point, said point also being 30.00' right of station 18+55.07;

Thence North 00°40'19" West a distance of 87.00' to a point, said point also being 30.00' right of station 19+42.07;

Thence North 41°44'25" East a distance of 44.21' to a point, said point also being 59.82' right of station 19+74.71;

Thence North 05°15'57" West a distance of 30.00' to a point on north line of Section 21, said point also being on the centerline of right-of-way of Sylvania Avenue, said point also being 57.43' right of station 20+04.43;

Thence North 84°44'03" East a distance of 74.83' on the north line of Section 21 and centerline of right-of-way of Sylvania Avenue to a point on the east property line of said parcel of land conveyed to Toledo Lucas County Public Library by deed recorded in Instrument Number 201312200065022 in the Deed Records of the Lucas County Recorder's Office, said point also being 132.04' right of station 20+10.18';

Thence South 00°40'19" East a distance of 50.16' on the east property line to a point on the proposed south right-of-way line of Sylvania Avenue, said point also being 132.01' right of station 19+60.45;

Thence South 84°44'03" West a distance of 52.36' on the proposed south right-of-way line of Sylvania Avenue to a point, said point also being 79.81' right of station 19+56.25;

Thence South 41°44'25" West a distance of 38.27' on the proposed south right-of-way line of Sylvania Avenue to a point, said point also being on the proposed east right-of-way line King Road, said point also being 54.00' right of station 19+28.00;

Thence South 00°40'19" East a distance of 254.73' on the proposed east right-of-way line of King Road to a point on the south property line of said parcel of land conveyed to Toledo Lucas County Public Library by deed recorded in Instrument Number 201312200065022 in the Deed Records of the Lucas County Recorder's Office, said point also being 54.00' right of station 16+73.27;

Thence South 84°44'03" West a distance of 14.05' on the south property line to the **TRUE POINT OF BEGINNING**.

The above described area contains 0.208 acres, of which 0.120 acres is PRO (Present Road Occupied), leaving a net take of 0.088 acres, more or less, subject to all legal highways and easements of record.

Grantor claims title by instrument recorded in Instrument Number 201312200065022 in the Deed Records of the Lucas County Recorder's Office.

The above described area is contained within Lucas County Auditor's tax district parcel number 82-93917.

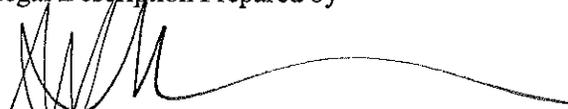
Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement.

This description was based on a field survey conducted by Engineers, Surveyors & Associates, LLC in July 2015 under the direction and supervision of Gregory L. Boudouris, Registered Surveyor 8083 of the State of Ohio. This description was prepared by Joseph E. Shaw, Registered Surveyor 8491 of the State of Ohio.

Containing 62,173.96 square feet or 1.427 acres of land, of which 1,233.98 square feet or 0.028 acres of land are within the Sylvania Avenue right-of-way. This legal description is based upon a field survey prepared by Lewandowski Engineers on July 12, 2016.

TDP No: 82-93917, 82-93918, 82-93919 & 82-93920

Legal Description Prepared by



Matthew D. Lewandowski, P.L.S.
Registered Surveyor, State of Ohio No. 7476



10a

MEMORANDUM

TO: Craig A. Stough, Mayor
Members of Sylvania City Council

FROM: William H. Rhodus, Chief of Police
Leslie B. Brinning, Director of Law

RE: Juvenile Diversion Program

DATE: July 13, 2016

For your consideration in the July 18, 2016 Council packet is a proposed ordinance that would permit the sealing of juvenile records for a juvenile who successfully completes the diversion program. Currently, upon successful completion of City of Sylvania's juvenile diversion program, a letter is sent to Sergeant Justin Music indicating the records associated with the juvenile should be sealed.

The Ohio Revised Code leaves open the question of how to handle the records of a juvenile who successfully completes a diversion program with no official court involvement and without formal charges being filed against them. The City of Sylvania's diversion program is such that youth are diverted from the court system and offered the chance to complete a diversionary program through the Police Department in exchange for the charges against them being dropped, no formal complaint being filed with the Lucas County Juvenile Court and the records related to their case being sealed. If they are successful, no charges are ever filed against them and under current procedure all records (police and diversion program related) are sealed at the direction of the Chief of Police or his designee. If the juvenile is not successful; and does not satisfactorily complete the diversion program, only then are formal charges filed against them, with official court involvement commencing.

By enacting the proposed legislation, this will clarify and provide the procedure by which juvenile diversion records in Sylvania are to be sealed and it is our recommendation that the proposed ordinance be approved.

If you have any questions, please do not hesitate to contact us.

ORDINANCE NO. 39 -2016

AMENDING THE SYLVANIA CODIFIED ORDINANCES, 1979, AS AMENDED, BY ADDING CHAPTER 165 – ALTERNATIVE DISPUTE PROGRAM; AND DECLARING AN EMERGENCY.

WHEREAS, the Chief of Police and Director of Law have recommended that Chapter 165 – Alternative Dispute Program be added to the Sylvania Codified Ordinances.

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

SECTION 1. That Chapter 165 – Alternative Dispute Program, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

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

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

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

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

Passed, _____, 2016, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

Chapter 165 – ALTERNATIVE DISPUTE PROGRAM

165.01 Juvenile Criminal Diversion Program.

165.01 JUVENILE CRIMINAL DIVERSION PROGRAM.

The Chief of Police or his designee may refer cases involving juvenile offenders into the Juvenile Diversion Program. Participation in the Juvenile Diversion Program will be confidential. A fee of _____ may be assessed to program participants to defer the costs and expenses incurred by the operation of and participation in this Program. The Chief of Police or his designee may waive any fee, either using his or her discretion or when the parties are unable to pay. The Chief of Police or his designee retains the right to remove any individual from the program for any cause.

All of the proceedings and informational items regarding the juvenile and his/her family are confidential and not a matter of public record.

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

“Exhibit A”

ORDINANCE NO. 40 -2016

AMENDING THE SYLVANIA CODIFIED ORDINANCES, 1979, AS AMENDED, BY ADDING CHAPTER 765 – DEALERS IN SECOND-HAND ARTICLES; AND DECLARING AN EMERGENCY.

WHEREAS, the Chief of Police and Director of Law have recommended that Chapter 765 – Dealers in Second-Hand Articles be added to the Sylvania Municipal Code.

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

SECTION 1. That Chapter 765 – Dealers in Second-Hand Articles, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

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

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

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

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

Passed, _____, 2016, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

CHAPTER 765
Dealers in Second-Hand Articles

765.01	Definitions.	765.08	Record of sale.
765.02	License required; exception.	765.09	Prohibitions.
765.03	Application for license.	765.10	Report to Police Division.
765.04	Display of license.	765.12	Hours of Business.
765.05	License fee; expiration date; renewal.	765.13	Additional rules.
765.06	Transfer of license.	765.14	Denial or revocation of license; Notice of liability; appeals.
765.07	Record to be kept.	765.99	Penalty.

765.01 DEFINITIONS.

(a) "Second-hand dealer" means any person, society, firm, club, partnership, organization or corporation that sells or purchases for the purpose of resale, second-hand articles. "Second-hand dealer" includes the sale of goods on consignment and the sale of second-hand goods in combination with the sale of new merchandise. For purposes of this chapter:

(1) Anyone who conducts more than seven sale days of second-hand goods during a calendar year from any location within the City of Sylvania shall be considered a dealer in second-hand goods within the meaning of this chapter.

(2) A "second-hand dealer" includes any person issued a license pursuant to Ohio Revised Code § 4727.02 (Pawnbroker), § 4737.07 (Second-hand Goods Dealer, Junk Yard) who sells, purchases, or accepts on consignment second-hand goods.

(b) "Second-hand article" means any merchandise or item of whatever nature, including antiques, that is not new and/or has been used or worn by a previous owner. A second-hand article includes, but is not limited to, any article composed wholly, or in part, of gold, silver, platinum or other precious metal; old gold, silver or platinum for the purpose of melting, refining or selling; used or worn merchandise or item of whatever nature taken as trade-in on a new article, item or merchandise and sold by any person, society, firm, club, partnership or corporation; or any merchandise or item evidenced by a pawnbroker's ticket or other evidence of pledged article from a person, society, firm, club, partnership, organization or corporation other than a pawnbroker who deals in the redemption of sale of furs, or clothing. "Second-hand article" also includes "fixtures" attached to residential or commercial property and "special purchase articles" as defined in Ohio Revised Code § 4737.04(A)(2).

(c) "Location" means the place where any sale or purchase of a second-hand article is transacted.

(d) "Picture identification" means one or more of the following that includes a photograph of the bearer:

- (1) Valid driver's license issued by a state government;
- (2) A state identity card;
- (3) Passport issued by a legitimate government; or
- (4) An alien registration identification card issued by the United States

Immigration and Naturalization Service.

(e) "Purchase" means buy for valuable consideration, take in trade, or accept on consignment.

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

765.02 LICENSE REQUIRED; EXCEPTION.

No person, society, firm, club, partnership, organization or corporation, or an employee, agent or representative of same, shall engage in the business of second-hand dealer without applying for and obtaining a license therefore from the Chief of Police in the manner and form hereinafter provided. A separate license shall be required for each location at which sales or purchases of second-hand articles are transacted. For purposes of this section and subject to zoning requirements, a license is required for any garage, yard, or estate sale which exceeds seven cumulative calendar days within a ninety day period.

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

765.03 APPLICATION FOR LICENSE.

(a) Application for a second-hand dealer license, as defined herein, shall be made to the Chief of Police upon such forms as shall be prepared therefor by him.

(b) Each applicant for a license defined herein shall set forth on the application provided therefor all the information requested therein, including but not limited to, the name and home address of the applicant, the name of the business and the address where the business is to be conducted, the applicant's social security number and the date of birth of the applicant.

(c) The applicant shall take the completed application to the Records Section of the Division of Police for a record check. The Records Section shall return the application within five business days to the Chief of Police with a copy of the applicant's record, if any.

(d) The Chief of Police shall issue, or reissue, a second-hand dealer license to any applicant who has met all the requirements of this chapter and has paid all the fees relevant hereto.

(e) No license shall be issued, or reissued, to any person, society, firm, club, partnership, organization or corporation who/which has been convicted, within five years of the date of application, of buying, receiving, retaining, concealing, or disposing of goods and/or property which was stolen or otherwise unlawfully obtained, or of any theft offense as defined in Ohio R.C. 2913.01(K) or of any felony drug abuse offense as defined by Ohio R.C. 2925.01. No license shall be issued, or reissued, to any person, society, firm, club, partnership, organization or corporation if any person named on the application has had a second-hand dealer license revoked within five years of the date of the application. No license shall be issued to any person, society, firm club, partnership, organization or corporation who/which has submitted an incomplete or inaccurate application.

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

765.04 DISPLAY OF LICENSE.

No person licensed pursuant to this chapter shall fail and/or refuse to display any license issued under this chapter at the place of business and in full view of the patrons.

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

765.05 LICENSE FEE; EXPIRATION DATE; RENEWAL.

(a) The nonproratable fee for a second-hand dealer license shall be one hundred twenty-five dollars (\$125.00) per year.

(b) The term of such license shall be from April 1 of each year thru March 31 of the following year, unless revoked pursuant to this chapter.

(c) Any renewal of a second-hand dealer license shall be submitted to the Chief of Police, upon such form as shall be prepared therefor by him, not earlier than thirty days but at least ten days prior to the expiration date of the license. The procedure established by Section 765.03 shall then be followed for each renewal.

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

765.06 TRANSFER OF LICENSE.

No person, society, firm, club, partnership, organization or corporation issued a license pursuant to this chapter shall sell, barter, assign or exchange same. A license issued under this chapter shall be void in the hands of any person or business other than the one to whom/which it was issued.

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

765.07 RECORD TO BE KEPT.

(a) Each second-hand dealer must establish and maintain a record, to be called the "Second-Hand Dealer's Register", of all property, other than recyclable beverage containers, purchased by the dealer.

(b) Each second-hand dealer, immediately after the purchase of any property, must set out in the register in the English language a record of the purchase in chronological order by date of purchase. The record must include:

- (1) The name, residence or street address, and birth date of the seller from whom the second-hand dealer, or any employee of the dealer, purchased the property;
- (2) Confirmation of the identity of the seller by way of picture identification, including a color photo copy of the picture identification, and the name of the authority who issued it. A second-hand dealer may use an electronic device that decodes and records information contained in the metallic strip on a personal identification card to record a person's name, address, and photograph in lieu of making a copy of a person's personal identification card to comply with the requirements of this section on the condition that the dealer or person retains that recorded information and makes it available in accordance with the requirements set forth herein.
- (3) A photocopy of the property that depicts the make, model, serial number and any markings that identify an owner;
- (4) The type of purchase as described in the definition of "purchase" in Section 765.01(e);
- (5) The price paid for the property;
- (6) The precise date and hour of purchasing the property;
- (7) Identifiable or distinguishing marks on the property; and

(8) In the case only of a second-hand dealer who is a junk dealer purchasing metal salvage, the make, description, and license number of any motor vehicle used by the seller to deliver the property to the second-hand dealer's premises.

(c) Each second-hand dealer must:

(1) Record all information in the register in legible handwriting in ink; and
(2) Record all information in the register electronically. Every secondhand dealer shall provide an electronic record utilizing the LeadsOnline electronic reporting system or the electronic system then in use by the City. Such report shall enter and upload all information from its books and records regarding contracts for purchase, pledges and purchase transactions of any secondhand scrap iron, automobile parts, tires, household furniture or furnishings, household appliances, office equipment, coins, jewelry, jewels, weapons, bicycles, tools, toys, electronic media and or electronic equipment to LeadsOnline or a similar system as soon as reasonably possible after the transaction is consummated. Every secondhand dealer shall input information to every data field supported by the LeadsOnline system.

(3) Before close of each business day, print out a hard copy of all electronic information recorded during the course of the day, and maintain all such hard copies as a manual version of the register; and

(4) If the dealer is unable, for any reason, to record or transmit entries electronically, the dealer shall comply with subsection (c)(1) until electronic recording and transmitting is again available, and must then immediately enter all transactions electronically all purchases made by the dealer and not previously recorded or transmitted.

(d) A second-hand dealer shall not amend, obliterate, deface, or erase any entry in the register or remove any page from the register, either wholly or partially or electronically or manually.

(e) Each second-hand dealer, during business hours on business days, must produce the register for inspection by the Chief of Police, any police force member, or any person designated by the Chief of Police.

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

765.08 RECORD OF SALE.

At the time of the sale or disposition of such article, except furniture received from a bona fide residence, store, warehouse or factory, the second-hand dealer disposing thereof shall enter in his record book along with the entry made at the time of the acquisition of such second-hand article, the name, address and description of the person to whom such second-hand article is transferred, and shall obtain in ink in his record book, the signature of the person or persons acquiring such second-hand article.

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

765.09 PROHIBITIONS.

(a) No dealer in second-hand goods:

(1) Shall purchase any second-hand goods, articles or things from any person under the influence of alcohol or drugs or from any person who is known by the

licensee to be a habitual drunkard, drug addict, thief or an associate of thieves, or any receiver of stolen property, or from any person he has a reason to suspect to be such;

(2) Shall carry on the business of buying or selling second-hand property except at the premises designated in the dealer's license;

(3) Shall purchase any property from any person between 6:00 p.m. of one calendar day and 6:00 a.m. of the next calendar day;

(4) Shall purchase any property whose serial number or other identifiable marking has been wholly or partially tampered with or removed;

(5) Shall purchase any property from any person under the age of eighteen (18) years; and

(6) Shall fail to display a license required by this chapter.

(7) Shall purchase or receive any second-hand articles from a person who refuses to show the dealer the person's personal identification card.

(8) Shall fail to maintain a hand written and electronic register as set forth under Section 765.07 (c).

(b) No dealer in second-hand goods shall within thirty (30) days of purchasing a second-hand item or within fifteen (15) days of purchasing a second-hand item where the record of the purchase was transmitted electronically as set forth in Section 765.07(c) shall:

(1) Repair, alter, dispose of, part with possession of, or remove from the second-hand dealer's premises or possession the item of property or possession; and

(2) Suffer or permit any other person to repair, alter, dispose of, part with possession of, or remove from the second-hand dealer's premises the item of property or possession.

(c) The Chief of Police shall provide a list, as he or she determines appropriate, of the names and descriptions of persons known to be or who are suspected to be thieves or receivers of stolen property. No dealer in second hand goods shall purchase or receive articles from any person identified on the list the dealer receives from the Chief of Police.

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

765.10 REPORT TO POLICE DIVISION.

Any person, society, firm, club, partnership, organization or corporation buying, receiving or taking in exchange any tires, used motor vehicles, accessories or parts thereof, shall make a report to the Police Division each morning of the tires, used motor vehicles, accessories or parts thereof bought, received or taken in exchange during the preceding twenty-four hours. They shall fill out a form to be approved by the Police Division giving in the report a full description of the property bought, received or taken in exchange.

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

765.11 HOURS OF BUSINESS.

No person, society, firm, club, partnership, organization or corporation engaged in the occupation of second-hand dealer shall keep open his place of business before the hour of 6:00 a.m., nor after hour of 8:00 p.m., except on Saturdays, when the closing hour shall be 10:00 p.m.

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

765.12 ADDITIONAL RULES.

The Chief of Police is hereby authorized and directed to adopt and promulgate such rules as he deems necessary for the efficient execution and performance of this chapter.

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

**765.13 DENIAL OR REVOCATION OF LICENSE; NOTICE OF LIABILITY;
APPEALS.**

(a) Any applicant whose application for a second-hand dealer license is denied by the Chief of Police shall be notified in writing of the denial by the Chief of Police. Such applicant may appeal the denial to a Board of Appeals comprised of the Director of Law, who shall act as Chair of the Board of Appeals, the Director of Public Safety, the Chief of Police, or their selected representatives. A written request for an appeal hearing shall be submitted to the Chief of Police within ten days after receipt of the application denial notice.

(b) The Chief of Police, as a result of his own investigation, may revoke or suspend the second-hand dealer license issued to any person, society, firm, club, partnership, organization or corporation under the provisions of this chapter, for a violation of any provision of this chapter. Any person, society, firm, club, partnership, organization or corporation whose second-hand dealer license has been revoked or suspended by the Chief of Police shall be notified in writing of the revocation by the Chief of Police. Such person, society, firm, club, partnership, organization or corporation may appeal the revocation to the Board of Appeals created in subsection (a) hereof. A written request for an appeal hearing shall be submitted to the Chief of Police within ten days after receipt of the license revocation notice.

(c) The Board of Appeals, as herein established, shall hear any appeal, pursuant to subsections (a) and (b) hereof within thirty days from the date the request for appeal is received by the Chief of Police. The Board shall have the power to sustain, modify or reverse the decision of the Chief of Police. The Board's decision shall be in writing and sent to the appellant/applicant, or his/her legal representative, within fifteen days after the hearing is concluded. The action of the Board of Appeals is final. A quorum of the Board shall consist of a majority of the members of the Board.

(d) In addition to any other penalty provided for in Chapter 765, the Chief of Police or his/her designee may issue a Notice of Liability to any person engaged in the business of second hand dealer who violates any provision of this chapter, regardless of whether the person is licensed under this chapter.

Said notice shall describe the location and nature of the violation, the time and date it was observed and the fine assessed to the violator. No notice of liability may be issued to a violator more than once during any seventy-two (72) hour period for the same violation.

(1) The Notice of Liability shall be served upon the owner by personal service or by First Class United States mail.

(2) Any person charged with a Notice of Liability may appeal said notice to the Board of Appeals as provided by this section. The failure to file an appeal shall constitute a waiver of the right to contest and an admission of the Notice of Liability.

(3) Any person found in violation of a Notice of Liability issued under Chapter 765 shall be subject to a civil fine as follows:

(A) \$250 for each first offense;

(B) \$500 for each second offense within a three year period.
The levying of fines shall not preclude any other legal recourse which the Chief of Police may have, including suspension and revocation of the license holder's license. If more than three (3) years occurs between offenses, a subsequent violation shall be considered a first offense.

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

765.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the second degree for a first offense and a misdemeanor of the first degree for a subsequent offense. Each day that any person, society, firm, club, partnership, organization or corporation engages in any occupation requiring a license as provided for herein, without having obtained such license, shall constitute a separate offense.

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

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL **12**
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

4466927		NEW	K AND B VENTURES CORP DBA CHARLIES HOMEMADE ICE CREAM & EDIBLES 6600 SYLVANIA AV SYLVANIA OH 43560	
PERMIT NUMBER		TYPE		
06 24 2016				
ISSUE DATE				
06 24 2016				
FILING DATE				
D1		PERMIT CLASSES		
48	077	A	B25670	
TAX DISTRICT			RECEIPT NO.	

FROM 06/28/2016

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



MAILED 06/28/2016 RESPONSES MUST BE POSTMARKED NO LATER THAN 07/29/2016

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 4466927**

(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) 4466927
 K AND B VENTURES CORP
 DBA CHARLIES HOMEMADE ICE CREAM
 & EDIBLES
 6600 SYLVANIA AV
 SYLVANIA OH 43560

F.T.I. NUMBER 47-5093168
 STATUS (ACTIVE OR INACTIVE) ACTIVE
 SHARES OUTSTANDING .00
 ACTIVE DATE 04/05/16
 INACTIVE DATE
 EXCEPTION CODE TEXT
 STOCK TRANSFER CODE TEXT AND DATE

K & B VENTURES CORP	1500.00	04/05/16	ACTIVE	
LISA CHRISTINA CROSBY	50.00	04/05/16	ACTIVE	CEO

Memo

To: The Mayor and City Council
 From: Kevin G. Aller, Director of Public Safety/Service
 Date: 7/14/2016
 Re: Obsolete Equipment



Council Members,

We have several items that are no longer of use in our City operations as listed below:

- 1999 Ford Ranger Pickup VIN # 1FTYR14V5XPB46271
- Landscape Pavers (800-1,000 units)
- Wide Band 2-way Portable Radios (8 units)
- Wide Band 2-way Mobile Radios (20 units)
- Motorola Radio Repeater Model C64RCB-3105AT
- Motorola Radio Repeater Model C64RXB-3106AT/C797AGSP
- Crafco Super Shot 125 Diesel Melter (Crackfill machine)

We would request approval to dispose of these items by posting them for sale on the GovDeals website. Should we not receive any bids to purchase the materials we will dispose of them either through scrap value and/or landfill disposal.

Please call if you have any questions. Thank you.



RECEIVED

JUN 20 2016

CITY OF SYLVANIA
CITY COUNCIL

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

A

Jody L. Balogh
Clerk of the Board

June 10, 2016

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

Re: Annexation Petition 2016-1
Portions of Sylvania Township to the City of Sylvania

Dear Ms. Bucher:

Enclosed are copies of the complete proceedings for Annexation Petition 2016-1.

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

Sincerely,

A handwritten signature in cursive script that reads "Jody L. Balogh".

Jody L. Balogh, Clerk

/jlb
Enclosures

Date: April 19, 2016

Resolution No. 16-

Title: Hearing to Consider Approval of Annexation Petition No. 2016-1, Portions of Sylvania Township to the City of Sylvania, Parcel Nos. 78-80064 and 78-80134 (0.911 acres±)

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Summary/Background: There was filed with this Board on January 4, 2016, a petition for the annexation by a majority of the owners of approximately 0.911 acres of land, more or less, of real estate in Sylvania Township to the City of Sylvania by James A. Moan, Esq., agent for the petitioners. The petitioner requests that the territory be annexed pursuant to the **Regular Annexation** procedures contained in R.C. 709.02

On January 11, 2016 by Resolution 16-31, the Board accepted the filing of Annexation Petition No. 2016-1 and set the hearing date and time for March 22, 2016 at 11:00 a.m.

On January 26, 2016, the County Engineer reported that the legal description and map are accurate and do conform to County records; and, the list of adjoining owners, included with the petition, is accurate and complete.

On March 16, 2016, this Board was notified by the Agent for the Petitioners that due to an error the legal notice of the public hearing was not published in the newspaper in advance of the public hearing. Therefore, the agent for the petitioners requested the hearing be postponed to allow for the required publication. On March, 22, 2016, by Resolution 16-245, the Board changed the hearing date to April 19, 2016 at 11:00 a.m.

The petition meets all of the requirements set forth in, and was filed in, the manner provided in *O.R.C.* 709.02. The City of Sylvania, has, pursuant to *O.R.C.* 709.03(D), adopted an ordinance that includes a statement indicating what services it will provide and an approximate date that it will provide the services to the territory to be annexed, upon annexation.

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Budget Impact: N/A

Statutory Authority/ORC: 709.02

December 16, 2014

Hearing to Consider Approval of Annexation Petition No. 2016-1, Portions of Sylvania Township to the City of Sylvania, Parcel Nos. 78-80064 and 78-80134 (0.911 acres±)

Page 2

- g. No street or highway will be divided or segmented by the boundary line between the Township and the City as to create a road maintenance problem, or, if a street or highway will be so divided or segmented, the City of Sylvania has agreed, as a condition of the annexation, that it will assume the maintenance of that street or Highway;

Section 2. The petition to annex 0.911± acres of real estate in Sylvania Township to the City of Sylvania, Parcel Nos. 78-80064 and 78-80134, is hereby granted.

Section 3. The Clerk of the Board is hereby directed to deliver a certified copy of this resolution to the clerk of the Sylvania City Council, the Sylvania Township Clerk, and the agent for Petitioners.

Section 4. If after the expiration of thirty days from the date of this resolution no appeal has been filed, the Clerk of the Board is directed to deliver a certified copy of the entire record of the annexation proceedings to the auditor or clerk of the municipality.

Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public to the extent required by law.

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

Action Taken:

Commissioner
Commissioner
Commissioner

Jody L. Balogh, Clerk



RECEIVED

JUN 20 2016

CITY OF SYLVANIA
CITY COUNCIL

B

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

Jody L. Balogh
Clerk of the Board

June 10, 2016

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

Re: Annexation Petition 2016-2
Portions of Sylvania Township to the City of Sylvania

Dear Ms. Bucher:

Enclosed are copies of the complete proceedings for Annexation Petition 2016-2.

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

Sincerely,

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

Jody L. Balogh, Clerk

/jlb
Enclosures

Date: April 19, 2016

Resolution No. 16-

Title: Hearing to Consider Approval of Annexation Petition No. 2016-2, Portions of Sylvania Township to the City of Sylvania – Parcel Nos. 78-24251, 78-24197, 79-07191, 79-75200, 78-24151, 78-24194, 78-24204 (18.73± acres)

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Summary/Background: There was filed with this Board on January 4, 2016, a petition for the annexation by a majority of the owners of approximately 18.73 acres of land, more or less, of real estate in Sylvania Township to the City of Sylvania by James A. Moan, Esq., agent for the petitioners. The petitioner requests that the territory be annexed pursuant to the **Regular Annexation** procedures contained in R.C. 709.02

On January 11, 2016 by Resolution 16-32, the Board accepted the filing of Annexation Petition No. 2016-2 and set the hearing date and time for March 22, 2016 at 11:00 a.m.

On January 26, 2016, the County Engineer reported that the legal description and map are accurate and do conform to County records. However, the list of adjoining owners, included with the petition, had one omission and two needed correction. On February 17, 2016, the agent filed an amended list. The County Engineer reviewed and reported that all corrections were made and the list of property owners is now accurate and complete.

On March 16, 2016, this Board was notified by the Agent for the Petitioners that due to an error the legal notice of the public hearing was not published in the newspaper in advance of the public hearing. Therefore, the agent for the petitioners requested the hearing be postponed to allow for the required publication. On March, 22, 2016, by Resolution 16-246, the Board changed the hearing date to April 19, 2016 at 11:00 a.m.

The petition meets all of the requirements set forth in, and was filed in, the manner provided in *O.R.C.* 709.02. The City of Sylvania, has, pursuant to *O.R.C.* 709.03(D), adopted an ordinance that includes a statement indicating what services it will provide and an approximate date that it will provide the services to the territory to be annexed, upon annexation.

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Budget Impact: N/A

Statutory Authority/ORC: 709.02

April 19, 2016

Hearing to Consider Approval of Annexation Petition No. 2016-2, Portions of Sylvania Township to the City of Sylvania – Parcel Nos. 78-24251, 78-24197, 79-07191, 79-75200, 78-24151, 78-24194, 78-24204 (18.73± acres)

Page 2

Section 2. The petition to annex 18.73± acres of real estate in Sylvania Township to the City of Sylvania, Parcel Nos. 78-24251, 78-24197, 79-07191, 79-75200, 78-24151, 78-24194, 78-24204, is hereby granted.

Section 3. The Clerk of the Board is hereby directed to deliver a certified copy of this resolution to the clerk of the Sylvania City Council, the Sylvania Township Clerk, and the agent for Petitioners.

Section 4. If after the expiration of thirty days from the date of this resolution no appeal has been filed, the Clerk of the Board is directed to deliver a certified copy of the entire record of the annexation proceedings to the auditor or clerk of the municipality.

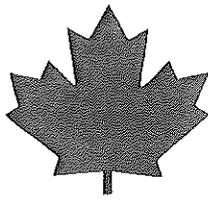
Section 5. This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public to the extent required by law.

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

Action Taken:

Commissioner
Commissioner
Commissioner

Jody L. Balogh, Clerk



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

C

July 18, 2016

To: City of Sylvania Resident

Re: **Noise Mitigation Petition-US-23 (I-475 to Monroe Street)**

Dear City Resident:

The City of Sylvania is assisting the Ohio Department of Transportation (ODOT) to begin the process of analyzing the US-23 corridor from the systems interchange at I-475 to Monroe Street for noise mitigation.

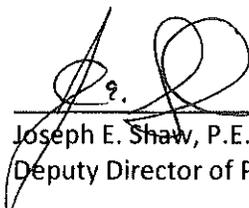
City residents may qualify to participate in ODOT's Type II Noise Wall Retrofit (NWR) Program through the Office of Environmental Services, Division of Planning. The goal of the Type II Program is to provide acoustic protection for residential areas that were in existence prior to the construction of the adjacent highway.

Communities that qualify and desire a noise barrier are required to submit an application and petition in order to start the process. City residents that are being contacted with this letter are on properties within 400' of the edge of pavement on both sides of US-23 within the proposed study area limits. A future noise analysis will determine the exact demarcation line of benefitted receptors, but generally dwellings within this tolerance are impacted and are eligible to sign the petition. To move forward with the project, tenant, property owners, or both, from at least 51% of the impacted dwellings will need to sign the petition.

At this time the City is asking for participation in the petition process. **Those residents in receipt of this letter and in favor of a noise wall project are asked to stop by the City of Sylvania Service Department Office (6730 Monroe Street) to sign the official copy of the petition.** You do not have to be the property owner to sign the petition. Renters, as well as property owners, are encouraged to participate. Our office is open from 8:00 am to 4:30 pm, Monday through Friday. We are asking that residents sign the petition on or before August 19, 2016.

If you would like more information or have specific questions please feel free to email me at jshaw@cityofsylvania.com or call me at (419) 885-8965.

Sincerely,



Joseph E. Shaw, P.E., P.S.
Deputy Director of Public Service

City of Sylvania

Bank Reconciliation

June 2016

D

Ending balance for May 2016	21,189,214.90
Add: Monthly Receipts	<u>1,903,957.89</u>
Subtotal	\$ 23,093,172.79
Less: Monthly Disbursements	<u>1,959,689.16</u>
Ending balance for June 2016	\$ 21,133,483.63

Less:

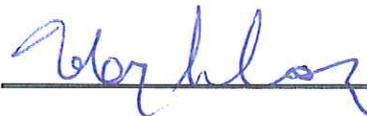
CD Metamora Bank	\$ (2,000,000.00)
Star Ohio	(77,229.22)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
PNC MoneyMarket	(1,028,629.61)
Key Bank Securities	(1,008,132.18)
5/3rd Securities	(5,919,021.33)
SJS Account	(3,472,453.52)
Morgan Stanley Investment	(2,044,242.06)
Sylvania Township Bonds	(505,000.00)
	<u>\$ 5,043,859.67</u>

Less:
Bank Adjustment 0.30

	<u>\$ 5,043,859.97</u>
(1)	
Division of Public Service	\$ 150.00
Department of Finance	100.00
Division of Water	600.00
Division of Police	200.00
Municipal Court	700.00
Division of Taxation	150.00
Division of Forestry	150.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE	
EOM 5/3rd Bank Balance	\$ 5,236,350.99
Deposit in Transit adjustment	326.24
	<u>Subtotal</u>
	\$ 5,236,677.23
Less: Outstanding Checks (2)	<u>192,817.26</u>
Adjusted Bank Balance	\$ 5,043,859.97
(2)	
May Outstanding Checks	\$ 838.99
Checks written this month	1,110,282.98
Voided check 68053	(20.00)
Voided check 68184	(157.00)
	<u>Subtotal</u>
	\$ 1,110,944.97
Checks Cleared	<u>(918,127.71)</u>
June Outstanding Checks	\$ 192,817.26



Toby Schroyer
Director of Finance, City of Sylvania



E

City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

July 1, 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
June 30, 2016	\$841,066.67	\$10,694.12	\$830,372.55
June 30, 2015	\$756,179.07	\$8,432.49	\$747,746.58
Monthly Difference	\$84,887.60	\$2,261.63	\$82,625.97
Year to Date 2016	\$6,101,719.65	\$119,705.02	\$5,982,014.63
Year to Date 2015	\$5,330,145.24	\$146,086.34	\$5,184,058.90
Yearly Difference	\$771,574.41	-\$26,381.32	\$797,955.73
			15.39%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

Board of Architectural Review

Minutes of the regular meeting of July 13, 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 June 15, 2016, meeting as submitted. Vote being: Stough, Arnold, McCann, Marciniak and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Regulated Sign – app. no. 24-2016 requested by Debra Bodell of Glass City Signs for Super Wash, 5517 W. Alexis Road, Sylvania, Ohio 43560. Application is for a new lit monument sign. Ms. Bodell was present. Mr. Burns stated that the applicant was cooperative with the City in the placement of the sign for site line reasons and that the cooperation was appreciated. 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 District – app. no. 25-2016 requested by John R. Sperry, E.I. of Thomas DuBose and Associates, Inc. for 5838 Monroe Street, Sylvania, Ohio 43560. Application is for an exterior renovation of the front of the building. Mr. Sperry was present and stated that the remodel of the building is similar to the recently renovated Ross College building; and that the brick material that would be used would be the same that was used on that building. He then presented a picture of the Ross College building. He also stated that there is no tenant of the space at this time and that they hope to attract a new tenant with the renovation. Mr. Marciniak moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the building design 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 5 – Unregulated District – app. no. 26-2016 requested by Tony Lockard of Marygrove Awning for Pup's Paradise, 3618 King Road, Sylvania, Ohio 43560. Application is for new awnings to be installed on the building that will not contain any wording or signage. Mr. McCann moved, Mr. Arnold seconded, to grant a Recommendation of Appropriateness for the awnings shown in the drawing submitted with the application. McCann, Arnold, Stough and Lindsley (4) aye; (0) nay. Motion passed by a 4 to 0 vote. Mr. Marciniak stated that he did not participate in the discussion and recused himself from the vote due to a business conflict.

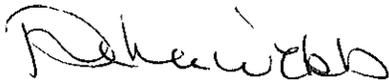
Item 6 – Regulated Sign – app. no. 27-2016 requested by Randy J. Eifert of Wilson Electronic Displays for Toledo Lucas County Libraries – King Road Branch, 3900 King Road. Application is for two lit monument signs. Mr. Charles Oswanski of Toledo Lucas County Public Libraries was present and stated that one sign would be at corner of the property, on the Sylvania and King intersection, and the other sign would be at the entrance to the Library. He also stated that the sign at the corner of the property would contain a message center that is similar to the signs at the other libraries. Mr. Burns stated that a City Engineer reviewed and

Board of Architectural Review
Minutes of July 13, 2016
Page 2

approved the location of the signs. Mr. Arnold moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the signs 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,

A handwritten signature in black ink, appearing to read "Debra Webb". The signature is written in a cursive, flowing style.

Debra Webb, Secretary
Municipal Planning Commission

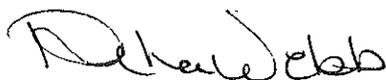
G

Sylvania Municipal Planning Commission

Minutes of the regular meeting of July 13, 2016.

Mr. Lindsley stated that meeting would not be held as there were no items on the agenda.

Submitted by,

A handwritten signature in black ink that reads "Debra Webb". The signature is written in a cursive style with a large initial 'D'.

Debra Webb, Secretary
Municipal Planning Commission