

Sylvania City Council
November 7, 2016

7:00 p.m. Public Hearing
ZA-3-2016, Joe Mercurio

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:
 - a. October 17, 2016.
 - b. November 1, 2016, Special meeting.
5. Report on public hearing for ZA-3-2016, zoning change from B-2, "General Business District", and R-1, "Single-Family Residential Large Lot District" to B-2 "General Business District".
6. \$5,100,000 Refunding Series 2011-A Bonds.
 - a. Fiscal Officer's Certificate – accept for filing by motion.
 - b. Proposed Ordinance 64-2016, Providing for the issuance and sale of bonds.
7. \$4,900,000 Refunding Series 2011-B Bonds.
 - a. Fiscal Officer's Certificate – accept for filing by motion.
 - b. Proposed Ordinance 65-2016, Providing for the issuance and sale of bonds.
8. \$5,500,000 Refunding Series 2008 Bonds.
 - a. Fiscal Officer's Certificate – accept for filing by motion.
 - b. Proposed Ordinance 66-2016, Providing for the issuance and sale of bonds.
9. Engineering Services for ODOT Highway Safety Improvement Program Application.
 - a. Service Director's report on application.
 - b. Proposed Ordinance 67-2016, Accepting proposal of Mannik Smith Group for ODOT's Highway Safety Improvement Program application – Alexis Road from Monroe Street to Alger Drive.
10. Burnham Park Elevated Tank Painting Project.
 - a. Service Director's report on Change Order No. 1 (Final).
 - b. Proposed Ordinance 68-2016, Authorize to approve Change Order No. 1(Final) for Burnham Park Elevated Tank Painting Project.

11. Water & Sewer Rates.
 - a. Service Director's report.
 - b. Referral to the Utilities Committee.
12. Proposed Resolution 17-2016, Adopting a Statement, indicating what services will be provided to the area proposed to be annexed to the City of Sylvania – Centennial Crossings, Plat 4 (Parcel# 78-12011).
13. Committee reports.
 - a. Finance Committee meeting held on November 1, 2016.
14. Committee referrals.

INFORMATION

- A. Certificate of Notice for ZA-3-2016, Joe Mercurio.
- B. Community Calendar update from Bill Sanford.
- C. Letter from Lucas County Commissioners regarding Annexation Petition No. 2016-4.
- D. October 2016 Cash Report from the Division of Taxation.
- E. 3rd Quarter 2016 Management Reports.

Minutes of the Meeting of Council
October 17, 2016

The Council of the City of Sylvania, Ohio met in regular session on October 17, 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
Allegiance.

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

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

Agenda
approval.

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

Mrs. Westphal presented the October 3, 2016 meeting minutes. Mrs. Westphal moved, Mr. Luetke seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of October 3, 2016 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
October 3
meeting
minutes.

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

Chief Rhodus introduced the new Police Officer, Bradley Marlin.

Introduction of
Bradley Marlin.

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

Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 13-2016, a written copy of same having been previously furnished to each member of Council, "A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor; and declaring an emergency;" Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Resolution No.
13-2016,
"...accepting the
rates as
determined by
Budget
Comm..."

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Mrs. Westphal moved, Mr. Mishka seconded, that Resolution No. 13-2016 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.

Service Director's report on the Brine Mixing System was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 60-2016, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Henderson Products for a Brine Mixing System; appropriating funds;" Mr. Frye moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 60-2016, "Accepting proposal... Henderson Products for a Brine Mixing System..."

Mr. Frye moved, Mr. Mishka seconded, that Ordinance No. 60-2016 be enacted as an emergency measure as declared therein; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the McCord Road Microsurfacing Project was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 61-2016, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Strawser Construction, Inc. to provide pavement rehabilitation work for the McCord Road Microsurfacing Project; appropriating funds therefore in the amount of \$78,684; and declaring an emergency.;" Mr. Frye moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance No. 61-2016, "Accepting proposal of Strawser Const. ...McCord Rd. Microsurfacing project..."

Mr. Frye moved, Mrs. Westphal seconded, that Ordinance No. 61-2016 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

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Mr. Frye presented and read aloud by title only, proposed Ordinance No. 62 -2016, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Zimmerman Paint Contractors Co. to provide pavement markings relative to the McCord Road Microsurfacing Project; appropriating Funds therefore in the amount of \$27,145; and declaring an emergency."; Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No. 62-2016, "Accepting proposal of Zimmerman Paint...pave-ment markings ... McCord Rd Microsurfacing Project..."

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 62-2016 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on ODOT's Municipal Bridge Inspection program was placed on file. Mr. Frye presented and read aloud by title only, proposed Resolution No. 14 - 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 consenting to the City's participation in the Ohio Department of Transportation's Municipal Bridge Inspection Program; authorizing the Mayor and Director of Finance to execute contracts as required; and declaring an emergency."; Mr. Frye moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Resolution No. 14-2016, "...participation in ODOT's Municipal Bridge Inspection Program..."

Mr. Frye moved, Mrs. Westphal seconded, that Resolution No. 14-2016 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on OPWC Grant Application – Brookhill Court was placed on file. Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 14 -2016, a written copy of same having been previously furnished to each member of Council, "A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program and to execute contracts as required; and declaring an emergency."; Mrs. Westphal moved, Mr. Mishka seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being:

Resolution No. 14-2016, "...OPWC application... Brookhill Ct...."

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Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Mrs. Westphal moved, Mrs. Husman seconded, that Resolution No. 15-2016 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

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

Proposed Ordinance No. 63 -2016, was presented to Council. Mrs. Husman moved, Mr. Haynam seconded to refer this Ordinance No. 63-2016 to the Zoning committee for review and recommendation; roll call vote being:, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal (7) yeas; (0) nays. The motion carried.

Ordinance No. 63-2016, referred to Zoning Committee.

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

Mr. Luetke stated the Employee & Community Relations Committee met on October 10th to review proposed Resolution No. 12-2016, supporting the .17 mill levy request of Imagination Station. The Committee recommended approval of proposed Resolution No. 12-2016. There was discussion on the development of a policy for a process for requests from the community for city funding.

Mr. Luetke presented and read aloud by title only, proposed Resolution No. 12 -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 supporting the .17 mill levy request of Imagination Station, an declaring an emergency.” Mr. Luetke moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: roll call vote being:, Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Resolution No. 12-2016,”... supporting the levy request of Imagination Station...”

Mr. Luetke moved, Mrs. Westphal seconded, that Resolution No. 12-2016 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Mrs. Westphal set a Finance Committee meeting for Tuesday, November 1, 2016 at 8:00 a.m. in the Finance Department conference room.

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

Adjournment.

Mrs. Westphal moved, Mr. Mishka seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:32 p.m.

Clerk of Council

Mayor

Minutes of the Special Meeting of Council
November 1, 2016

The Council of the City of Sylvania, Ohio met in special session on November 1, 2016 at 7:55 a.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Mark Luetke, Jason Mishka, Mary J. Westphal (6); Sandy Husman, Doug Haynam: absent: (2).

Roll call:
Husman, absent;
excused.
Haynam, absent.

Mayor Stough called the special meeting for review and proposed action on the application to participate in the Ohio Public Works Commission State Capital Improvement Program for Main Street reconstruction and repair.

Service Director Aller's report on the OPWC State Capital Improvement Program application was placed on file. Mr. Frye presented and read aloud by title only, proposed Resolution No. 16-2016, a written copy of same having been previously furnished to each member of Council, "A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement Program and to execute contracts as required; and declaring an emergency." Mr. Haynam joined the table. Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

Resolution No. 16-2016, ".... Application in OPWC SCIPMain St reconstruction"

Mr. Frye moved, Mr. Luetke seconded, that Resolution No. 16-2016 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated that all items on the agenda have been considered. Mrs. Westphal moved, Mr. Mishka seconded, that this meeting adjourn: all present voting yeas (6); (0) nays. The motion carried and the meeting adjourned at 9:06 a.m.

Adjournment.

Clerk of Council

Mayor

SUPPLEMENTAL FISCAL OFFICER'S CERTIFICATE

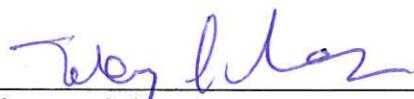
TO THE COUNCIL OF THE CITY OF SYLVANIA, OHIO:

As fiscal officer of the City of Sylvania, Ohio, and supplementing prior certificates, I certify in connection with your proposed issue of bonds in the maximum aggregate principal amount of \$5,100,000 (the Bonds) for the purpose of refunding for debt charges savings certain of the City's outstanding Various Purpose Improvement and Refunding Bonds, Series 2011, dated July 7, 2011 (the Refunded Bonds), which were issued for the purpose of paying costs of improving (i) (A) Acres Road from its intersection with Marshall Road northerly to the City's corporate boundary, (B) Elliott Road from its intersection with West Alexis Road northerly to its intersection with Marshall Road, (C) Roan Road from its intersection with West Alexis Road northerly to Marshall Road, (D) the entire length of Indian Trail, and Fairway Lane from a point approximately 200' southerly of its intersection with Indian Trail to a point approximately 150' northerly of its intersection with Indian Trail, (E) the entire length of Arrowhead Drive by removing the existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, water mains, underdrains and drainage facilities, and (F) Olde Post Road by improving the existing bridge over Ten Mile Creek by removing the existing bridge deck, approach slabs, curbing, box beams and bearings and constructing and installing new elastomeric bearings, pre-stressed concrete box beams, approach slabs, deck and sidewalks, and (ii) (A) Graystone Drive from Grenlock Drive to its southerly terminus, (B) Gregory Drive from Gillingham Drive to Grenlock Drive, (C) Gillingham Drive from Graystone Drive to San Reno Drive, (D) Orvieto Drive from Graystone Drive to San Reno Drive, (E) Grenlock Drive from Graystone Drive to Gillingham Drive, (F) Orvieto Drive from Brainard Drive to Angleview Drive, (G) Angleview Drive from Orvieto Drive to a point approximately 100' northerly of its intersection with Altara Drive, (H) Angleview Court from Angleview Drive to its northerly terminus by removing the existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, underdrains and drainage facilities, water lines, hydrants, valves, and sanitary sewers and sanitary facilities, and (I) Alexis Road from Acres Road to Whiteford Road by removing the existing pavement, pouring asphalt concrete over an aggregate base and improving pavement and curbing, and installing thermoplastic pavement markings and video vehicular detection cameras, all together with the necessary related improvements and appurtenances thereto, that:

1. The estimated life or period of usefulness of the improvements described above was, at the time of issuance of the City's \$3,250,000 Street Improvement Notes, Series 2009, dated July 15, 2009, and \$6,950,000 Street Improvement Notes, Series 2010, dated July 13, 2010, and at the time of issuance of the Refunded Bonds, at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Sections 133.20 and 133.34(A)(3) of the Revised Code, is not later than December 1, 2031, which is the final maturity date for the Refunded Bonds and was calculated at the time of the issuance of the Refunded Bonds consistently with Chapter 133 of the Revised Code.

Dated: November 7, 2016



Director of Finance
City of Sylvania, Ohio

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ORDINANCE NO. 64 -2016

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,100,000 FOR THE PURPOSE OF REFUNDING FOR DEBT CHARGES SAVINGS CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE IMPROVEMENT AND REFUNDING BONDS, SERIES 2011, DATED JULY 7, 2011, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance Nos. 52-2011 and 53-2011, each passed by this Council on June 6, 2011 (the Series 2011 Bond Legislation), there were issued \$8,095,000 Various Purpose Improvement and Refunding Bonds, Series 2011, dated July 7, 2011 (the Series 2011 Bonds), for the purpose stated in Section 2 and other purposes, which bonds are currently outstanding in the aggregate principal amount of \$6,385,000 and will mature on December 1 in the years 2016 through 2031 (the Outstanding Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to refund for debt charges savings all or a portion of the Outstanding Bonds maturing on December 1 of the years 2019 through 2031 (the Refunded Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to issue the Bonds described in Section 2 to provide funds sufficient for that purpose, including the payment of expenses properly allocable to that refunding and to the issuance of the Bonds; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvements described in Section 2 was, at the time of issuance of the City's \$3,250,000 Street Improvement Notes, Series 2009, dated July 15, 2009, and \$6,950,000 Street Improvement Notes, Series 2010, dated July 13, 2010, and at the time of issuance of the Refunded Bonds, at least five years, and the maximum maturity of the Bonds described in Section 2 is not later than December 1, 2031, the final maturity of the Refunded Bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SYLVANIA, COUNTY OF LUCAS, OHIO, THAT:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means (subject to any limitations in Section 3) the denomination of \$5,000 or any whole multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 or in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement, as it may be modified from the form on file with the Clerk of Council and signed in accordance with Section 6, and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the City and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 8.

“Escrow Fund” means the Escrow Fund established pursuant to Section 9.

“Escrow Trustee” means the bank or trust company appointed pursuant to Section 8 or in the Certificate of Award as the initial escrow trustee with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing June 1, 2017.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in all or a portion of the years from and including 2017 to and including 2031, provided that in no case shall the final Principal Payment Date be later than the maximum maturity of the Bonds referred to in the preambles hereto.

“Refunded Bonds” means that portion of the City’s outstanding Various Purpose Improvement and Refunding Bonds, Series 2011, dated July 7, 2011, and maturing on December 1 in the years 2019 through 2031, determined by the Fiscal Officer in the Certificate of Award to be necessary and in the best interest of the City to be refunded for debt charges savings.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$5,100,000 (the Bonds) for the purpose of refunding for debt charges savings certain of the City’s outstanding Various Purpose Improvement and Refunding Bonds, Series 2011, dated July 7, 2011, which were issued for the purpose of paying costs of improving (i) (A) Acres Road from its intersection with Marshall Road northerly to the City’s corporate boundary, (B) Elliott Road from its intersection with West Alexis Road northerly to its intersection with Marshall Road, (C) Roan Road from its intersection with West Alexis Road northerly to Marshall Road, (D) the entire length of Indian Trail, and Fairway Lane from a point approximately 200’ southerly of its intersection with Indian Trail to a point approximately 150’ northerly of its intersection with Indian Trail, (E) the entire length of Arrowhead Drive by removing the existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, water mains, underdrains and drainage facilities, and (F) Olde Post Road by improving the existing bridge over Ten Mile Creek by removing the existing bridge deck, approach slabs, curbing, box beams and bearings and constructing and installing new elastomeric bearings, pre-stressed concrete box beams, approach slabs, deck and sidewalks, and (ii) (A) Graystone Drive from Grenlock Drive to its southerly terminus, (B) Gregory Drive from Gillingham Drive to Grenlock Drive, (C) Gillingham Drive from Graystone Drive to San Reno Drive, (D) Orvieto Drive from Graystone Drive to San Reno Drive, (E) Grenlock Drive from Graystone Drive to Gillingham Drive, (F) Orvieto Drive from Brainard Drive to Angleview Drive, (G) Angleview Drive from Orvieto Drive to a point approximately 100’ northerly of its intersection with Altara Drive, (H) Angleview Court from Angleview Drive to its northerly terminus by removing the existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, underdrains and drainage facilities, water lines, hydrants, valves, and sanitary sewers and sanitary facilities, and (I) Alexis Road from Acres Road to Whiteford Road by removing the existing pavement, pouring asphalt concrete over an aggregate base and improving pavement and curbing, and installing thermoplastic pavement markings and

video vehicular detection cameras, all together with the necessary related improvements and appurtenances thereto.

The aggregate principal amount of Bonds to be issued shall not exceed \$5,100,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account the outstanding principal amount of the Refunded Bonds, any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the refunding of the Refunded Bonds and the issuance of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate debt charges

savings to the City due to the refunding of the Refunded Bonds, taking into account all expenses related to that refunding and issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 15th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption

Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in whole multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (i) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (ii) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through enactment of a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then,

upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to Section 11, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in

their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of City's Charter, Chapter 133 of the Revised Code, this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Mayor and the Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or

exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award (and Bond Registrar Agreement, Continuing Disclosure Agreement, Escrow Agreement, official statement, and other transcript and other documents) may be utilized for the consolidated bond issue (and other City bond issue(s)) if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, Fiscal Officer, Director of Law, Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted

omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Mayor and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to the City, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance.

The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the

Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7. Refunding; Call of Refunded Bonds. This Council determines that it is necessary and in the best interest of the City to refund the Refunded Bonds. The Fiscal Officer is authorized and directed to give to The Huntington National Bank as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, or any successor thereto, on or promptly after the Closing Date, written notice of the call for redemption, and the Refunded Bonds shall be redeemed in accordance with the Series 2011 Bond Legislation and the Escrow Agreement. The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

Section 8. Escrow Trustee. The Huntington National Bank is hereby appointed as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds; provided, however, that the Fiscal Officer is authorized to appoint a different Escrow Trustee in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities to be held in trust for redemption of the Refunded Bonds and that proper procedures and safeguards are available for that purpose. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Escrow Agreement between the City and the Escrow Trustee, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement (including the fees and expenses of a mathematical verification agent to be appointed by the Fiscal Officer in the Certificate of Award), except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Section 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "City of Sylvania Bonds Escrow Fund (2016)" which shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay or cause to be paid to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in

clause (i), if any, to provide for the defeasance of the Refunded Bonds. Those funds are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of principal of and interest on the Refunded Bonds as provided in the Escrow Agreement.

If U.S. Treasury Securities – State and Local Government Series are to be purchased for the Escrow Fund, the Original Purchaser and the Escrow Trustee are hereby specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities – State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to the City, the Fiscal Officer or any other officer of the City, on behalf of the City and in the Fiscal Officer's official capacity, may purchase and deliver such obligations, engage the services of a financial advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchaser, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

If the City determines to fund or refund other outstanding general obligation securities (collectively, the Other Refunded Obligations) contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and redemption premium on the Refunded Bonds and the Other Refunded Obligations.

Section 10. Application of Proceeds. The proceeds from the sale of the Bonds (except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer) shall be paid into the Escrow Fund as provided in Section 9. Any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds. Any proceeds representing accrued interest shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

Section 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the 15-mill limitation provided by the City's Charter, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

Section 12. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of them for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for them, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations or covenants), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City,

as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt charges on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 13. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Lucas County Auditor.

Section 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 15. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 16. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or of its

committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 17. Statement of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to refund for debt charges savings the Refunded Bonds upon terms in the best interest of and advantageous to the City and thereby to achieve interest rate savings available under current favorable market conditions; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Vote dispensing with the second and third readings:

Yeas _____ Nays _____

Passed: _____, 2016, as an emergency measure.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date

Approved as to form:

Director of Law

7a

SUPPLEMENTAL FISCAL OFFICER'S CERTIFICATE

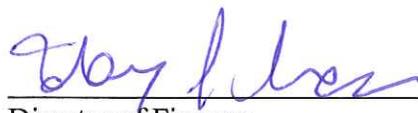
TO THE COUNCIL OF THE CITY OF SYLVANIA, OHIO: ..

As fiscal officer of the City of Sylvania, Ohio, and supplementing the prior certificate, I certify in connection with your proposed issue of bonds in the maximum aggregate principal amount of \$4,900,000 (the Bonds) for the purpose of refunding for debt charges savings certain of the City's outstanding Various Purpose Bonds, Series 2011, dated July 26, 2011 (the Refunded Bonds), which were issued for the purpose of paying costs of improving (i) (A) (1) San Reno Drive from Orvieto Drive to Gillingham Drive, (2) Gillingham Drive from Gregory Drive to Grenlock Drive, (3) Grenlock Drive from Gillingham Drive westerly approximately 300', (4) Gillingham Court from Gillingham Drive to its northerly terminus and (5) Altara Drive from Gillingham Drive easterly approximately 100' by removing existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, underdrains and drainage facilities, water lines, hydrants, valves, and sanitary sewers and sanitary facilities, (B) Main Street from Maplewood Avenue northerly to the City's jurisdictional limit by removing existing pavement and curbing, installing rubber asphaltic surface, installing concrete curbing, installing water lines, hydrants and valves between the intersection of Main Street with Erie Street and Long Street and on Summit Street from Erie Street northerly approximately 500', and (C) Monroe Street from Silica Drive to Erie Street by removing existing pavement and curbing, installing rubber asphaltic surface, installing concrete curbing, signalization and pavement markings, (ii) the City's waterworks system by constructing an elevated water tower, including related site improvements, and constructing a related water line, and (iii) the City's recreational facilities by constructing pedestrian walkways from Main Street to Harroun Road and from Monroe Street to Ten Mile Creek, including a pedestrian bridge over Ten Mile Creek, that:

1. The estimated life or period of usefulness of the improvements described above was, at the time of issuance of the Refunded Bonds, at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Sections 133.20 and 133.34(A)(3) of the Revised Code, is not later than December 1, 2031, which is the final maturity date for the Refunded Bonds and was calculated at the time of the issuance of the Refunded Bonds consistently with Chapter 133 of the Revised Code.

Dated: November 7, 2016



Director of Finance
City of Sylvania, Ohio

7b

ORDINANCE NO. 65 -2016

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,900,000 FOR THE PURPOSE OF REFUNDING FOR DEBT CHARGES SAVINGS CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE BONDS, SERIES 2011, DATED JULY 26, 2011, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance Nos. 49-2011, 50-2011 and 51-2011, each passed by this Council on June 6, 2011 (the Series 2011 Bond Legislation), there were issued \$6,695,000 Various Purpose Bonds, Series 2011, dated July 26, 2011 (the Series 2011 Bonds), for the purpose stated in Section 2, which bonds are currently outstanding in the aggregate principal amount of \$5,865,000 and will mature on December 1 in the years 2016 through 2020, 2022, and 2023 through 2031 (the Outstanding Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to refund for debt charges savings all or a portion of the Outstanding Bonds maturing on December 1 of the years 2019, 2020, 2022, and 2023 through 2031 (the Refunded Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to issue the Bonds described in Section 2 to provide funds sufficient for that purpose, including the payment of expenses properly allocable to that refunding and to the issuance of the Bonds; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvements described in Section 2 was, at the time of issuance of the Refunded Bonds, at least five years, and the maximum maturity of the Bonds described in Section 2 is not later than December 1, 2031, the final maturity of the Refunded Bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SYLVANIA, COUNTY OF LUCAS, OHIO, THAT:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means (subject to any limitations in Section 3) the denomination of \$5,000 or any whole multiple thereof.

“Bond proceedings” means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 or in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement, as it may be modified from the form on file with the Clerk of Council and signed in accordance with Section 6, and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the City and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 8.

“Escrow Fund” means the Escrow Fund established pursuant to Section 9.

“Escrow Trustee” means the bank or trust company appointed pursuant to Section 8 or in the Certificate of Award as the initial escrow trustee with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing June 1, 2017.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in all or a portion of the years from and including 2017 to and including 2031, provided that in no case shall the final Principal Payment Date be later than the maximum maturity of the Bonds referred to in the preambles hereto.

“Refunded Bonds” means that portion of the City’s outstanding Various Purpose Bonds, Series 2011, dated July 7, 2011, and maturing on December 1 in the years 2019, 2020, 2022, and 2023 through 2031, determined by the Fiscal Officer in the Certificate of Award to be necessary and in the best interest of the City to be refunded for debt charges savings.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$4,900,000 (the Bonds) for the purpose of refunding for debt charges savings certain of the City’s outstanding Various Purpose Bonds, Series 2011, dated July 26, 2011, which were issued for the purpose of paying costs of improving (i) (A) (1) San Reno Drive from Orvieto Drive to Gillingham Drive, (2) Gillingham Drive from Gregory Drive to Grenlock Drive, (3) Grenlock Drive from Gillingham Drive westerly approximately 300’, (4) Gillingham Court from Gillingham Drive to its northerly terminus and (5) Altara Drive from Gillingham Drive easterly approximately 100’ by removing existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, underdrains and drainage facilities, water lines, hydrants, valves, and sanitary sewers and sanitary facilities, (B) Main Street from Maplewood Avenue northerly to the City’s jurisdictional limit by removing existing pavement and curbing, installing rubber asphaltic surface, installing concrete curbing, installing water lines, hydrants and valves between the intersection of Main Street with Erie Street and Long Street and on Summit Street from Erie Street northerly approximately 500’, and (C) Monroe Street from Silica Drive to Erie Street by removing existing pavement and curbing, installing rubber asphaltic surface, installing concrete curbing, signalization and pavement markings, (ii) the City’s waterworks system by constructing an elevated water tower, including related site improvements, and constructing a related water line, and (iii) the City’s recreational facilities by constructing pedestrian walkways from Main Street to Harroun Road and from Monroe Street to Ten Mile Creek, including a pedestrian bridge over Ten Mile Creek.

The aggregate principal amount of Bonds to be issued shall not exceed \$4,900,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account the outstanding principal amount of the Refunded Bonds, any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the refunding of the Refunded Bonds and the issuance of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the

Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer, subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate debt charges savings to the City due to the refunding of the Refunded Bonds, taking into account all expenses related to that refunding and issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the

manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 15th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to

mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in whole multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (i) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (ii) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through enactment of a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice

shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to Section 11, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of City's Charter, Chapter 133 of the Revised Code, this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that

purpose. The Mayor and the Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal

in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award (and Bond Registrar Agreement, Continuing Disclosure Agreement, Escrow Agreement, official statement, and other transcript and other documents) may be utilized for the consolidated bond issue (and other City bond issue(s)) if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, Fiscal Officer, Director of Law, Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Mayor and the Fiscal Officer are authorized and directed to complete, sign and deliver the

Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to the City, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance.

The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7. Refunding; Call of Refunded Bonds. This Council determines that it is necessary and in the best interest of the City to refund the Refunded Bonds. The Fiscal Officer is authorized and directed to give to The Huntington National Bank as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, or any successor thereto, on or promptly after the Closing Date, written notice of the call for redemption, and the Refunded Bonds shall be redeemed in accordance with the Series 2011 Bond Legislation and the Escrow Agreement. The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the

Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

Section 8. Escrow Trustee. The Huntington National Bank is hereby appointed as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds; provided, however, that the Fiscal Officer is authorized to appoint a different Escrow Trustee in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities to be held in trust for redemption of the Refunded Bonds and that proper procedures and safeguards are available for that purpose. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Escrow Agreement between the City and the Escrow Trustee, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement (including the fees and expenses of a mathematical verification agent to be appointed by the Fiscal Officer in the Certificate of Award), except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Section 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "City of Sylvania Bonds Escrow Fund (2016)" which shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay or cause to be paid to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in clause (i), if any, to provide for the defeasance of the Refunded Bonds. Those funds are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of principal of and interest on the Refunded Bonds as provided in the Escrow Agreement.

If U.S. Treasury Securities – State and Local Government Series are to be purchased for the Escrow Fund, the Original Purchaser and the Escrow Trustee are hereby specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities – State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to the City, the Fiscal Officer or any other officer of the City, on behalf of the City and in the Fiscal Officer’s official capacity, may purchase and deliver such obligations, engage the services of a financial advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchaser, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

If the City determines to fund or refund other outstanding general obligation securities (collectively, the Other Refunded Obligations) contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and redemption premium on the Refunded Bonds and the Other Refunded Obligations.

Section 10. Application of Proceeds. The proceeds from the sale of the Bonds (except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer) shall be paid into the Escrow Fund as provided in Section 9. Any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds. Any proceeds representing accrued interest shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

Section 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the 15-mill limitation provided by the City’s Charter, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year, to the extent revenues from the City’s

waterworks system or other funds are available for the payment of debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

Section 12. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of them for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for them, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Bonds as “qualified tax-exempt obligations” if such designation is applicable and desirable, and to make any related necessary representations or covenants), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt charges on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal

income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 13. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Lucas County Auditor.

Section 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 15. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 16. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 17. Statement of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to refund for debt charges savings the Refunded Bonds upon terms in the best interest of and advantageous to the City and thereby to achieve interest rate savings available under current favorable market conditions; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Vote dispensing with the second and third readings:

Yeas _____ Nays _____

Passed: _____, 2016, as an emergency measure.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date

Approved as to form:

Director of Law

89

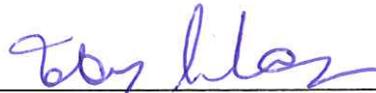
SUPPLEMENTAL FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF SYLVANIA, OHIO:

As fiscal officer of the City of Sylvania, Ohio, and supplementing prior certificates, I certify in connection with your proposed issue of bonds in the maximum aggregate principal amount of \$5,500,000 (the Bonds) for the purpose of refunding for debt charges savings certain of the City's outstanding Street Improvement Bonds, Series 2008, dated April 8, 2008 (the Refunded Bonds), which were issued for the purpose of paying costs of improving City streets by removing and replacing pavement, curbing and sidewalks, pouring asphalt concrete over an aggregate base and improving catchbasins, manholes, underdrains and drainage systems, together with all necessary related improvements and appurtenances thereto, that:

1. The estimated life or period of usefulness of the improvements described above was, at the time of issuance of the City's \$4,500,000 Street Improvement Notes, Series 2006, dated April 19, 2006, and at the time of issuance of the Refunded Bonds, at least five years.
2. The estimated maximum maturity of the Bonds, calculated in accordance with Sections 133.20 and 133.34(A)(3) of the Revised Code, is not later than December 1, 2028, which is the final maturity date for the Refunded Bonds and was calculated at the time of the issuance of the Refunded Bonds consistently with Chapter 133 of the Revised Code.

Dated: November 7, 2016



Director of Finance
City of Sylvania, Ohio

ORDINANCE NO. 66 -2016

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$5,500,000 FOR THE PURPOSE OF REFUNDING FOR DEBT CHARGES SAVINGS CERTAIN OF THE CITY'S OUTSTANDING STREET IMPROVEMENT BONDS, SERIES 2008, DATED APRIL 8, 2008, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance Nos. 17-2008 and 18-2008, each passed by this Council on March 17, 2008 (the Series 2008 Bond Legislation), there were issued \$7,850,000 Street Improvement Bonds, Series 2008, dated April 8, 2008 (the Series 2008 Bonds), for the purpose stated in Section 2, which bonds are currently outstanding in the aggregate principal amount of \$5,785,000 and will mature on December 1 in the years 2016 through 2026 and 2028 (the Outstanding Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to refund for debt charges savings all or a portion of the Outstanding Bonds maturing on December 1 of the years 2018 through 2026 and 2028 (the Refunded Bonds); and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to issue the Bonds described in Section 2 to provide funds sufficient for that purpose, including the payment of expenses properly allocable to that refunding and to the issuance of the Bonds; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvements described in Section 2 was, at the time of issuance of the City's \$4,500,000 Street Improvement Notes, Series 2006, dated April 19, 2006, and at the time of issuance of the Refunded Bonds, at least five years, and the maximum maturity of the Bonds described in Section 2 is not later than December 1, 2028, the final maturity of the Refunded Bonds;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SYLVANIA, COUNTY OF LUCAS, OHIO, THAT:

Section 1. Definitions and Interpretation. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means (subject to any limitations in Section 3) the denomination of \$5,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Ordinance, the Certificate of Award, the Continuing Disclosure Agreement and such other proceedings of the City, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company appointed pursuant to Section 4 or in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Bond Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Bond Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Bond Registrar Agreement” means the Bond Registrar Agreement between the City and the Bond Registrar, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 4.

“Bonds” means, collectively, the Serial Bonds and the Term Bonds, each as is designated as such in the Certificate of Award.

“Book entry form” or “book entry system” means a form or system under which (i) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry and (ii) physical Bond certificates in fully registered form are issued by the City only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository or its agent. The book entry maintained by others than the City is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized by Section 6(a), to be signed by the Fiscal Officer, setting forth and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Ordinance requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the Continuing Disclosure Agreement, as it may be modified from the form on file with the Clerk of Council and signed in accordance with Section 6, and which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the City and the Escrow Trustee, as it may be modified from the form on file with the Clerk of Council and signed by the Mayor and the Fiscal Officer in accordance with Section 8.

“Escrow Fund” means the Escrow Fund established pursuant to Section 9.

“Escrow Trustee” means the bank or trust company appointed pursuant to Section 8 or in the Certificate of Award as the initial escrow trustee with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Fiscal Officer” means the Director of Finance of the City.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer in the Certificate of Award, June 1 and December 1 of each year that the Bonds are outstanding, commencing June 1, 2017.

“Original Purchaser” means the original purchaser of the Bonds designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means unless otherwise determined by the Fiscal Officer in the Certificate of Award, December 1 in all or a portion of the years from and including 2017 to and including 2028, provided that in no case shall the final Principal Payment Date be later than the maximum maturity of the Bonds referred to in the preambles hereto.

“Refunded Bonds” means that portion of the City’s outstanding Street Improvement Bonds, Series 2008, dated April 8, 2008, and maturing on December 1 in the years 2018 through 2026 and 2028, determined by the Fiscal Officer in the Certificate of Award to be necessary and in the best interest of the City to be refunded for debt charges savings.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such and maturing on the dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Term Bonds” means those Bonds designated as such and maturing on the date or dates set forth in the Certificate of Award, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 2. Authorized Principal Amount and Purpose. This Council determines that it is necessary and in the best interest of the City to issue bonds of the City in one lot in the maximum principal amount of \$5,500,000 (the Bonds) for the purpose of refunding for debt charges savings certain of the City’s outstanding Street Improvement Bonds, Series 2008, dated April 8, 2008, which were issued for the purpose of paying costs of improving City streets by removing and replacing pavement, curbing and sidewalks, pouring asphalt concrete over an aggregate base and improving catchbasins, manholes, underdrains and drainage systems, together with all necessary related improvements and appurtenances thereto.

The aggregate principal amount of Bonds to be issued shall not exceed \$5,500,000 and shall be issued in an amount determined by the Fiscal Officer in the Certificate of Award to be the aggregate principal amount of Bonds required to be issued, taking into account the outstanding principal amount of the Refunded Bonds, any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchaser, in order to effect the purpose for which the Bonds are to be issued, including the payment of any expenses properly allocable to the refunding of the Refunded Bonds and the issuance of the Bonds.

Section 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as provided in the Certificate of Award, provided that their dated date shall not be more than 60 days prior to the Closing Date.

(a) Interest Rates and Interest Payment Dates. The Bonds shall bear interest at the rate or rates per year (computed on the basis of a 360-day year consisting of 12 30-day months) as shall be determined by the Fiscal Officer in the Certificate of Award. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment Dates in principal amounts as shall be determined by the Fiscal Officer,

subject to subsection (c) of this Section, in the Certificate of Award, consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the City.

Consistent with the foregoing and in accordance with the Fiscal Officer's determination of the best interest of and financial advantages to the City, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (ii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate debt charges savings to the City due to the refunding of the Refunded Bonds, taking into account all expenses related to that refunding and issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer, in the name and on behalf of the City, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements, at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those dates, for which provision is made in the Certificate of Award (such dates and amounts being the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on any Term Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that date the principal amount of Term Bonds payable on that date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The City shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the City, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered. That option shall be exercised by the City on or before the 15th day preceding any Mandatory Redemption Date with respect to which the City wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the City for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds of the maturities, if any, specified in the Certificate of Award shall be subject to redemption by and at the sole option of the City, in whole or in part in whole multiples of \$5,000, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, to be determined by the Fiscal Officer in the Certificate of Award; provided that (i) the earliest optional redemption date shall not be more than 10½ years after the Closing Date and (ii) the redemption price for the earliest optional redemption date shall not be greater than 102%.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be

redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council through enactment of a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the outstanding Bonds are called for optional redemption at one time and Bonds of more than one maturity are then outstanding, the Bonds that are called shall be Bonds of the maturity or maturities selected by the City. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds of that maturity to be redeemed, or portions thereof in amounts of \$5,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to Section 11, upon presentation and surrender thereof at the place or places specified in that notice, shall be

paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the Mayor and the Fiscal Officer, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to the provisions of City's Charter, Chapter 133 of the Revised Code, this Ordinance and the Certificate of Award.

The Huntington National Bank is appointed to act as the initial Bond Registrar; provided, however, that the Fiscal Officer is authorized to appoint a different Bond Registrar in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose. The Mayor and the Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Bond Registrar Agreement between the City and the Bond Registrar, in substantially the form as is now on file with the Clerk of Council. The Bond Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Bond Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Bond Registrar Agreement, except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the

Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the City. The same person need not sign the certificate of authentication on all of the Bonds.

Section 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep the Bond Register at the office satisfactory to the Fiscal Officer and the Bond Registrar. Subject to the provisions of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the principal corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the City, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Ordinance, if the Fiscal Officer determines in the Certificate of Award that it is in the best interest of and financially advantageous to the City, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

Section 6. Award and Sale of the Bonds.

(a) Original Purchaser Designated in Certificate of Award. The Bonds shall be sold at private sale to the Original Purchaser at a purchase price, not less than 97% of their aggregate principal amount, to be determined by the Fiscal Officer in the Certificate of Award, plus accrued interest on the Bonds from their date to the Closing Date, and shall be awarded by the Fiscal Officer with and upon such other terms as are required or authorized by this Ordinance to be specified in the Certificate of Award, in accordance with law and the provisions of this Ordinance. The Fiscal Officer is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award (and Bond Registrar Agreement, Continuing Disclosure Agreement, Escrow Agreement, official statement, and other transcript and other documents) may be utilized for the consolidated bond issue (and other City bond issue(s)) if appropriate and consistent with the terms of this Ordinance.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The Mayor, Fiscal Officer, Director of Law, Clerk of Council and other City officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

(b) Primary Offering Disclosure – Official Statement. The Mayor and the Fiscal Officer, on behalf of the City and in their official capacities, are authorized to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the City or is a final official statement for purposes of SEC Rule 15c2-12(b)(1), (3) and (4), (iii) use and distribute, or authorize the use and distribution of, that official statement and any supplements thereto in connection with the original issuance of the Bonds and (iv) complete and sign that official statement as so approved together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of that official statement as they deem necessary or appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The Mayor and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Director of Law and/or bond or other qualified independent special counsel selected by the City. The Fiscal Officer, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Rating or Bond Insurance; Financing Costs. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds, is in the best interest of and financially advantageous to the City, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be

required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The Fiscal Officer is hereby authorized, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the Fiscal Officer determines to be necessary in connection with the obtaining of that bond insurance.

The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchaser, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7. Refunding; Call of Refunded Bonds. This Council determines that it is necessary and in the best interest of the City to refund the Refunded Bonds. The Fiscal Officer is authorized and directed to give to The Huntington National Bank as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, or any successor thereto, on or promptly after the Closing Date, written notice of the call for redemption, and the Refunded Bonds shall be redeemed in accordance with the Series 2008 Bond Legislation and the Escrow Agreement. The City covenants for the benefit of the holders of the Refunded Bonds and of the Bonds, that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

Section 8. Escrow Trustee. The Huntington National Bank is hereby appointed as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds; provided, however, that the Fiscal Officer is authorized to appoint a different Escrow Trustee in the Certificate of Award after determining that such bank or trust company will not endanger the funds or securities to be held in trust for redemption of the Refunded Bonds and that proper procedures and safeguards are available for that purpose. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The Fiscal Officer shall sign and deliver, in the name and on behalf of the City, the Escrow Agreement between the City and the Escrow Trustee, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the Fiscal Officer on behalf of the City, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement (including the fees and expenses of a mathematical verification agent to be appointed by the Fiscal Officer in the Certificate of Award), except to the extent paid or reimbursed by the Original Purchaser, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Section 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the “City of Sylvania Series Bonds Escrow Fund (2017)” which shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay or cause to be paid to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in clause (i), if any, to provide for the defeasance of the Refunded Bonds. Those funds are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of principal of and interest on the Refunded Bonds as provided in the Escrow Agreement.

If U.S. Treasury Securities – State and Local Government Series are to be purchased for the Escrow Fund, the Original Purchaser and the Escrow Trustee are hereby specifically authorized to file, on behalf of the City, subscriptions for the purchase and issuance of those U.S. Treasury Securities – State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to the City, the Fiscal Officer or any other officer of the City, on behalf of the City and in the Fiscal Officer’s official capacity, may purchase and deliver such obligations, engage the services of a financial advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchaser, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

If the City determines to fund or refund other outstanding general obligation securities (collectively, the Other Refunded Obligations) contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and redemption premium on the Refunded Bonds and the Other Refunded Obligations.

Section 10. Application of Proceeds. The proceeds from the sale of the Bonds (except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer) shall be paid into the Escrow Fund as provided in Section 9. Any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds. Any proceeds representing accrued interest shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

Section 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the 15-mill limitation provided by the City's Charter, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due. In each year, to the extent other funds are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of the money so available and appropriated.

Section 12. Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Section 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code), or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest thereon will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of them for the interest on the Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion and (c) it, or persons acting for them, will, among other acts of compliance, (i) apply the proceeds of the Bonds to the governmental purposes of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, or any other officer of the City having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation (including specifically designation of the Bonds as "qualified tax-exempt obligations" if such designation is applicable and desirable, and to make any related necessary representations or covenants), choice, consent, approval or waiver on behalf of the City with respect to the Bonds as the City is permitted

or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Bonds.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt charges on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

Section 13. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Lucas County Auditor.

Section 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 15. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The

Fiscal Officer is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 16. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken in open meetings of this Council or of its committees, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 17. Statement of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Bonds, which is necessary to enable the City to refund for debt charges savings the Refunded Bonds upon terms in the best interest of and advantageous to the City and thereby to achieve interest rate savings available under current favorable market conditions; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Vote dispensing with the second and third readings:

Yeas _____ Nays _____

Passed: _____, 2016, as an emergency measure.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date

Approved as to form:

Director of Law

9a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

November 7, 2016

To: The Mayor and Members of Sylvania City Council

Re: **LUC-184-(0.3-0.6)**
Engineering Services for ODOT Highway Safety Improvement Program Application

Dear Mr. Mayor and Council Members:

In March 2015 the Ohio Department of Transportation (ODOT) released a safety study for the SR-184 (Alexis Road) corridor from SR-51 (Monroe Street), through Acres Drive and terminating at Alger Drive. The study reviewed the existing safety conditions and identified potential countermeasures to improve safety along this commercial corridor.

The most notable concerns highlighted in the study were a lack of safe and efficient means of entering/exiting business driveways and abbreviated clearance intervals at Alexis Road & Acres Road. These two deficiencies are major contributors to rear end and angle crashes. This corridor is ranked #74 in ODOT District 2 among Urban, Non-Freeways for locations of high-crash frequencies.

The next step in this process is to further investigate the countermeasure concepts, select a preferred alternative, and prepare an application for submission as a part of the ODOT Highway Safety Improvement Program (HSIP). Our plan is to submit an application for the April 30, 2017 solicitation. If our project application is successful, we anticipate that 90% of the project costs could be covered with HSIP funds. The remaining 10% would be covered by local funds.

The City solicited proposals from three qualified firms specialized in submitting these types of safety applications. The lowest proposal received was from Mannik Smith Group from Maumee, Ohio in the amount of \$5,600. Mannik Smith Group recently designed the safety improvements along Dorr Street near the University of Toledo and are very familiar with the HSIP program. We feel they are qualified for this task and would recommend approval of their contract.

Sincerely,

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

9b.

ORDINANCE NO. 67 -2016

ACCEPTING THE PROPOSAL OF MANNIK SMITH GROUP TO PROVIDE ENGINEERING SERVICES FOR THE OHIO DEPARTMENT OF TRANSPORTATION'S HIGHWAY SAFETY IMPROVEMENT PROGRAM APPLICATION; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$5,600; AND DECLARING AN EMERGENCY.

WHEREAS, in March, 2015, the Ohio Department of Transportation released a safety study that had been conducted for the Alexis Road from Monroe Street to Alger Drive; and,

WHEREAS, the study reviewed the existing safety conditions and identified potential countermeasures to improve safety along this corridor; and,

WHEREAS, the Director of Public Service, by report dated November 7, 2016, has recommended that the potential countermeasures be further studied, select a preferred alternative and prepare an application as part of the Ohio Department of Transportation's Highway Safety Improvement Program; and,

WHEREAS, the Director of Public Service, in a report dated November 7, 2016, has recommended that the proposal of Mannik Smith Group to provide engineering services for the Ohio Department of Transportation's Highway Safety Improvement Program Application at a cost of Five Thousand Six Hundred Dollars (\$5,600.00), be accepted.

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

SECTION 1. That the proposal of Mannik Smith Group in the amount Five Thousand Six Hundred Dollars (\$5,600.00) for providing engineering services relative to the ODOT Highway Safety Improvement Program Application for the Alexis Road from Monroe Street to Alger Drive, is hereby accepted.

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

SECTION 3. That to provide funds for said engineering hereby authorized, there is hereby appropriated from the **GENERAL FUND** from funds therein not heretofore appropriated to **Account No. 110-7730-51171, CONSULTANTS** the amount of Five Thousand Six Hundred Dollars (\$5,600.00).

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

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the engineering services 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



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

November 7, 2016

To: The Mayor and Members of Sylvania City Council

Re: **BURNHAM PARK ELEVATED TANK PAINTING
CHANGE ORDER NO. 1 (FINAL)**

Dear Mr. Mayor and Council Members:

The Burnham Park Elevated Tank Painting Project was recently completed. The original contract amount with Seven Brothers Painting of Shelby Township, Michigan was \$161,800 and received Council approval on June 6, 2016 by Ordinance 35-2016.

Now that the project is completed a change order is necessary to adjust the final contract price.

All bid form line items were installed in full resulting in no net change to the original contract. However, there were two additional work items added to the contract resulting in an increase to the contract in the amount of \$5,400. The two additional work items consisted in changing the tank logos to match those installed on the Fossil Park Water Tower (\$3,600) and replacement of fall prevention railing for the wet interior ladder (\$1,800).

We recommend approval of Change Order No. 1 which will increase the final contract amount from \$161,800 to \$167,200.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

dsw

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 1 (FINAL)

Project Ordinance No.: 35-2016 Purchase Order No. 52148
 Contract: 500,000 Gallon Elevated Tank (Burnham Park) Repainting
 Title of Change Order: _____

Date: 10/17/2016

Description of Change: Additional Work Items \$5,400.00
TOTAL **\$167,200.00**

RECOMMENDED FOR APPROVAL BY: *Kevin G. Aller* 10/25/16
 Kevin G. Aller, P.E. Date
 Public Service Director

Original Contract Amt	\$ 161,800	00	REVIEWED BY: <u><i>Joseph E. Shaw</i></u> Engineer
Previous Changes (+ or --)	\$ 0	00	DATE: <u>10/25/16</u>
This Change (+ or --)	\$ 5,400	00	SUBMITTED BY: <u><i>SEVEN BROTHAM PAINTING</i></u> Name of Contractor
Adjusted Contract Amt	\$ 167,200	00	DATE: _____ Contractor's Signature

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

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

OCT 24 2016

CITY OF SYLVANIA
CHANGE ORDER NO. 1 (FINAL)

500,000 GALLON ELEVATED TANK (BURNHAM PARK) REPAINTING

10/17/2016

Sheet 1 of 1

1 ADDITIONAL WORK

a. Revised Tank Logo

\$3,600.00

- 1) The bid documents included only a restenciling and repainting of the previous City of Sylvania logo. A new and updated logo was used on the Fossil Park tank, so this change reflects creating a new stencil and logo to match the Fossil Park tank.

	<u>Quantity</u> <u>(LUMP)</u>	<u>Unit Price</u> <u>(LUMP)</u>	
Revised Tank Logo:	1	\$3,600	\$3,600.00

b. Fall Prevention Replacement - Wet Interior Ladder

\$1,800.00

- 1) After further investigation it was determined the existing fall prevention railing for the wet interior ladder was beyond the point of repair. This change installed new railing.

	<u>Quantity</u> <u>(LUMP)</u>	<u>Unit Price</u> <u>(LUMP)</u>	
Fall Prevention Replacement:	1	\$1,800	\$1,800.00

2 CHANGE ORDER NO. 1 (ADD)

\$5,400.00

106.

ORDINANCE NO. 68 -2016

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 (FINAL) TO THIS CITY'S AGREEMENT WITH SEVEN BROTHERS PAINTING FOR THE BURNHAM PARK ELEVATED TANK PAINTING PROJECT WHICH REFLECTS THE ACTUAL WORK PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$5,400; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 35-2016, passed June 6, 2016, accepted the bid of Seven Brothers Painting for the Burnham Park Elevated Tank Project, which bid was in the amount of \$167,200; and,

WHEREAS, the Director of Public Service, by report dated November 7, 2016, has recommended the acceptance of Change Order No. 1 (Final) of Seven Brothers Painting for said Burnham Park Elevated Tank Project to reflect the additional work performed on this project; and,

WHEREAS, the additional work involved replacing the tank logos to match those installed on the Fossil Park Water Tower and replacing fall prevention railing for the wet interior ladder which resulted in an increase to the contract in the amount of \$5,400; and,

WHEREAS, the work performed resulted in a net increase to the contract in the amount of Five Thousand Four Hundred Dollars (\$5,400.00), for a total contract amount of \$167,200.

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

SECTION 1. That said change order increasing the contract amount by the sum of Five Thousand Four Hundred Dollars (\$5,400.00), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is

hereby appropriated from the **WATER FUND** from funds therein not heretofore appropriated to **Account No. 701-7525-53501, Utility Improvements**, the sum of Five Thousand Four Hundred Dollars (\$5,400.00).

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

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

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

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

Passed, _____, 2016, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

November 4, 2016

To: The Mayor and Members of Sylvania City Council

Re: **Water and Sewer Rates**

Dear Mr. Mayor and Council Members:

In reviewing our current and future revenues and expenditures, we believe that rate increases are necessary in the water and sewer funds.

We strive to provide the necessary services in a cost efficient manner. The costs of providing those services continue to climb.

We have attached projected increases and shown how these increases would impact our customers. We look forward to further discussions with the utility committee on the matter.

Please call if you have any questions.

Sincerely,

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

**CITY OF SYLVANIA
WATER RATE ANALYSIS
November 7, 2016**

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019*</u>
1. Toledo rates, Ord. 124-13 per 1,000 cubic feet (thru 2018)	\$16.45	\$18.62	\$21.08	\$23.86	\$24.93	\$25.93
2. Surcharge rate (175%) per 1,000 gallons	\$3.85	\$4.36	\$4.93	\$5.58	\$5.83	\$6.07
3. Cost of water increase: 1,000 gallons Operational cost increase	\$0.45	\$0.51	\$0.58	\$0.65 \$0.16	\$0.25 \$0.64	\$0.23 \$0.11
4. City of Sylvania Rates				10%	10%	4%
SCO 923.02, per 1,000 gallons	\$5.96	\$6.47	\$8.09	\$8.90	\$9.79	\$10.13
Non-City Rate	\$7.45	\$8.09	\$10.11	\$11.13	\$12.24	\$12.67
5. OEPA 7,500 gal/month	\$44.70	\$48.53	\$60.68	\$66.75	\$73.43	\$76.01
City avg. use 5,500 gal/month	\$32.78	\$35.59	\$44.50	\$48.95	\$53.85	\$55.74

	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019*</u>
1. Toledo rates, Ord. 124-13 per 1,000 cubic feet (thru 2018)	\$16.45	\$18.62	\$21.08	\$23.86	\$24.93	\$25.93
2. Surcharge rate (175%) per 1,000 gallons	\$3.85	\$4.36	\$4.93	\$5.58	\$5.83	\$6.07
3. Cost of water increase: 1,000 gallons	\$0.45	\$0.51	\$0.58	\$0.65	\$0.25	\$0.23
4. City of Sylvania Rates				20%	20%	20%
SCO 923.02, per 1,000 gallons	\$5.96	\$6.47	\$8.09	\$9.71	\$11.65	\$13.98
Non-City Rate	\$7.45	\$8.09	\$10.11	\$12.14	\$14.56	\$17.47
5. OEPA 7,500 gal/month	\$44.70	\$48.53	\$60.68	\$72.81	\$87.37	\$104.85
6. City avg. use 5,500 gal/month	\$32.78	\$35.59	\$44.50	\$53.39	\$64.07	\$76.89

* estimated 4% increase

**CITY OF SYLVANIA
 SANITARY SEWER RATE ANALYSIS
 November 7, 2016**

	<u>2006</u>	thru	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019*</u>
1. City of Sylvania Rates				9%	9%	4%
SCO 923.02, per 1,000 gallons	\$2.70		\$2.70	\$2.94	\$3.21	\$3.50
Non-City Rate	\$3.20		\$3.20	\$3.49	\$3.80	\$4.14
Out-of-State Rate	\$4.50		\$4.50	\$4.91	\$5.35	\$5.83
2. OEPA 7,500 gal/month	\$20.25		\$20.25	\$22.07	\$24.06	\$26.22
3. City avg. use 5,500 gal/month	\$14.85		\$14.85	\$16.19	\$17.64	\$19.23

RESOLUTION NO. 17 -2016**ADOPTING A STATEMENT, PURSUANT TO REVISED CODE OF OHIO 709.03 (D), INDICATING WHAT SERVICES WILL BE PROVIDED TO THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF SYLVANIA BY PETITION FOR ANNEXATION FILED WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.**

WHEREAS, on October 25, 2016, this Council received notice from James E. Moan that he was the authorized agent for the petitioners of the territory sought to be annexed (Parcel No. 78-12011) to the City of Sylvania filed with the Board of Commissioners of Lucas County, Ohio on October 4, 2016; and,

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

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

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

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

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

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

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

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

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

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

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

Passed, _____, 2016 as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

A



City Of Sylvania

SYLVANIA CITY COUNCIL
SHARON M. BUCHER, CLERK

To: Mayor Craig A. Stough and Members of City Council

From: Sharon Bucher, Clerk of Council

Certificate of Notice

ZA-3-2016

Approximately 400) west of the intersection of Alexis and Whiteford on the north side of Alexis
Parcel #82-05182
Sylvania, OH 43560

The undersigned Clerk of Council hereby certifies as follows:

- A. Thirty (30) days of time and place of public hearing was published in the The Blade on September 26, 2016.
- B. Written notice of hearings were mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed as follows:

<u>Owner</u>	<u>Property Address</u>	<u>Owner Address</u>
--------------	-------------------------	----------------------

See attached List.

Sharon Bucher 9/26/16
 Clerk of Council Date

ZA-3-2016

Zoning Admendment B-2 & R-1 to R-1

82-05182 (5142 W. Alexis Rd, Sylvania, OH 43560)

TD Parcel	Owner	Property Address	City	State	Zip	Mailing Address	Mailing - City, State, Zip
8205375	SYLVANIA CHURCH OF GOD	5205 W ALEXIS RD	SYLVANIA	OH	43560	3000 STRAYER RD	MAUMEE OH 43537 9529
8205178	REGENCY HOSPITAL OF TOLEDO LLC	5216 ALEXIS RD	SYLVANIA	OH	43560	P O BOX 92129	SOUTHLAKE TX 76092
7861171	RIDI REIO LLC	5127 W ALEXIS RD	SYLVANIA	OH	43560	5131 W ALEXIS RD	SYLVANIA OH 43560
7868261	WILLIAMS THOMAS	5151 LANGHAM DR	SYLVANIA	OH	43560	3064 REEN DR	TOLEDO OH 43613 2456
7868274	BARTO CHARLES WM JR	5127 LANGHAM DR	SYLVANIA	OH	43560	5153 LANGHAM	SYLVANIA OH 43560
8293921	ASAD MICKEY M	5147 W ALEXIS RD	SYLVANIA	OH	43560	816 SOUTHBRIAR	TOLEDO OH 43607
7813444	SABRA OHIO LLC A DELAWARELLC	5757 WHITEFORD RD	SYLVANIA	OH	43560	101 EAST STATE ST	KENNETT SQUARE PA 19348
7813441	SABRA OHIO LLC A DELAWARELLC	5701 WHITEFORD RD	SYLVANIA	OH	43560	101 EAST STATE ST	KENNETT SQUARE PA 19348
7861174	RIDI REIO LLC	5631 ALEXIS RD	SYLVANIA	OH	43560	5131 W ALEXIS RD	SYLVANIA OH 43560
7868267	WOODS LAWRENCE J & JANETM	5139 LANGHAM DR	SYLVANIA	OH	43560	5145 LANGHAM DR	SYLVANIA OH 43560 1626
8205365	O'REILLY AUTO ENTERPRISESLLC A DELAWARE	5124 W ALEXIS RD	SYLVANIA	OH	43560	P O BOX 06116	CHICAGO IL 60606
7861177	RIDI REIO LLC	5637 ALEXIS RD	SYLVANIA	OH	43560	5131 W ALEXIS RD	SYLVANIA OH 43560
7868264	WOODS LAWRENCE J & JANETM	5145 LANGHAM DR	SYLVANIA	OH	43560	5145 LANGHAM DR	SYLVANIA OH 43560 1626
7868271	BARTO CHARLES WM JR	5135 LANGHAM DR	SYLVANIA	OH	43560	5153 LANGHAM	SYLVANIA OH 43560
8000111	ASAD MICKEY M	5147 W ALEXIS RD	SYLVANIA	OH	43560	1216 N ONTARIO ST	TOLEDO OH 43604 1923

B

November 4, 2016

MEMO

To: Mayor Stough & City Council
Fm: Bill Sanford *BS*
Re: 2017 Community Calendar

I want to give you an update on the 2017 Community Calendar:

- The calendar will go to the printer next week (November 7th). Our goal is to have it in the mail the week of December 5th.
- Muir Graphics, a printing company located in the City of Sylvania is printing the calendar and will handle the mailing. We will have extra copies to distribute.
- I would like to have a press conference to announce the mailing of the calendar. We could schedule this for Monday, December 5th before our council meeting that evening.
- Thank you for your comments on the early drafts of the calendar. Hopefully we addressed any issues that were identified.
- The budget for the calendar looks like this:

<u>Expense</u>		<u>Advertising</u>	
Printing	\$ 5,579.00	Flower Hospital	\$5,000.00
Mailing Services	\$ 522.00	Reeb	\$1,500.00
Photography/Design	\$ 2,000.00	Dave White	\$1,500.00
Postage	<u>\$ 2,288.00</u>	Republic	<u>\$1,500.00</u>
	\$10,389.00		\$9,500.00

- Dani Fuller and Rae Betz did the design, photography and layout for the calendar. Their cost was \$2,000.
- The calendar is replacing the need for the Country Journal. By not printing two issues and mailing it we are saving \$6,500.
- Laura Bigelow in the Mayor's office was a big help in putting the calendar together. This is our first attempt so we will see how it is received. Besides sharing important City information, it is an attractive piece we can use to promote Sylvania. It also will be on our website.

If you have any other questions on the calendar please let me know.



RECEIVED

OCT 21 2016

CITY OF SYLVANIA
CITY COUNCIL

Board of County
Commissioners

Pete Gerken
President

Tina Skeldon Wozniak
Carol Contrada

Jody L. Balogh
Clerk of the Board

October 17, 2016

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

Re: Annexation Petition No. 2016-4
Portion of Sylvania Township
to the City of Sylvania

Dear Ms. Bucher:

Enclosed is a copy of Resolution No. 16-824 accepting the filing of subject petition and setting the hearing date for December 6, 2016 at 2:00 p.m. in the Commissioners Hearing Room, First Floor, One Government Center, Toledo, Ohio.

If you have any questions, please feel free to call our office.

Sincerely,

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

Jody L. Balogh, Clerk

/jlb
Enclosure (1)

Date: October 11, 2016

Resolution No. 16-824

Title: Accepting the Filing of Annexation Petition No. 2016-4, Portion of Sylvania Township to the City of Sylvania – Parcel No. 78-12011 (3.26± acres)

Department/Agency: Commissioners

Contact: Jody L. Balogh, Clerk

Summary/Background: There was filed with this Board on October 4, 2016, a petition for the annexation by a majority of the owners of approximately 3.26 acres of land, more or less, of real estate in Sylvania Township to the City of Sylvania by James A. Moan, Esq., agent for the petitioners. The petitioner requests that the territory be annexed pursuant to the **Regular Annexation** procedures contained in R.C. 709.02

Budget Impact: N/A

Statutory Authority/ORC: 709.02

Commissioner Skeldon Wozniak offered the following resolution:

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

Section 1. This Board acknowledges receipt of Annexation Petition No. 2016-4, Portion of Sylvania Township to the City of Sylvania, Parcel No. 78-12011 (3.26± acres) with a deposit of \$150.00 to be placed into account 8040-8035-418160. The clerk of this Board is directed to enter said petition upon the journal of this Board.

Section 2. This Board's October 11, 2016 meeting is the first available regular session of the Board since the filing of the petition.

Section 3. This Board hereby sets the hearing date of **December 6, 2016, at 2:00 p.m.**, in the Commissioners' Hearing Room, First Floor, One Government Center, Toledo, Ohio.

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

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

D



City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

November 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
October 31, 2016	973,760.39	26,483.85	947,276.54
October 31, 2015	795,607.47	20,098.24	775,509.23
	-----	-----	-----
Monthly Difference	178,152.92	6,385.61	171,767.31
Year to Date 2016	9,420,312.88	167,933.49	9,252,379.39
Year to Date 2015	8,342,722.30	231,134.87	8,111,587.43
	-----	-----	-----
Yearly Difference	1,077,590.58	(63,201.38)	1,140,791.96
			14.06%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

MEMO

November 4, 2016

To: City Council Members and Administration
Fm: Laura Bigelow
Re: 3rd Quarter Reports

Please find enclosed the 3rd Quarter Reports for 2016. Please call me at 885-8926 with any questions.

Zoning Office Key Statistics	2016 3rd Qtr	2015 3rd Qtr
Residential Renovations, Additions & Accessory	16	9
New Dwelling (Residential)	6	6
Estimated Valuation	\$275,000	\$275,000
New Commercial Construction	0	1
Commercial Additionas & Renovations	11	4
Sign Permits Issued	7	12
Demolition Permits Issued	1	0
Swimming Pool Permits Issued	4	1
Sidewalk Permits Issued	10	27

Municipal Planning Commission		
Lot Splits	0	0
Council Referrals	3	1
Site Plan Review	0	1 plat

Architectural Board of Review		
Sign Reviews	7	10
Facility reviews	11	6

Zoning Complaints		
On Site Inspections	75	44
Open Zoning Complaints	21	7
Closed Zoning Complaints	54	37
Letters & Warnings Sent	19	9



SYLVANIA POLICE DIVISION
3RD QUARTER 2016
Management Report Worksheet

	<u>2016</u>	-	<u>2015</u>
Crime Reports	278		304
Crime Offenses	329		334
Criminal Arrests - Juvenile/Adult	155		136
Traffic Citations	246		289
Written Warnings	290		414
Parking Ticket	30		32
OVI	12		20
Traffic Crashes	82		89
Traffic Crash injuries/fatalities	16/0		20/0
Calls for Police Service	3975		3776
Hours Spent Handling Police Calls	1190:24		973:54
Emergency Response Time – Priority 1	3:48		1.23
Overtime Hours - Police	1331.25		1047
Overtime Hours - Dispatch	259.75		288.75
Training Hours	503		758
Vehicle Lockouts	93		86
Motorist Assists	180		84
False Alarms - Commercial	52		52
False Alarms - Residential	35		25
Child Safety Seats Installed	12		10

Community Affairs

Quarterly Report – 3rd Quarter 2016

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

I. Introduction

Officers from the Community Affairs Division have begun the transition into the 2016-2017 school year. Officer Scott Hendricks retired from the police division and Officer Kevin Pooley has been assigned to the Community Affairs office to replace Officer Hendricks. Officer Pooley has begun teaching the elementary D.A.R.E. curriculum in the public schools.

The Sylvania Police Volunteer Division has continued to assist with events and on road patrol as needed. Sylvania Police Division Volunteers have assisted with numerous events throughout the community this quarter. The Volunteer Division continues to be a tremendous asset to our Police Division.

Officer Gallup and Officer Roe have now started the 2016-2017 school year as school resource officers at Northview and Southview High Schools.

II. Youth Programs / DARE Events

- Officer Pooley has started teaching DARE at Maplewood, Sylvan, and Highland.
- Officer Pooley and Officer Roe have presented several safety talks in the community.

III. Community Involvement

- Officers participated in numerous board meetings and community events this quarter.
- Sgt. Music continues to serve on the Sylvania Area Family Services Board.
- Ptlm. Pooley will begin to serve on the SCAT Board and begin to attend the board meetings.

IV. RUOK Program

- 20 alerts – all non-emergency. We had one subscriber that had phone issues causing approximately half of the alerts.

VI. School Resource Officer Programs

The 2016-2017 school year began on August 16th, 2016.

Northview High School - Officer Gallup	
Presentations	1
Meetings	15
General Offense Reports	2
Accident Reports	1
Citations / Warnings	1
School Related Complaints	10
Parking Lot Assists	2
Court Appearances	0

Southview High School - Officer Roe	
Presentations	6
Meetings	30
General Offense Reports	1
Accident Reports	2
Citations / Warnings	0
School Related Complaints	23
Parking Lot Assists	1
Court Appearances	0

VII. Explorer Program

- Explorers have trained with several topics this quarter. Topics include the following:
 - Traffic Stops with scenarios.
 - Firearms safety.
 - Firearms range day.
 - Emergency vehicle operations classroom session.
 - Honor Guard training.
- Explorers assisted with the following events this quarter:
 - Marathon Golf Tournament for the week.
 - 4th of July Celebration traffic control.
 - 9/11 Event at Toledo Memorial Park

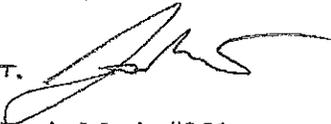
VIII. Volunteer Program - 3rd Quarter Report

A. Summary

Hour Summary	
Total Patrol Volunteer hours for July 2016 – Sept. 2016	98
Total Event Volunteer hours for July 2016 – Sept. 2016	23.5
Total	121.5

Volunteer Patrol Log	
Lockouts	0
House Checks	18
Road Patrol/Traffic Assists	10
Citizen/Motorist Assists	7
Business Checks	0
Juvenile Court Runs	0
Special Assignments:	
A. Events:	
<ul style="list-style-type: none"> Volunteers worked a total of five (5) events this quarter. 	
B. Misc. Details	
<ul style="list-style-type: none"> Explorer post training meetings Citizens academy assistance Assist with SRT training 	

Respectfully,

Sgt. 

Sgt. Justin Music #851
Sylvania Police Division
Office of Community Affairs

Detective Bureau



Sylvania Police Division
Detective Bureau
6635 Maplewood Ave
Sylvania, OH. 43560
419-885-8907

2016 3rd Quarter

**Quarterly Detective Bureau
Summary**

Active investigation monthly average:

49

Active case load by investigator:

<u>Detective</u>	<u>Assigned</u>	<u>Cleared</u>	<u>Current Total [Non-Drug / Drug]</u>		
Sgt. Seney	11	9	14	/	0
Det. Bliss	8	6	11	/	0
Det. Papenfuss	4	3	7	/	7
Inv. Gibbs	1	2	4	/	0
Inv. Beadle	0	0	1	/	0
Inv. Barnswell	0	0	1	/	0
Inv. Vargo	0	2	1	/	0
Inv. Collins	2	2	3	/	0
<u>Monthly Case Totals:</u>	26	24	41		7

Number of Call-Ins & Hold Overs:

Call-Ins: 0
Hold Overs: 2

Narrative:

- Det. Papenfuss was assigned and located a suspect in the Lourdes University Bookstore B/E.
- Det. Bliss was assigned and working on a case involving a man driving a truck through the McDonalds drive thru and hit one of the McDonald's workers with the vehicle. This was after a verbal altercation between the man and another McDonald's employee working the drive thru window.
- Sgt. Seney is working a case involving multiple suspects believed to be working an insurance fraud scam and defrauding both Promedica and multiple insurance companies out of monies. The initial estimate by Promedica is over \$200,000.
- Det. Bliss is also working with the FBI on the Great Lakes Credit Union robbery, committed by two men dressed up as woman. It is also believed that this is one of multiple robberies the two have committed in the area.

Forfeitures:

- #16-228 \$628 forfeited to SPD by Judge SMC
- #15-2430 \$348 forfeited to PD by SMC
- #15-3659 \$40 to be returned to owner
- #16-405 \$40 returned to owner on 4/5/2016
- #16-775 \$10 returned to owner

Drug Evidence Seizure:

- 389.31g marijuana
- 5g crystalized ecstasy
- 3 Mylan 1560 pills
- 3 Priva 434 pills
- 2g crack cocaine
- 1.7g heroin
- 3x 10mg tablets Oxycodone
- 6.7 g Psilocybin Mushrooms
- 98.5 pounds of miscellaneous pills from lobby drug drop box

Sgt. Joshua R. Seney

Management

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

During the 3rd Quarter 2016, we experienced one retirement in our Community Affairs Bureau. Ptlm. Scott Hendricks, DARE officer retired after serving the City of Sylvania for 33 years. A police patrolman test was administered by Civil Service in May. Background investigations have been completed and we are filling two police officer positions. Ptlm. Bradley Marlin began his employment with the police division on September 29, 2016.

Along with personnel changes in the police division, we experienced several special events taking place in our community in the 3rd Quarter. The 4th of July Fireworks, Sylvania Cycling

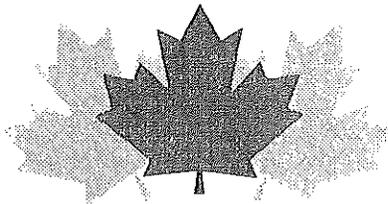
Classic, and the Marathon Golf Classic along with the Sylvania Kids and Adult Triathlons were held. No problems were experienced at these events and they were all a tremendous success for our community

As we moved into the fall and winter months, I along with my command staff, officers, telecommunicators and administrative secretary look forward to serving the needs of our citizens and our wonderful community and to our continued working relationship with city council.

Our authorized strength is 34 Police Officers, 6 Telecommunicators, and 1 Administrative Secretary. Currently we have 32 sworn police officers with two vacancies choosing not to fill one at this time. The other position will be filled in October, 2016.

We ended this quarter with no suspensions, one officer on Sick/Injury Leave till the end of November, and no personnel on Family Medical Leave or Military Deployment.

William H. Rhodus
Chief of Police



City Of Sylvania

VEHICLE MAINTENANCE
JASON MUSIC

City of Sylvania Management Report for the Division of Vehicle Maintenance Third Quarter 2016

Key Statistics

No. of vehicles serviced and repaired:

This Quarter	156
Last Quarter	115

	<u>Unit count</u>	<u>Parts \$</u>	<u>Labor \$</u>	<u>Hours</u>
<u>Fleet Condition:</u>				
<u>SPD:</u> Good, routine maint.	66	\$5,178.00	\$3,645.00	91
<u>Streets:</u> Good, routine maint.	41	\$6,084.00	\$7,245.00	181
<u>Water:</u> Good, routine maint.	14	\$1,005.00	\$1,020.00	26
<u>Sewer:</u> Good, routine maint.	16	\$579.00	\$900.00	23
<u>Parks:</u> Good, routine maint.	16	\$1,983.00	\$1,620.00	41
<u>Other Depts:</u> Good, routine Maint.	3	\$143.00	\$135.00	3
<u>Totals</u>	156	\$14,972.00	\$14,565.00	364

Misc Repairs (sublet): All Dept.

\$14,765.00

Total Vehicle Maintenance cost:

\$44,302.00

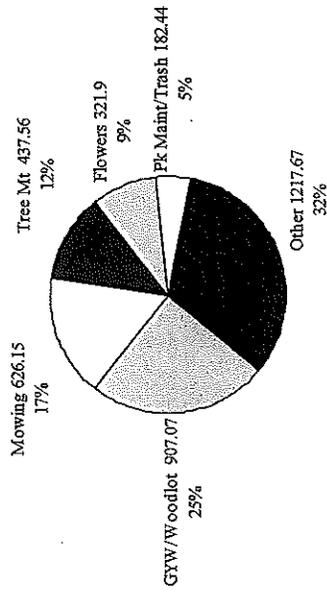
Forth Quarter 2016 activities: Provide revolving repair and maintenance for all departments. Ready and maintain seasonal equipment such as leaf loaders and plow trucks. As the fleet ages, the equipment will require more maintenance and repairs.

Jason Music

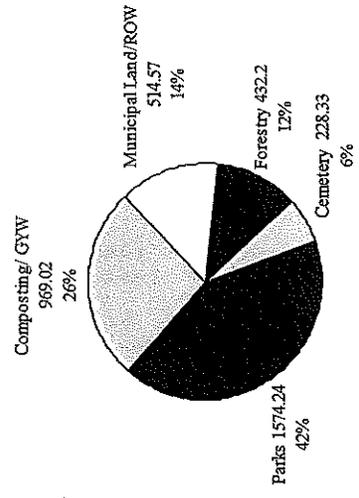
Jason Music
Vehicle Maintenance Manager
October 24, 2016

Parks & Forestry Quarterly Report : July - September, 2016

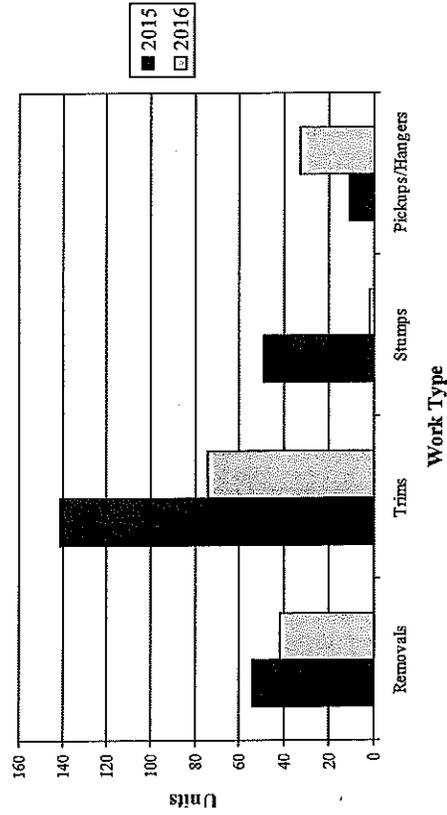
Man-Hours by Work Type



Man-Hours by Account



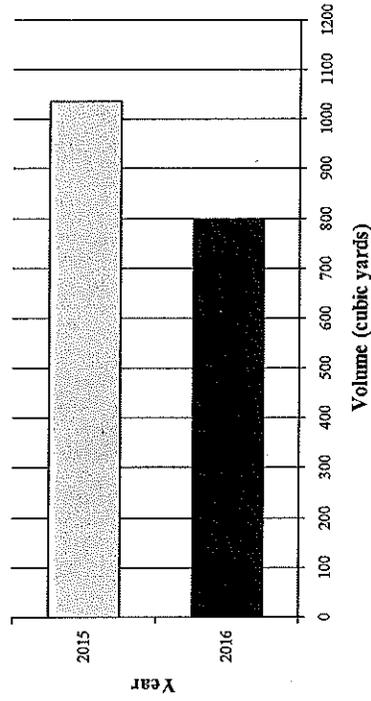
2015 - 2016 Work Comparison



Parks & Forestry Quarterly Report : July – Sept., 2016

Green Yard Waste

2015 - 2016 Cu Yds. of Compost Sold

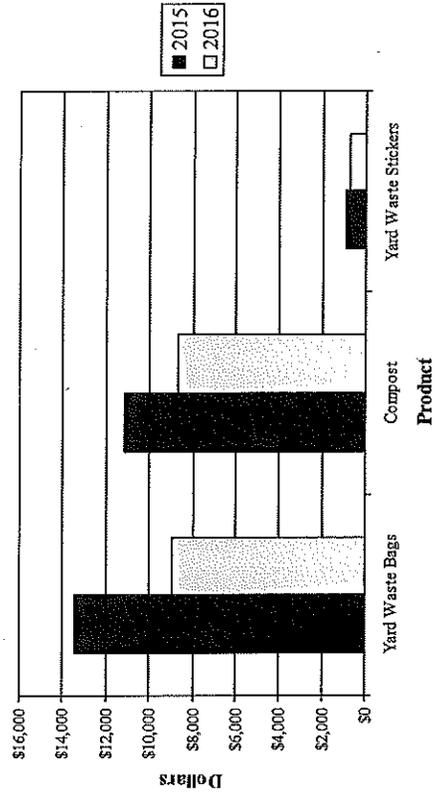


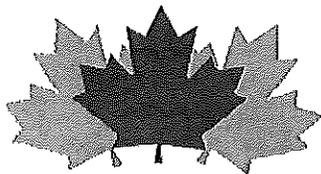
Volume Collected (cubic yards)

- * Route A 75.2
- * Route B 87.9

~ Processed Volume

2015 - 2016 Revenue Comparison





City of Sylvania

Division of Taxation

Management Report - Third Quarter - 2016

Key Statistics:	2016	2015
Number of tax returns processed	2622	3187
Number of e-filed returns	12	7
Gross Receipts	\$2344832.84	\$2216969.59
Number of withholding payments processed	3105	2429
Number of online payments	42	56
Number of refunds processed	92	116
Delinquent totals	\$699427.79	\$661522.41
Amount of money received from collection	\$18639.28	\$27195.71
Number of accounts turned over for collection	65	66

Items of Special Interest:

The third quarter is a busy time preparing for next tax season. All the forms and internet tool have to be updated. Extended returns and business returns are steadily coming in. We have also been working on delinquencies, non-filers, address changes, and identifying potential taxpayers by utilizing real estate transfer records, unclaimed funds records, lottery winner lists, zoning permits, new utility accounts, and school rosters.

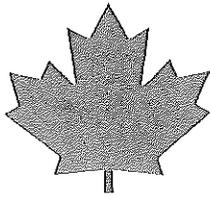
Training:

I attended the Ohio Municipal League Income Tax Seminar in July. As usual, the information was very beneficial and it was a great networking opportunity. The entire seminar was devoted to the changes due to House Bill 5. The Northwest Ohio Tax Commissioners Association is offering a seminar in November to help educate local tax preparers and municipal staff offices about the changes in local tax due to House Bill 5. This will be an excellent opportunity for networking with the local accountants that we tend to deal with on a daily basis.

We continue to look for ways to improve our productivity and increase revenues.

Respectfully submitted,

Christy M. Golis
Commissioner of Taxation



City Of Sylvania

3rd Quarter 2016

DIVISION OF UTILITIES

DAVID W. FRANCE, UTILITY MANAGER

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Y-T-D	Prior Year
Number of Water Accounts	7,182	7,185	7,197			
Number of Sewer Accounts	8,705	8,710	8,719			
Number of Water Tap Permits	5	6	7		18	33
Number of Sanitary Tap Permits	6	18	12		36	70
Number of Storm Tap Permits	6	5	6		17	27
Number of Second Meter Permits	3	3	11		17	22
					0	
Utilities						
Number of Payments Received	19,707	19,730	20,167		59,604	78465
Total Collection Water	\$854,374.67	\$1,004,599.55	\$1,863,973.11		\$3,722,947.33	\$3,750,328.06
Total Collection Sewer	\$442,069.04	\$437,372.80	\$513,074.70		\$1,392,516.54	\$1,913,074.22
Total Collection Refuse	\$113,259.71	\$109,490.58	\$110,865.92		\$333,616.21	\$460,040.60
Total Collection On/Off	\$100.00	\$100.00	\$200.00		\$400.00	\$635.00
Total Collection Fire	\$907.58	\$903.76	\$899.41		\$2,710.75	\$3,505.71
Total Collection Misc	\$2,758.13	\$3,430.39	\$4,578.88		\$10,767.40	\$14,781.43
Total Collection Water Tap Pay Plan	\$199.83	\$135.87	\$263.79		\$599.49	\$794.28
Total Collection Sewer Tap Pay Plan	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00
Total Collection Tree Removal	\$82.74	\$82.74	\$82.74		\$248.22	\$26.69
Utility/Zoning Permit Sales						
Water Tap Permits	\$4,895.00	\$7,200.00	\$6,170.00		\$18,265.00	\$37,333.73
Sanitary Tap Permits	\$570.00	\$1,710.00	\$1,140.00		\$3,420.00	\$7,803.37
Sanitary Connection Fees	\$1,720.00	\$3,090.00	\$2,740.00			\$31,510.00
Sanitary Cost Recovery	\$0.00	\$0.00	\$0.00			\$27,517.72
Sanitary Project Reimbursement	\$0.00	\$0.00	\$0.00			\$10,295.04
Storm Tap Permits	\$570.00	\$475.00	\$570.00		\$1,615.00	\$2,485.00
Second Meter Permits	\$900.00	\$900.00	\$3,300.00		\$5,100.00	\$6,600.00
Hydrant Permits	\$0.00	\$1,650.00	\$0.00		\$1,650.00	\$4,684.01
Zoning Permits	\$4,992.80	\$5,100.00	\$6,161.61		\$16,254.41	\$29,254.63
Service Dept Sales						
Sewer and Sidewalk Licenses	\$395.00	\$326.00	\$75.00		\$796.00	\$1,512.00
Plans/Bid Documents	\$495.00	\$50.00	\$275.00		\$820.00	\$1,750.00
Refuse/Green Yard Waste						
Refuse Extra Bag Tags	\$343.00	\$289.00	\$443.00		\$1,075.00	\$1,336.00
Refuse Bulk Item Sticker	\$722.00	\$763.00	\$1,034.00		\$2,519.00	\$2,862.00
Green Yard Waster Stickers/Bags	\$4,442.00	\$11,703.00	\$1,374.00		\$17,519.00	\$15,214.00
Misc.	\$503.00	\$430.05	\$725.00		\$1,658.05	\$4,433.21
Total Collection	\$1,434,299.50	\$1,589,801.74	\$2,517,946.16		\$5,534,497.40	\$6,327,776.70

	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Y-T-D	Prior year
Total Water Purchased (Gallons)	129,228,220	164,245,840	205,053,728		498,527,788	602,885,008
Average Daily Water Purchased	1,435,869	1,824,954	2,278,374		5,539,197	1,674,755
Total Sewer Flow (Gallons)	262,760,000	326,830,000	184,960,000		774,550,000	812,640,000
Average Daily Sewer Flow	2,919,555	3,631,444	2,055,111		8,606,110	9,029,332
Estimated Population Served-Water	21,400					
Estimated Population Served-Sewer	25,300					

Activities To Be Performed

Monitoring meter reading
Continue comparision of Mag Meter to Master Meters
Continue replacement of Dead MTUs

Progress This Period

Systematic Cleaning of sewer collection system
Online utility account availability and email billing
Maintenance and repairs of water distribution system



David W. France
Utility Manager

City of Sylvania Management Report
For The Division of Streets
Third Quarter - 2016

Key Statistics

Road Repairs & Maintenance:	<u>2016</u>	<u>2015</u>
Remove & Replace Existing Concrete As Needed	20 cu.yds	47.5 cu.yds
CDF Low Density Backfill	5.5 cu.yds	4.5 cu.yds
Asphalt Placed for Repairs/ Paving Program	131 tons	57.5 tons
Street Sweeping Hours	176 hrs	177 hrs
Street Sweeping Tonnage Hauled	49 tons	52 tons
Catch Basin & Manhole Repair Hours	100 hrs	331 hrs
Crack-Fill Roadways Hours	744 hrs	732 hrs
Repair & Replace Pavement Markings		
Traffic Paint Hours	539 hrs	275 hrs
Thermoplastic Hours	32 hrs	75 hrs
Cold Patch Hours	56 hrs	85 hrs
Curb Repair Hours	603 hrs	515 hrs

Traffic Signs Repaired and / or Replaced:

Sign Maintenance Hours	219 hrs	277 hrs
Regulatory Signs	10	21
Warning Signs	1	6
Street Name & Informative Signs	11	6

Miscellaneous:

Dead Animals Removed From Right - of - Way	12	26
Hours Helping Other Dept. (Water, Sewer, etc...)	32 hrs	19 hrs
Clean Up Oil / Fuel Spills In The Roadways	4 hrs	9 hrs
Post No Parking for The LPGA Marathon Classic.	42 hrs	24 hrs
Haul Recycled Concrete for Disposal	32 tons	152 tons
Haul Stone for Various jobs		57 tons
Storm Sewer Repair Main St at Maplewood Ave	90 hrs	0
Mill and Pave Pyle Dr, Lynnhaven Dr	88 hrs	0
Parking Lot Improvements Municipal Lot	88 hrs	0

Special Event Set Up:

2016

2015

Special Events Total Hours

65 hrs

87 hrs

July 4th Fireworks
Olivet Lutheran Church Rummage Sale
Sylvania Triathlon
Sylvania Super kids Triathlon
The LPGA Marathon Classic
Treo Fundraiser for Trucking Industry P.A.C
Ridin Late in County Forty-Eight
Block Parties

Jim Campbell

Jim Campbell
Foreman of Streets
11/3/2016



City of Sylvania

INFORMATION
TECHNOLOGY
DEPARTMENT
QUARTERLY REPORT

THIRD QUARTER 2016

6730 MONROE ST
SYLVANIA, OH 43560

INFORMATION TECHNOLOGY QUARTERLY REPORT

VOICEMAIL MIGRATION, NEW VOICE RECORDER FOR POLICE
DIVISION. INSTALLATION OF NEW IP SECURITY CAMERA SOLUTION.

THIRD QUARTER 2016

MISSION STATEMENT

Our mission is to provide efficient and cost effective Information Services to the Departments and Divisions of the City of Sylvania. To provide a knowledgeable and committed staff in order to maintain a stable, reliable and secure network. To respond in a timely manner to the needs of our users and empower them with the technology they need to become more effective. The Information Technology Department will maintain a high level of integrity and continue be good stewards of public funds. We will continue to partner with vendors in order to stay current with new technology. We will continue to pursue the further development of public services in order to provide the most current information to our citizens to enhance their quality of life.

CURRENT RESPONSIBILITIES

- Network Infrastructure
- Network Security
- Researching and procuring
- Help Desk Services
- Phone Systems
- Security Camera Systems
- Workstations and Mobile Devices
- City websites
- Wireless networks
- File and Print Services
- Copiers
- Document Management
- Email
- Backups
- Disaster Recovery
- WAN Services
- Remote Access Services

PROJECTS

- New Voice Recorder for the Police Division

In speaking with the vendor, Sound Communications, it was determined that we will allow both recorders to continue to operate until the retention period of the recordings, currently being stored on the AudioLog recorder, is reached. The retention of the recordings is currently (1) year. We will decommission and recycle the AudioLog hardware on or after Dec 1 of this year (2016).

- Patch Management

We continue to patch our Servers, Workstations, Websites and infrastructure devices as required. Servers and Workstations are patched using WSUS and SolarWinds Patch Manager.

- Core Switch Replacement

We have completed our core switch replacement. All existing IP addresses and routing functionality has been successfully transferred to the new core and we have decommissioned the old core switch.

GOALS

- Network switch refresh

We are continuing to work on a network switch refresh. We currently have approximately (18) LAN Switches and (2) SAN switches. The majority of the switches are Cisco 10/100 switches. We will be replacing these with 10/100/1000 switches.

- UPS Replacements

The Datacenter has several UPS's (Uninterruptable Power Supplies) that have batteries that are between 4-6 years of age. We have determined that 4 of the UPS's currently in mission critical roles are in need of replacement. We are working with Lake Erie Electric in order to modify a current 220v circuit to 120v in order to downsize the existing 220v UPS's.

- Segregate Lucas County 911 Equipment

We are working with Lucas County 911 in order to remove their equipment from our UPS's so they no longer share the same UPS's as our infrastructure. We are going to have a separate 120v circuit put in place and provide a single 2200va UPS for the 911 equipment. None of their devices have redundant power therefore a redundant circuit will not provide any further redundancy.

- Training

We are continuing to pursue relevant training and certifications. Our primary focus is Fortinet training, which is our Firewall and email gateway solution, followed by VMWare and Cisco training. We also plan to refresh an existing certification in Network+.

- Camera Migration

We continue to replace existing analog cameras with new IP cameras and add them to our existing digital camera solution, Avigilon. We added an additional 30TB of video storage to the NAS (Network Attached Storage). This will allow us sufficient storage space as we add additional cameras to the system. We implemented a redundant NAS solution with one NAS located in the datacenter (Master) and the other NAS is located in the police division basement (Slave).

- Camera implementation (River Trail Phase II)

We continued to work with our Engineering Department to assist with implementing security cameras in certain areas of concern along the River Trail Phase II that will extend from Harroun Rd to the 5800 Block of Monroe St. We worked with Avigilon Design Team to ensure a solid design. Avigilon Engineers were onsite in order to develop a comprehensive plan for implementation. We worked with a consultant from S&L Cabling Solutions and Corning in order to determine the best method of connectivity. A final design and parts list will be submitted to the Engineering department.

- Cable management

We completed migration of equipment in order to consolidate our available rack space and better organize our existing cable connections. We reduced the amount of rack space required therefore freeing up additional space for future expansion.

- Help Desk Software Implementation

We currently utilize "Track-it" a help desk and asset management solution. We are going to continue to expand its use by pushing it out to our users. This will allow our users to track the status of their work orders and will provide us with a better workflow.

- Update social media pages

We continue to consider updating our existing Facebook and Twitter pages. We would like these pages to be more cohesive with our new webpages and include some limited

training on how to better enhance the pages in order to better communicate with our residents.

- Disaster Recovery

Later this year we are going to be moving an existing decommissioned server out to the DR site in Akron, Ohio in order to have (2) Servers onsite for redundancy, as well as provide for their use in the event of a Disaster. We have rescheduled the implementation of an additional Court Server at the DR site until 2017.

- Wireless Network refresh

Our current Cisco wireless solution went "End of life" (end of support) on June 30th of this year. We determined that the majority of our current wireless users are guest users and we have very few internal wireless users. Therefore, after careful consideration, and due to the high cost of a new wireless solution, we felt that a new wireless solution couldn't be justified at this time. We eliminated our third party support costs and purchased additional used equipment, at a fraction of the cost, in order to maintain our current solution. In the event that an update becomes necessary we will most likely pursue the most cost effective solution which will be the FortiAP's that will work with our existing infrastructure.

- Cost Reduction through consolidation

We continue to decommission switches and other network related equipment in order to reduce costs and simplify administration.

- Intern Program

It remains our intention to develop an Intern program in order to help local students who are working towards a degree in technology get firsthand knowledge and experience in their field of study. We were able to use an unpaid Intern to help us develop all three current websites for the City of Sylvania, Sylvania Police Division and the Sylvania Municipal Court.

Respectfully Submitted,



Charles W. Silvernail III
Information Technology