

Sylvania City Council
March 6, 2017

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Mishka, Mrs. Westphal, present.
2. Pledge of Allegiance to the United States of America led by Mrs. Husman.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of February 21, 2017.
5. Proposed Ordinance No. 17-2017, An Ordinance to approve, adopt and enact current replacement pages to the Codified Ordinances; to repeal Ordinances in conflict therewith, to publish the enactment of new matter.
6. Proposed Ordinance No. 18-2017, Authorizing an agreement with Volunteer Energy Services, Inc. to act as the City's natural Gas Aggregation Supplier for a 24 month period beginning May 2017.
7. 2017 Microsurfacing Project.
 - a. Service Director's report on project.
 - b. Proposed Ordinance No. 19-2017, Accepting proposal of Strawser Construction, Inc. to provide pavement rehabilitation work for the 2017 Microsurfacing project.
8. Advanced Tree Cutting Contract-River Trail Phase 2.
 - a. Service Director's report on project.
 - b. Proposed Ordinance No. 20-2017, Accepting Flower Hospital and Promedica a temporary license for access and tree removal for the River Trail Phase 2 project.
 - c. Proposed Ordinance No. 21-2017, Accepting proposal of T&J Excavating to provide tree cutting services relative to River Trail Phase 2 project.
9. River Trail Phase 2 Project.
 - a. Service Director's report on project.
 - b. Proposed Ordinance No. 22-2017, Authorizing to accept the amendment to the proposal of JJR to provide design services for the River Trail Phase 2 project.
10. City Hall Cooling System Project.
 - a. Service Director's report on project.
 - b. Authorization for Clerk to advertise for bids.
11. Safety Study (Alexis Road corridor between Acres Road and Elliott Drive).
 - a. Service Director's report on Study.
 - b. Referral to Streets Committee for further review and discussion.

12. Proposed Ordinance No. 23-2017, Authorizing an agreement between City of Sylvania and the Board of Lucas County Commissioners for the Suburban Court Services Program.
13. One-Ton Dump Truck purchase.
 - a. Service Director's report on purchase.
 - b. Proposed Ordinance No. 24-2017, Authorizing to accept the proposal of Valley Truck Centers for one new One-Ton Dump Truck Chassis for the Division of Streets.
 - c. Proposed Ordinance No. 25-2017, Authorizing to accept the proposal of Kalida Truck Equipment for the provision of a new dump body and safety package for the Division of Streets.
14. Approval of items to be offered for auction on GovDeals.com from Police Department.
15. Committee reports.
16. Committee referrals.

INFORMATION

- A. February 2017 Bank Reconciliation.

Minutes of the Meeting of Council
February 21, 2017

The Council of the City of Sylvania, Ohio met in regular session on February 21, 2017 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Luetke, Doug Haynam, Sandy Husman, Jason Mishka, Mary Westphal: (6) present; Mark Frye, (1) absent.

Roll call:
Mark Frye,
absent; excused.

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

Agenda
approval.

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

Mrs. Westphal presented the February 6, 2017 meeting minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of February 6, 2017 be approved; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the
February 6,
meeting
minutes.

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

Service Director's report on the 2016 Sanitary Lining Project was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 11-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 1 to this city's agreement with Insituform Technologies USA, LLC for the 2016 Sanitary Sewer Lining Project which reflects the actual work performed on this project; increasing the contract amount by \$15,279; appropriating funds therefore; and declaring an emergency."; Mr. Mishka moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Ordinance No.
11-2017,
"Authorizing
CO #1 for 2016
Sanitary Sewer
lining
project..."

Minutes of the Meeting of Council
February 21, 2017

Mr. Mishka moved, Mr. Haynam seconded, that Ordinance No. 11-2017 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated that council will now consider added agenda item 6.

Service Director's report on the Trunk Sanitary Sewer Inspection project was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 12-2017, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Redzone Robotics, Inc. to provide professional services for system-wide large diameter sanitary sewer inspection services; appropriating funds therefore in the amount of \$195,750; and declaring an emergency." Mr. Mishka moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Mishka, Westphal, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Ordinance No. 12-2017, "Accepting proposal Redzone Robotics... sanitary sewer inspection services..."

Mr. Mishka moved, Mr. Luetke seconded, that Ordinance No. 12-2017 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Haynam, Husman, Luetke, Mishka, (6) yeas; (0) nays. The motion carried.

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

Mayor Stough stated council is in receipt of the Planning Commission's recommendation for the Zoning Ordinance Amendment Petition No. SUP-1-2017, a request from the Toledo-Lucas County Public Library. Public hearing date has been set for March 20, 2017 at 7:00p.m.

Planning Commission's recommendation SUP-1-2017 received.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 13-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with the Board of Commissioners of Lucas County, Ohio, addressing the common pleas provision of Pretrial Supervision Services for City Defendants; and declaring an emergency." Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

Ordinance No. 13-2017, "Authorizing agreement with Lucas County ...Pretrial Supervision Services..."

Minutes of the Meeting of Council
February 21, 2017

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 13-2017 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 14-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with the Board of Commissioners of Wood County, Ohio, the Sheriff of Wood County, Ohio for the use of the Wood County Justice Center for the Housing of City Prisoners; and declaring an emergency." Ms. Westphal moved, Mr. Mishka seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Mishka, Westphal, : Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

Ordinance No. 14-2017, "Authorizing agreement with Wood County, Sheriff of Wood Co.....for housing city prisoners..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 14-2017 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 15-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with the Board of Commissioners of Lucas County, Ohio regarding use of the Lucas County Work Release program; and declaring an emergency." Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Mishka, Westphal, Cappellini, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Ordinance No. 15-2017, "Authorizing agreement with Lucas County regarding use of the Lu Co Work Release program..."

Ms. Westphal moved, Mr. Luetke seconded, that Ordinance No. 15-2017 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Haynam, Husman, Luetke, Mishka, (6) yeas; (0) nays. The motion carried.

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

Minutes of the Meeting of Council
February 21, 2017

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 16-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an agreement with the Board of Commissioners of Lucas County, Ohio for the use of the Lucas County Corrections Center for City Prisoners; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

Ordinance No. 16-2017, "Authorizing agreement with Lucas County for use of Lu Co Corrections Center for city prisoners..."

Mrs. Westphal moved, Mr. Mishka seconded, that Ordinance No. 16-2017 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

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

Mr. Luetke stated the Employee & Community Relations Committee met at 7:00 p.m. on this date to discuss the policies of Council to make Board and Commission appointments. New guidelines will be drafted that include at the time of a third term appointment, the process will be open up to get citizen participation. The website will be utilized to provide information to the public on open positions and the position responsibilities.

Emp & Com Relations Committee Rept Re: appointments

Mayor Stough stated that there are no items for agenda item 13, so Council will now consider agenda item 14.

Mrs. Westphal moved, Mr. Luetke seconded to enter into Committee-of-the-Whole Executive Session for the purpose of possible real estate property sale at 8:14 p.m. Roll call vote being: Cappellini, Haynam, Husman, Luetke, Mishka, Westphal, (6) yeas; (0) nays. The motion carried.

C.O.W. Executive Session for possible R.E. property sale.

Mr. Haynam moved, Mr. Mishka seconded to return from C.O.W. Executive Session to General Session at 10:02 p.m. Roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Mayor Stough stated that no action will take place as a result of the Executive Session.

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

Minutes of the Meeting of Council
February 21, 2017

Mrs. Husman moved, Mrs. Cappellini seconded that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 10:02 p.m.

Adjournment.

Clerk of Council

Mayor

ORDINANCE NO. 17-2017

AN ORDINANCE TO APPROVE, ADOPT AND ENACT CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision; and

WHEREAS, the codification of such ordinances, together with the new matter to be adopted, the matters to be amended and those to be repealed are before the Council;

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

SECTION 1. That the ordinances of the City of Sylvania, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections with the 2017 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

- 301.04 Bicycle; Motorized Bicycle; Moped. (Amended)
- 301.19 Motorcycle. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.21 Right of Way of Public Safety or Coroner's Vehicle. (Amended)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Added)
- 335.021 Ohio Driver's License Required for In State Residents. (Added)
- 335.09 Display of License Plates. (Amended)
- 335.10 Expired or Unlawful License Plates. (Amended)
- 335.111 Registration Within Thirty Days of Residency. (Added)
- 335.12 Stopping After Accident Upon Streets. (Amended)
- 335.13 Stopping After Accident Upon Property Other Than Street. (Amended)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)

General Offenses Code

501.06	Limitation of Criminal Prosecution. (Amended)
505.071	Cruelty to Companion Animals. (Amended)
513.02	Gift of Marihuana. (Amended)
513.03	Drug Abuse; Controlled Substance Possession or Use. (Amended)
513.04	Possessing Drug Abuse Instruments. (Amended)
513.05	Permitting Drug Abuse. (Amended)
513.07	Possessing or Using Harmful Ingredients. (Amended)
513.08	Illegally Dispensing Drug Samples. (Amended)
513.11	Possessing Nitrous Oxide in Motor Vehicle. (Amended)
513.12	Drug Paraphernalia. (Amended)
513.121	Marihuana Drug Paraphernalia. (Amended)
513.13	Counterfeit Controlled Substances. (Amended)
525.15	Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
529.01	Liquor Control Definitions. (Amended)
529.07	Open Container Prohibited. (Amended)
537.051	Menacing by Stalking. (Amended)
537.10	Telecommunications Harassment. (Amended)
537.17	Criminal Child Enticement. (Amended)
541.04	Criminal Mischief. (Amended)
541.09	Vehicular Vandalism. (Amended)

Fire Prevention Code

1519.04	Fireworks Possession, Sale or Discharge Prohibited. (Amended)
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A summary of the amendments to the sections listed above is set forth in Appendix A which is attached to this ordinance.

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

SECTION 4. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11(e) and 12, of the Charter of this City.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements. 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, _____, 2017, as an emergency measure.

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

Summary of 2017 Model Changes

Traffic Code

301.04 Bicycle; Motorized Bicycle; Moped. (Adds “moped” to definition of “motorized bicycle”.)

301.19 Motorcycle. (Adds “autocycle” to definition.)

331.21 Right-of-Way of Public Safety or Coroner’s Vehicle. (Creates penalty exception for violation of Section 331.211.)

331.211 Report of Vehicle Failing to Yield Right-of-Way to Public Safety Vehicle. (Adds new section creating a procedure for issuing an investigatory report for a violation of Section 331.21.)

335.021 Ohio Driver’s License Required for In State Residents. (Adds new section requiring new residents of the State to obtain an Ohio driver’s license within thirty days.)

335.09 Display of License Plates. (Adds “mopeds”, “motor-driven cycles”, “motor scooters” and “autocycles” to vehicles requiring license display.)

335.10 Expired or Unlawful Plates. (Changes penalty in subsection (f)(1) from a misdemeanor of the fourth degree to a minor misdemeanor.)

335.111 Registration Within Thirty Days of Residency. (Adds section requiring a new resident to register a motor vehicle within thirty days.)

335.12 Stopping After Accident on Street. (Increases penalty for failure to stop that results in death of or serious physical harm to a person and makes stylistic changes.)

335.13 Stopping After Accident Upon Property Other Than Street. (Increases penalty for failure to stop that results in death of or serious physical harm to a person and makes stylistic changes.)

373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Adds exceptions for autocycles and cab-enclosed motorcycles; adds standard for protective helmets.)

General Offenses Code

501.06 Limitation of Criminal Prosecution. (Changes terminology in subsection (i) to “child with a developmental disability or physical impairment”.)

505.071 Cruelty to Companion Animal. (Revises the definition of companion animal and the offenses contained in the section.)

513.02 Gift of Marihuana. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

General Offenses Code (Cont.)

513.03 Drug Abuse; Controlled Substance Possession or Use. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.04 Possessing Drug Abuse Instruments. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.05 Permitting Drug Abuse. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.07 Possessing or Using Harmful Intoxicants. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.08 Illegally Dispensing Drug Samples. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.11 Possessing Nitrous Oxide in Motor Vehicle. (Adds subsection (d) on license suspension to section.)

513.12 Drug Paraphernalia. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.121 Marihuana Drug Paraphernalia. (Deletes minimum time of six months for license or permit suspension; makes suspension permissive generally but mandatory for DUI connected violations.)

513.13 Counterfeit Controlled Substances. (Adds subsection (c) on license suspension to section.)

525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Revises the language of subsection (e)(5)D. hereof.)

529.01 Liquor Control Definitions. (Adds subsection (c)(2) clarifying that beer is not an intoxicating liquor.)

529.07 Open Container Prohibited. (Adds "A-2(f)" permit to subsection (c)(1)A; adds new subsection (c)(1)B.)

537.051 Menacing by Stalking. (Adds prohibition of knowingly causing another person to believe that the offender will cause physical harm or mental distress to a family or household member of the other person.)

537.10 Telecommunications Harassment. (Adds subsections (a)(6) - (11), (b)(2), (e), (f) and (g)(5) to (7) to expand telecommunication harassment offenses.)

General Offenses Code (Cont.)

537.17 Criminal Child Enticement. (Changes reference in subsection (f)(3) to Ohio
R.C. 1546.01.)

541.04 Criminal Mischief. (Amends subsection (a)(1) to cover mortgaged property.)

541.09 Vehicular Vandalism. (Changes reference in subsection (a)(3) to Ohio R.C.
1546.01.)

Fire Prevention Code

1519.04 Fireworks Possession, Sale or Discharge Prohibited. (Adds exception to
subsection (e).)

ORDINANCE NO. 18 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH VOLUNTEER ENERGY SERVICES, INC. TO ACT AS THE CITY'S NATURAL GAS AGGREGATION SUPPLIER FOR A TWENTY-FOUR (24) MONTH PERIOD BEGINNING IN MAY, 2017 AND ENDING IN APRIL, 2019; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania is approved by the Public Utilities Commission of Ohio ("PUCO") as an opt-out government aggregator for natural gas and is a member of the Northwest Ohio Aggregation Coalition ("NOAC"); and,

WHEREAS, since 2003, NOAC has saved residents and small business customers in the aggregation over \$16,000,000 on their natural gas bills versus the Columbia tariff price; and,

WHEREAS, NOAC's consultant, Palmer Energy, recently issued a request for proposals and received several proposals; and,

WHEREAS, after review of the offers, Palmer Energy recommends that the NOAC communities enter into a contract with Volunteer Energy Services, Inc. to provide natural gas service at a rate substantially below the Columbia SCO price; and,

WHEREAS, the Agreement with Volunteer Energy Services, Inc. will have a start date of May, 2017 and will continue for twenty-four months at a rate of \$1.24 per MCF; and,

WHEREAS, this will result in an estimated annual savings of \$18.48 per account during the course of the Agreement.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to enter into a new gas supply contract with Volunteer Energy Services, Inc. for a twenty-four (24) month term to supply natural gas to City of Sylvania consumers enrolled in its opt-out aggregation program.

SECTION 2. Any such contract with Volunteer Energy Services, Inc. shall be in a form which is acceptable and approved by the Director of Law.

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Agreement for said natural gas services should be approved immediately so that City residents continue to receive the best possible natural gas pricing. 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, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

79



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 6, 2017

To: The Mayor and Members of Sylvania City Council

Re: **2017 Microsurfacing Project**

Dear Mr. Mayor and Council Members:

The City plans to provide pavement rehabilitation by Microsurfacing on approximately 3.97 miles of residential roadways as a part this year's pavement maintenance program. Microsurfacing consists of applying a polymer-modified asphalt emulsion based resurfacing material to the existing pavement surface. This application will provide a hard wearing surface on structurally sound pavements with the primary goal of extending pavement life by covering cracks, stop unraveling, reduce water infiltration and oxidation deterioration.

The following roadways have been field reviewed and found to be suitable for this application:

- Abbey Run, Addington Lane, Brookline Road, Calaway Green, Charlesgate Road, Coppersmith Road, Cornwall Court, Denbridge Drive, Fifth Avenue, Framingham Drive, Kingsbridge Drive, Longfellow Road, Margate Boulevard, Newcastle Drive, Rodeo Drive, Stonehenge Drive, Victoria Court, Wedgewood Drive, Wickford Drive (East & West), Woodhall Drive, Worth Avenue

Ohio Revised Code Section 5513.01 (B) allows political subdivisions to purchase machinery, materials, supplies or other articles from the Ohio Department of Transportation's Cooperative Purchasing Program. Strawser Construction, Inc. is available to perform the required Microsurfacing work under this program at a price not to exceed \$197,640.39.

We request approval to enter into an agreement with Strawser Construction, Inc. at a price not to exceed \$197,640.39 to perform this pavement rehabilitation work.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service



1392 Dublin Road-Columbus, OH 43215-Phone (614)276-5501-FAX (614)276-0570

"Professionals Dedicated to Preserving America's Roadways" and "Building Our Road to Safety Excellence"

Conditions:

- * Proposed quantities are based on site conditions on: Date 2-24-2017
- * This proposal includes only the scope of work listed above. Any alteration or deviation from this scope of work may result in additional costs and must be contracted for in writing and signed by an authorized representative of Strawser Construction Inc (quantities based on city measurements)
- * All work shall be completed in a workmanlike manner according to standard practices and all materials are guaranteed as specified.
- * Prices are based on 1 mobilization. Work to be completed in 2017.
- * Unit Price items will be billed per installed quantities.
- * Terms are net 30 days from date of invoice.

Notes:

- * Existing pavement is expected to support the weight of normal construction loads.
- * Strawser Construction Inc. is not responsible for damage to finished surface by others including humans, animals or vehicles tracking fresh material.
- * Upon the awarding of the proposal, supply Strawser Construction Inc. with an Ohio Department of Taxation, Construction Contract Exemption Certificate, if applicable.
Work includes all traffic control and signage
- * Work does not include temp or final striping
- * Work does not include Striping Removal
Please call with any questions.

Thank you,

Zack Helm
Strawser Construction Inc.
937-657-9527
Zack.Helm@Strawserconst.com

Approval:

The above prices, specifications and conditions are hereby accepted. Strawser Construction Inc. is to perform the work as specified. Acceptance indicates that funds are available for this work and payment will be made to Strawser Construction Inc. as outlined above.

Name	Title	Date
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1392 Dublin Road-Columbus, OH 43215-Phone (614)276-5501-FAX (614)276-0570

"Professionals Dedicated to Preserving America's Roadways" and "Building Our Road to Safety Excellence"

Date: 2-27-2017

City of Sylvania-Lucas County
 6730 Monroe Street
 Sylvania, OH 43560

City of Sylvania Micro Surfacing-2017

Dear City of Sylvania,

Strawser Construction Inc. is pleased to present the following proposal for your review.
 We will furnish all labor, equipment and materials to complete the following scope of work:

Type of Work 1

20lbs of micro surfacing with trap rock
 Please See attached sheet for road list

Type of Work 2

NA

Type of Work 3

NA

Type of Work	Quantity	Unit of Measure	Unit Price	Extension
20lbs of micro surfacing with trap rock	58,301	Square yards	\$3.39	\$197,640.39
				\$0.00
				\$0.00
Total Project Extension				<u>\$197,640.39</u>

7b

ORDINANCE NO. 19 -2017

ACCEPTING THE PROPOSAL OF STRAWSER CONSTRUCTION, INC. TO PROVIDE PAVEMENT REHABILITATION WORK FOR THE 2017 MICROSURFACING PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$197,640.39; AND DECLARING AN EMERGENCY.

WHEREAS, the City plans to provide pavement rehabilitation by Microsurfacing on approximately 3.97 miles of residential roadways as a part of this year’s pavement maintenance program; and,

WHEREAS, the residential roadways reviewed and identified as suitable for this application include Abbey Run, Addington Lane, Brookline Road, Callaway Green, Charlesgate Road, Coppersmith Road, Cornwall Court, Denbridge Drive, Fifth Avenue, Framingham Drive, Kingsbridge Drive, Longfellow Road, Margate Boulevard, Newcastle Drive, Rodeo Drive, Stonehenge Drive, Victoria Court, Wedgewood Drive, Wickford Drive (East & West), Woodhall Drive and Worth Avenue; and,

WHEREAS, Ohio Revised Code Section 5513.01(B) allows political subdivisions to participate in the Ohio Department of Transportation’s Cooperative Purchasing Program; and,

WHEREAS, the Deputy Director of Public Service, in a report dated March 6, 2017, has recommended that the proposal of Strawser Construction, Inc. to provide pavement rehabilitation by Microsurfacing for the 2017 Microsurfacing Project at a cost of One Hundred Ninety-Seven Thousand Six Hundred Forty and 39/100 Dollars (\$197,640.39), 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 Strawser Construction, Inc. in the amount One Hundred Ninety-Seven Thousand Six Hundred Forty and 39/100 Dollars (\$197,640.39) for providing pavement rehabilitation by Microsurfacing for the 2017 Microsurfacing Project, 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 microsurfacing hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503 – Street Improvements** the amount of One Hundred Ninety-Seven Thousand Six Hundred Forty and 39/100 Dollars (\$197,640.39).

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 pavement rehabilitation services for the 2017 Microsurfacing Project 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, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

89



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 6, 2017

To: The Mayor and Members of Sylvania City Council

Re: **Advanced Tree Cutting Contract
River Trail Phase 2**

Dear Mr. Mayor and Council Members:

During the environmental review process with the Ohio Department of Natural Resources (ODNR) it was noted that the River Trail Phase 2 Project needs to comply with federal and state threatened and endangered species requirements for the Indiana Bat. According to the requirements any trees scheduled to be removed as a part of the project must occur between October 1 and March 31 to prevent potential destruction of the Indiana Bat roosts and habitat.

To meet with these requirements the Service Department would like to initiate an advanced construction services contract to cut any trees (3" caliper size and larger) within the 30' wide trail alignment.

The City solicited proposals from three (3) local tree cutting contractors and received responses from two (2) companies. The lowest proposal received was from T&J Excavating & Tree Clearing, LLC from Holland, Ohio in the amount of \$8,400.

We would recommend approval of the advanced tree cutting contract with T&J Excavating & Tree Clearing, LLC in the amount of \$8,400.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

**AGREEMENT
BETWEEN OWNER AND CONTRACTOR**

THIS AGREEMENT is dated as of the _____ day of _____ in the year 2017 by and between the City of Sylvania (hereinafter called CITY) and

T&J Excavating & Tree Clearing, LLC (hereinafter called CONTRACTOR).

CITY AND CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

Article 1. WORK.

CONTRACTOR shall complete all Work as specified or indicated in the Scope of Services document prepared for bidding.

The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows: **River Trail Phase 2 – Tree Cutting/Removal.**

Article 2. ENGINEER

ENGINEER is to act as CITY'S representative, assume all duties and responsibilities and have the rights and authority assigned to ENGINEER in the Scope of Services.

Article 3. CONTRACT TIME

3.1. Construction is authorized to begin as of the effective date of this Agreement and shall be **100% complete by March 31, 2017 for the Base Bid work only**. **The Alternate Bid scope of work is omitted from this Agreement**.

3.2. Liquidated Damages. CITY and CONTRACTOR recognize that time is of the essence of this Agreement and the CITY will suffer financial loss if the Work is not completed within the times specified in paragraph 3.1 above. They also recognize the delays, expense and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by CITY if the Work is not completed on time. Accordingly, instead of requiring any such proof, CITY and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty) CONTRACTOR shall pay CITY Four hundred dollars (\$400.00) for each day that expires after the time specified in paragraph 3.1. After Completion if CONTRACTOR shall neglect, refuse or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by CITY, CONTRACTOR shall pay CITY Four hundred dollars (\$400.00) for each day that expires after the time specified in paragraph 3.1 for completion and readiness for final payment.

Article 4. CONTRACT PRICE

4.1. CITY shall pay CONTRACTOR eight thousand four hundred dollars (\$8,400) for completion of the Work in accordance with the Scope of Service document in current funds in accordance with the unit price schedule submitted on the Bid Form.

Article 5. PAYMENT PROCEDURES

The CITY shall pay the CONTRACTOR complete and in full upon final acceptance of the Work as described in the Scope of Services document.

Article 6. CONTRACTOR'S REPRESENTATIONS

In order to induce CITY to enter into this Agreement CONTRACTOR makes the following representations:

6.1. CONTRACTOR has familiarized itself with the nature and extent of the Scope of Services, Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.

6.2. CONTRACTOR has given ENGINEER written notice of all conflicts, errors or discrepancies that he has discovered in the Scope of Services document and the written resolution thereof by ENGINEER is acceptable to CONTRACTOR.

Article 7. CONTRACT DOCUMENTS

The Contract Documents which comprise the entire agreement between CITY and CONTRACTOR concerning the Work consist of the following:

7.1. This Agreement.

7.2. Scope of Services.

7.3. Bid Form.

Article 8. OTHER PROVISIONS

IN WITNESS WHEREOF, CITY and CONTRACTOR have signed four copies of this Agreement. One counterpart each has been delivered to CITY, CONTRACTOR and ENGINEER. All portions of the Contract Documents have been signed or identified by CITY and CONTRACTOR or by ENGINEER on their behalf.

This Agreement will be effective on _____, 2017.

OWNER City of Sylvania CONTRACTOR T&J Excavating & Tree Clearing, LLC

By _____
Craig A. Stough, Mayor

By _____
Title _____

By _____
Toby A. Schroyer, Finance Director

Address for giving notices:

City of Sylvania
6730 Monroe Street
Sylvania, Ohio 43560

Address for giving notices:

Certificate of Availability of Funds:

I, Toby A. Schroyer, Director of Finance, hereby certify that the funds to meet this contract have been lawfully appropriated for the purpose of this contract and are in the treasury of City of Sylvania or are in the process of collection to the credit of the appropriate fund free from prior encumbrance.

By _____
Director of Finance

This Contract is hereby approved as to form:

By: _____
Director of Law

Date: _____

ORDINANCE NO. 20 -2017

ACCEPTING FROM FLOWER HOSPITAL AND PROMEDICA CONTINUING CARE SERVICES CORPORATION A TEMPORARY LICENSE FOR ACCESS AND TREE REMOVAL FOR THE RIVER TRAIL PHASE 2 PROJECT; DEDICATING THE AREAS FOR PUBLIC PURPOSES AS EXPRESSED IN THE LICENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania desires to construct, install and maintain a bike path over a portion of Flower Hospital's and ProMedica Continuing Care Services Corporation's property located at 5200 Harroun Road, Sylvania, Ohio; and,

WHEREAS, in preparing for the construction of the River Trail Phase 2 Project, it was determined that in order to move forward with the construction this year, it is necessary to remove some trees in the proposed trail area prior to March 31, 2017; and,

WHEREAS, the Director of Law has obtained the necessary license from Flower Hospital and ProMedica Continuing Care Services which license is in the form and substance of "Exhibit A" is attached hereto and made a part hereof; and,

WHEREAS, Flower Hospital and ProMedica Continuing Care Services Corporation, owners of the property at 5200 Harroun Road, Sylvania, Ohio have executed and delivered to the City of Sylvania a grant of Temporary License for Access and Tree Removal, for said project, which grant of Temporary License is in the form and substance of "Exhibit A" attached hereto made a part hereof.

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

SECTION 1. That the Temporary License for Access and Tree Removal as described on “Exhibit A” be and the same hereby is accepted from, Flower Hospital and ProMedica Continuing Care Services Corporation, the grantors therein.

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

SECTION 3. That the Director of Law is hereby authorized to see that the Temporary License for Access and Tree Removal hereby accepted is recorded and thereafter delivered to the Director of Finance for retention by him as custodian of the records of this City.

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the River Trail Phase 2 should proceed without further delay and the acceptance of the license from said grantors. 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, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

TEMPORARY LICENSE FOR ACCESS AND TREE REMOVAL

THIS TEMPORARY LICENSE FOR ACCESS AND TREE REMOVAL (“*License*”) is made as of the _____ day of February, 2017 (the “*Effective Date*”), between Flower Hospital, an Ohio nonprofit corporation and ProMedica Continuing Care Services Corporation (f/k/a Crestview of Ohio, Inc.), an Ohio nonprofit corporation (herein, collectively, the “*Hospital*”) and City of Sylvania, an Ohio municipal corporation (“*City*”).

RECITALS:

- A. The Hospital operates an acute care hospital and related medical and care facilities at Harroun Road (bounded by the Ottawa River to the north, I-475 to the east, and Harroun Road to the west) in the City of Sylvania, Ohio (the “*Hospital Campus*”). Hospital and City are negotiating a “*Trail Easement Agreement*” pursuant to which the City will develop, operate and maintain a recreational trail (the “*River Trail*”) along the south bank of the Ottawa River on the north portion of the Hospital’s Flower Hospital Campus between Harroun Road (to the west) and I-475 (to the east). The location of the River Trail is generally identified on **Exhibit A** attached to this License.
- B. Development of the River Trail will require the removal of trees and other vegetation on and around the location of the River Trail, which removal the City desires to complete prior to March 31, 2017, to avoid interfering with habitat migration and the commencement of the spring season growth (blooming) for the vegetation. The trees and vegetation to be removed pursuant to this License are identified on the “Tree Removal Plan” attached to this License as **Exhibit B**.
- C. Hospital has agreed to grant City this License to allow the City temporary access across the Hospital Campus to remove trees and vegetation along the River Trail in accordance with this License pending execution and delivery of the Easement Agreement.

NOW THEREFORE, in consideration of the foregoing Recitals which are incorporated below as if rewritten below in their entirety, and for other good and valuable consideration, the receipt and sufficiency of which the City and Hospital hereby acknowledge, Hospital and City agree as follows:

- 1. **Limited License for Access and Tree Removal.** Hospital grants and conveys to City, its employees, contractors, and subcontractors during the Term of this License, a limited license for (A) removal of trees, brush and other vegetation in accordance with the Tree Removal Plan, and (B) ingress and egress over and across those portions of the Hospital Campus designated by Hospital to access the River Trail for purposes of removing trees, brush and other vegetation on and along the River Trail in accordance with the Tree Removal Plan (the “*City Access Rights*”). Before accessing over the Hospital Campus and commencing its work permitted under this License, City shall provide Hospital with at least three (3) days’ written notice to Hospital (the “*Access Notice*”). The Access Notice shall include (i) the identification of all employees/contractors who will be accessing the River Trail pursuant to this License utilizing City Access Rights, and (ii) such additional information as Hospital may reasonably request. Hospital may impose reasonable conditions on the City Access Rights including, among other conditions, the time of day permitted, the identification required to be displayed for personnel/contractors and/or vehicles, and the area(s) of the Hospital Campus which may be utilized by certain types of vehicles. In no event shall the City use or permit the use of the City Access Rights which disturbs or interferes with the use, occupancy and/or enjoyment of the medical facilities at the Hospital Campus. City shall promptly repair and restore any portion of the Hospital Campus (excluding the River Trail) damaged by City, its employees, contractors, subcontractors to the condition the same were in immediately prior to such damage.
- 2. **Term.** The Term of this License shall commence upon the Effective Date written above and expire on April 15, 2017 or, if earlier, the date of the Trail Easement Agreement is recorded for record with the Lucas County, Ohio Recorder.
- 3. **Performance of Work.** City agrees that, in carrying out and executing its rights and obligations under this License it shall comply fully will all applicable laws and regulations.
- 4. **Indemnification by City.** City agrees to indemnify, defend and hold Hospital harmless from and against any claims, losses, damages, liabilities, costs and expenses incurred by Hospital, and/or damage or injury to

persons or property, directly or indirectly, arising out or as a result of: (i) the exercise by the City of its rights under this License, and (ii) the failure of City to fully and faithfully perform all of its obligations set forth in this License. The foregoing indemnification shall be limited to the extent of the City's insurance which the City is required to maintain under this License. City agrees that its exercise of the City Access Rights and the work to be performed pursuant to this License shall be at City's sole risk and expense. Without limiting City's indemnity obligations under this License, City shall restore, at City's expense, any portions of the Hospital Campus damaged by City to the condition the same was in immediately prior to such damage.

5. **Insurance.** Prior to commencing exercising the City Access Rights and/or performing any work permitted under this License, City shall purchase and keep in effect during the Term and shall cause its contractor(s) and subcontractor(s) to procure and keep in effect during the course of their work in, on or about the Hospital Campus (inclusive of the Trail Easement), the following insurance coverage:

- (a) Commercial General Liability including premises/operations, products/completed operations, blanket contractual liability, fire and explosion liability, underground explosion/collapse coverage, broad form property damage, independent contractors and personal/advertising injury coverage in an amount not less than Two Million Dollars (\$2,000,000) per occurrence and Five Million Dollars (\$5,000,000) in the aggregate; such policy shall be an occurrence policy and not a claims-made policy. Hospital shall be named as an additional insured on ISO form CG2026, or comparable additional insured endorsement acceptable to Hospital, at no cost to Grantor.
- (b) Automobile Liability including contractual liability coverage for all owned, hired and non-owned vehicles with a combined single limit not less than Two Million Dollars (\$2,000,000) single limit.
- (c) Workers' Compensation coverage for its employees or contractors with statutory limits; such policy shall include an alternate employer endorsement and employers' liability coverage with limits of One Million Dollars (\$1,000,000.00).

Evidence of all insurance required hereunder shall be promptly sent to Hospital at Hospital's address for notices hereunder. Insurance policies shall afford primary coverage. Failure to comply with all insurance requirements shall be deemed a material breach of this License.

Hospital shall not be responsible for verifying compliance by any contractor and/or subcontractor with the foregoing insurance requirements. Rather, it shall be City's sole responsibility to monitor compliance by any of its contractors and/or subcontractors with the foregoing insurance requirements. However, failure to provide evidence of existing insurance shall constitute a material breach only if City fails to provide such evidence within five (5) days after written notice from Hospital that City has failed to provide the evidence of existing insurance.

6. **Notices.** All notices and other communications required or permitted to be given hereunder shall be in writing and shall be delivered personally or shall be mailed by certified or registered mail, postage prepaid, return receipt requested, addressed to the parties at the following addresses, or such other or further addresses as either of the parties shall request by further written notice given in the manner herein required:

If to Hospital:
ProMedica _____
Attn. General Counsel _____
1801 Richards Road _____
Toledo, OH 43607 _____

If to City:

7. **Assignment.** City may not assign or sub-license its rights under this License without the written approval of Hospital.

**THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY
THE SIGNATURE PAGE FOLLOWS NEXT**

The Parties have caused this License to be executed and delivered on their behalf by their duly authorized representatives as of the Effective Date first above written.

HOSPITAL

CITY

Flower Hospital

City of Sylvania, Ohio

By: _____
Arturo Polizzi, President

By: _____
Craig A. Stough, Mayor

**ProMedica Continuing Care Services Corporation
(f/k/a Crestview of Ohio, Inc.)**

By: _____
Toby A. Schroyer, Director of Finance

By: _____
Randy Schimmoeller, Sr. Vice-President

EXHIBIT A

SURVEY SHOWING LOCATION OF RIVER TRAIL

EXHIBIT B
TREE REMOVAL PLAN

8c

ORDINANCE NO. 21 -2017

ACCEPTING THE PROPOSAL OF T&J EXCAVATING & TREE CLEARING, LLC TO PROVIDE TREE CUTTING SERVICES RELATIVE TO THE RIVER TRAIL PHASE 2 PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$8,400; AND DECLARING AN EMERGENCY.

WHEREAS, during the environmental review process with the Ohio Department of Natural Resources it was noted that the River Trail Phase 2 Project has to comply with federal and state threatened and endangered species requirements for the Indiana Bat; and,

WHEREAS, pursuant to those requirements, any trees removal as part of the project must occur between October 1 and March 31 to prevent potential destruction of the Indiana Bat roosts and habitat; and,

WHEREAS, in order to comply with these requirements and keep the project moving forward, the Director of Public Service solicited three proposals from three local tree cutting contractors and received responses from two (2) companies to complete the tree removal prior to March 31; and,

WHEREAS, the Director of Public Service, by report dated March 6, 2017, has recommended that the proposal of T&J Excavating & Tree Clearing, LLC to provide tree cutting services within the 30' trail alignment on the Flower Hospital and ProMedica Continuing Care Services Corporation's property for the River Trail Phase 2 Project at a cost of Eight Thousand Four Hundred Dollars (\$8,400.00), 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 T&J Excavating & Tree Clearing, LLC in the amount Eight Thousand Four Hundred Dollars (\$8,400.00) for providing tree cutting within the 30' trail alignment on the Flower Hospital and ProMedica Continuing Care Services Corporation's property relative to the River Trail Phase 2 Project, is hereby accepted.

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

SECTION 3. That to provide funds for said tree cutting hereby authorized, there is hereby appropriated from the **FUND** from funds therein not heretofore appropriated to **Account No.**- the amount of Eight Thousand Four Hundred Dollars (\$8,400.00).

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 tree cutting 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, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9a.



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 1, 2017

To: The Mayor and Members of Sylvania City Council

Re: **River Trail Phase 2**

Dear Mr. Mayor and Council Members:

In September of 2015 we entered into a design services agreement with SmithGroup JJR for Phase 2 of the River Trail.

Since then, there has been design services requested of SmithGroup JJR that were outside of the original scope of services. Lighting and security strategies were the main focus of those additional services. A portion of this work was in response to requests made by Flower Hospital. Other portions were in response to the opportunity to improve connectivity among City buildings and other facilities.

SmithGroup JJR has also provided additional environmental services required for our ODNR grant funding and its associated Categorical Exclusion process. There will be additional assistance in the coming months.

SmithGroup JJR has requested an additional \$26,400 for the items outside the original scope of services. We believe this request to be fair and reasonable as well as warranted. Therefore, we are respectfully requesting and recommending approval to increase the existing agreement by \$26,400 for a total design fee of \$102,300.

Thank you for your consideration. Please call if you have any questions.

Sincerely,

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

AMENDMENT TO OWNER CONTRACT

SGJJR Project Title: Sylvania River Trail Phase II CDs
SGJJR Project Location: Sylvania, Ohio
SGJJR Project Number: 50193.011

Amendment No.: 001

Client Name/Address City of Sylvania, Ohio
Department of Public Services
6730 Monroe Street
Sylvania, OH 43560-1948

By signing below, the parties agree that SmithGroupJJR will provide the below Scope of Services in conjunction with our Agreement dated August 14, 2015 (signed September 2, 2015), and to expend an additional \$26,400, bringing the total amount authorized, as of this date, to \$102,300.

Scope of Services

During the design process for the Phase II portion of the River Trail, additional design items were introduced into the project related to the security and lighting systems. These included a full re-design of the lighting and security strategy for the project within the Phase II portion of the project as well as providing connections through the Phase I portion of the project already completed. Re-design of project components was not included in our original contract, so we are requesting additional services to cover these design efforts. The additional scope of services also includes using a cost estimator consultant to provide an opinion of probable costs for the lighting and security components of the design.

Additionally, our original contract schedule indicated that the project design was to be completed and bid in 2016. The project schedule was delayed beyond SmithGroupJJR control and has extended into 2017 with final design to be completed in March 2017. The additional scope of services request includes labor and expenses to cover additional project management time due to the extended schedule.

All other provisions of our Agreement remain unchanged.

City of Sylvania (*Signature*)

Craig A. Stough, Mayor

(*Printed name and title*)

Date

City of Sylvania (*Signature*)

Toby Schroyer, Director of Finance

(*Printed Name and title*)

Date



SmithGroupJJR (*Signature*)

Patrick M. Doher, Senior Vice President

(*Printed name and title*)

February 28, 2017

Date

9b

ORDINANCE NO. 22 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE AMENDMENT TO THE PROPOSAL OF SMITHGROUP JJR TO PROVIDE DESIGN SERVICES FOR THE RIVER TRAIL PHASE 2 PROJECT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$26,400; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 87-2013, passed December 2, 2013, authorized the Mayor and Director of Finance to accept the proposal of SmithGroup JJR (formerly JJR, LLC), the City's consultant for the River Trail Phase 1 Project, to provide the required preliminary engineering for the possible locations of the River Trail Phase 2 Project and appropriated \$17,000 for said engineering services; and,

WHEREAS, Ordinance No. 54-2014, passed October 20, 2014, authorized the mayor and Director of Finance to accept the proposal of SmithGroup JJR to provide engineering services for the River Trail Phase 2 Project and appropriated funds therefore in an amount not to exceed \$24,400; and,

WHEREAS, Ordinance No. 55-2015, passed August 17, 2015, authorized the Mayor and Director of Finance to accept the proposal of SmithGroup JJR to provide engineering services for the River Trail Phase 2 Project and appropriated \$73,400 for those services; and,

WHEREAS, there have been design services requested of SmithGroup JJR that were outside the original scope of services including lighting and security strategies, additional environmental services for the ODNR grant funding and its associate Categorical Exclusion process; and,

WHEREAS, the Director of Public Service indicated that he has received an amendment to the proposal from SmithGroup JJR, the City's consultant for the River Trail Phase 2 Project,

requesting additional fees for items outside the original scope of services for the River Trail Phase 2 Project; and,

WHEREAS, the Director of Public Service has recommended acceptance of the amendment to the proposal of SmithGroup JJR to provide the design services for the River Trail Phase 2 Project at a cost not to exceed \$26,400.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the amendment to the proposal of SmithGroup JJR on behalf of this City, thereby indicating such approval and acceptance said proposal for the design services for the River Trail Phase 2 Project.

SECTION 2. That to provide funds for said services hereby authorized, there is hereby allocated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore allocated to **Account No. 401-7750-53585 – River Trail Project**, an amount not to exceed Twenty-Six Thousand Four Hundred Dollars (\$26,400.00).

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that proposal for said professional services should be approved immediately so that the River Trail Phase 2 Project can continue moving forward 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, _____, 2017, as an emergency measure.

President of Council

APPROVED AS TO FORM:

Director of Law

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

March 2, 2017

To: The Mayor and Members of Sylvania City Council

Re: **City Hall Cooling System**

Dear Mr. Mayor and Council Members:

The existing cooling system in City Hall has failed several times over the past years. We finished the 2016 cooling system being able to only utilize one-half of the existing system.

Replacement of the chiller units was included in the 2017 Capital Improvement Program and the estimated cost is \$73,500.

We are requesting that the Clerk of Council be authorized to advertise for bids.

Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kevin G. Aller". The signature is written in a cursive style and is positioned above a horizontal line.

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

11a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

March 6, 2017

To: The Mayor and Members of Sylvania City Council
Re: **LUC-184-(0.3-0.6) Safety Study**
Preferred Alternative Selection and Streets Committee Referral

Dear Mr. Mayor and Council Members:

Last November City Council authorized The Mannik & Smith Group (Ord. 67-2016) 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) for the Alexis Road corridor between Acres Road and Elliott Drive.

The consultant has completed their review of potential countermeasures and in collaboration with the Service Department has selected the preferred alternative. The preferred alternative recommends a concrete median to eliminate driveway left-turning movements in the corridor with U-turns at Acres Road and Elliott Drive. The preferred alternative also recommends full vehicular and pedestrian signal upgrades to replace the original infrastructure.

The Service Department would like to more fully update Council members on the preferred alternative and discuss anticipated project costs. We would recommend this project be referred to the Streets Committee for further review and discussion.

Please call if you should have any questions.

Sincerely,

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

ORDINANCE NO. 23 - 2017

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

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

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

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

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

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

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

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

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

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

WHEREAS, the City of Sylvania has received a request for funding Suburban Court Services in the amount of \$25,000.00 for October 1, 2016 through September 30, 2017.

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

SECTION 1. That City of Sylvania hereby agrees to participate in funding a portion of the local share in an amount of not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for the year October 1, 2016 – September 30, 2017.

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

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **GENERAL FUND** from funds therein not heretofore appropriated to **Account No. 110-7740-51295 - LCCPC Board Services** the total sum of Twenty-Five Thousand Dollars (\$25,000.00).

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

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that funding for Suburban Court Services should be provided for immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

AGREEMENT BETWEEN THE CITY OF SYLVANIA AND THE BOARD OF LUCAS COUNTY COMMISSIONERS FOR THE SUBURBAN COURT SERVICES PROGRAM

This agreement executed this ____ day of _____, 2017 by and between the City of Sylvania, Ohio and the Board of Lucas County Commissioners (Lucas County), political subdivisions of the State of Ohio.

WHEREAS, since 1997 the parties have participated in the Suburban Court Services Program which provides victim advocacy services to victims and witnesses of misdemeanor crimes in the participating courts; and,

WHEREAS, all parties desire to continue the Suburban Court Services Program;

NOW, THEREFORE, the parties to this contract agree to the following terms and conditions:

1. The Board of Lucas County Commissioners shall administer the program through the Lucas County Prosecutor=s Office.
2. Subject to the provisions of paragraph 5, the term of the Suburban Court Services Program shall be from October 1, 2016 through September 30, 2017, coinciding with the funding from the Victims of Crime Act.
3. The City of Sylvania shall pay the Board of Lucas County Commissioners the sum of \$25,000 to be used as matching dollars for the VOCA grant and for the use of the services of the program during the contract period.
4. The matching dollars needed are to coincide with a federal funding period which is October 1, 2016 through September 30, 2017.
5. Lucas County may cancel or modify this agreement, without prior notification, if there is a termination or change in the amount of funding from the Victims of Crime Act. Lucas County may cancel the agreement, after having given the other parties 60 days written notice. A municipality may terminate its participation in this agreement, after having given the other parties 60 days written notice.

IN WITNESS WHEREOF, this contract has been executed by the parties as of the day and year first written above. This contract contains four (2) pages.

LUCAS COUNTY BOARD OF COMMISSIONERS

Date _____

Commissioner Wozniak

Commissioner Contrada

Commissioner Gerken

Approved as to form:

Assistant Prosecuting Attorney

CITY OF SYLVANIA

Date _____

Mayor

Approved as to form:

Finance Director

Law Director

Judge of the Municipal Court

13a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

February 28, 2017

To: The Mayor and Members of Sylvania City Council

Re: One-Ton Dump Truck Purchase

Dear Mr. Mayor and Council Members:

We are requesting approval to purchase a new one-ton dump truck per the attached quotes. This purchase was included in the 2017 capital improvement plan. The truck will be placed into service in our streets department.

We believe this to be a needed replacement and recommend purchasing a Ford chassis from Valley Truck Centers at a cost of \$42,855.00. The chassis purchase is being done through the ODOT Cooperative Purchasing program.

We also recommend purchasing the dump body and safety package from Kalida Truck Equipment, Inc. (KTE) at a cost of \$15,460.00. KTE submitted the best cost proposal of three that were received.

Please call if you have any questions.

Sincerely,

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

VALLEY TRUCK CENTERS



5715 Canal Rd., Cleveland, OH 44125
 Phone: 800.533.2400 Fax: 216.524.8527
 ValleyTruckCenters.net

FEBRUARY 8, 2017

CITY OF SYLVANIA JASON MUSIC (419) 885-8994 jmusic@cityofsylvania.com

DEPARTMENT OF ADMINISTRATIVE SERVICES RS901017

ITEM 42AT – CAB CHASSIS 16,000lb DRW 2WD REG CAB – STANDARD EQUIPMENT

6.8L V10 GAS ENGINE	AUTO TRANSMISSION	
LOCKING DIFFERENTIAL	ALL SEASON TIRES	
AIR CONDITIONING	AM FM RADIO	
POWER GROUP	CRUISE/TILT STEERING WHEEL	
SPARE TIRE/WHEEL	VINYL FLOORING	
VINYL BENCH SEAT	EXTERIOR COLOR: WHITE	
	COST:	\$29,758.00

OPTIONS:

68M	19,000LB PAYLOAD	\$3,500.00
18B	CAB STEPS	\$295.00
THB	ALL TERRAIN TIRES	\$175.00
66S	UPFITTER SWITCHES	\$685.00
62R	PTO PROVISION	\$475.00
169WB	84" CAB AXLE	\$160.00
99T	DIESEL ENGINE	\$7,807.00

TOTAL: \$42,855.00

MUNICIPAL FINANCE, 5 YEAR TERM, 1 PAYMENT PER YEAR, 3.33 RATE = \$9,150.12

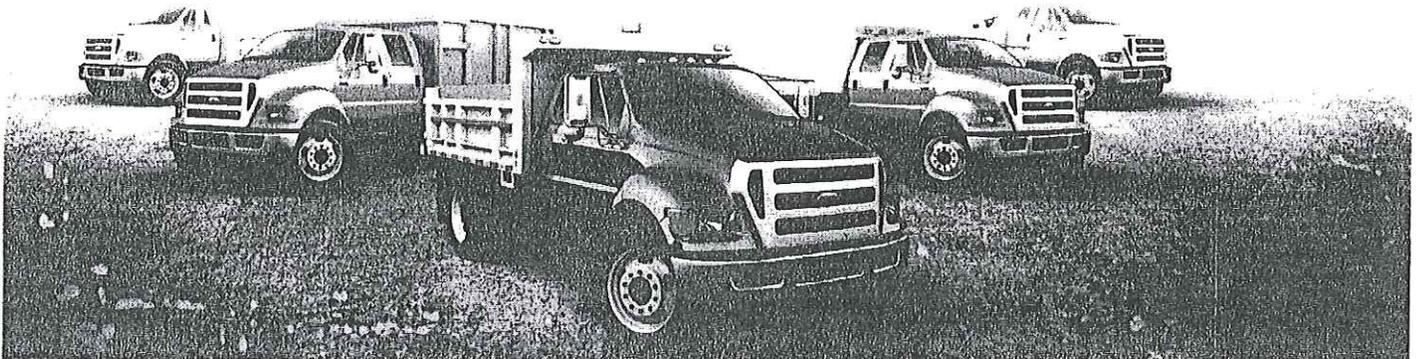
Hi Jason, I will call to follow up. Order time is approximately 10-14 weeks.

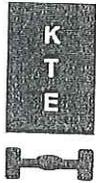
Regards,

Jenny Loveland

Fleet/Government Sales Manager

PROUD MEMBER OF: THE OHIO TOWNSHIP ASSOCIATION NORTHEAST OHIO SERVICE DIRECTORS VENDOR STATE OF OHIO





**KALIDA
TRUCK
EQUIPMENT, INC.**

Kalida Truck Equipment, Inc.
30840 Tracy Road
Walbridge, OH 43465
Phone: 419-666-3700
Fax: 419-666-4133
www.kalidatruck.com

QUOTATION

QuoteNum

Page 1 of 2

Customer: CITY OF SYLVANIA
Contact: JASON MUSIC
Address: 6730 MONROE STREET
SYLVANIA OH 43560

Quote Number: BM0000281
Quote Date: 10/14/2016
Quote valid until: 11/28/2016

Phone: 419-882-7102
Fax: 419-885-8998
Email:

Salesperson: bmyers

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	GALION 11' SUPER DUTY DUMP BODY 201 STAINLESS STEEL CONSTRUCTION 11' LONG 84" WIDE INSIDE 18" SIDES 24" GATE STACKED UNDERSTRUCTURE OAK ON LOWER RUB RAIL PAINTED BLACK 1/2 X 84 CAB SHIELD ECCO 3861 A STROBE IN EACH CORNER POST ECCO 7965 A STROBE MOUNTED ON CAB SHIELD IN LEVELER BRACKET POLY FENDERS RUBBER MUDFLAPS UNDERBODY 615-T DA HOIST 1/2" HITCH PLATE WITH RECEIVER TUBE 1- 6 PIN ROUND PLUG 1- SINGLE POLE ROUND PLUG ICC BUMPER DIRECT MOUNT PTO & PUMP FOR FORD AUTO TRANSMISSION WITH PTO PROVISION STEEL HYDRAULIC RESERVOIR CABLE OPERATED CONTROL FOR DUMP BODY ONLY INSTALLED ON FORD F550 84" CA & 19500LBS GVW	\$15,460.00	\$15,460.00
Quote Total:			\$15,460.00
Sales Tax:			\$0.00
Total Due:			\$15,460.00

The following options may be added:

QUANTITY	DESCRIPTION	PRICE EACH	AMOUNT

Customer must fill out the information below before the order can be processed...

Accepted by:	
Date:	



**KALIDA
TRUCK
EQUIPMENT, INC.**

Kalida Truck Equipment, Inc.
30840 Tracy Road
Walbridge, OH 43465
Phone: 419-666-3700
Fax: 419-666-4133
www.kalidatruck.com

QUOTATION

QuoteNum

Page 2 of 2

<i>P.O. number:</i>	
<i>Salesperson:</i>	

- ◆ A 2% CHARGE WILL BE APPLIED TO ALL DEBIT/CREDIT CARD CHARGES OVER \$2,000.00
- ◆ Quoted price does not include any applicable taxes.
- ◆ Terms are Due Upon Receipt unless prior credit arrangements are made at the time of order.
- ◆ Due to the extremely volatile steel prices, our quoted price may change at any time. Call our office for an up to date price.

ORDINANCE NO. 24 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF VALLEY TRUCK CENTERS FOR THE PROVISION OF A NEW ONE-TON DUMP TRUCK CHASSIS FOR THE DIVISION OF STREETS, DEPARTMENT OF PUBLIC SERVICE; APPROPRIATING \$42,855 THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, the Streets Division is in need of a new one-ton dump truck; and,

WHEREAS, the Director of Public Service has received a proposal from Valley Truck Centers for the purchase of one (1) new one-ton dump truck chassis at a total cost of \$42,855; and,

WHEREAS, the Director of Public Service, by report dated February 28, 2017, has recommended acceptance of the proposal of Valley Truck Centers to purchase a new one-ton dump truck for the Streets Division, Department of Public Service.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the proposal of Valley Truck Centers on behalf of this City, thereby indicating such approval and acceptance for the provision of a new one-ton dump truck chassis for the Division of Streets, Department of Public Service.

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

SECTION 3. That, upon receipt of delivery of said dump truck by the City of Sylvania, the Director of Finance is hereby authorized to issue his warrant or warrants in payment therefore from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53401 – Vehicles**, the total sum of Forty-Two Thousand Eight Hundred Fifty-Five Dollars (\$42,855.00).

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

SECTION 5. That the Clerk of Council is hereby directed to post a copy of this

Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that proposal for said one-ton dump truck chassis should be approved immediately so that the purchase can be made at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 25 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF KALIDA TRUCK EQUIPMENT, INC. FOR THE PROVISION OF A NEW DUMP BODY AND SAFETY PACKAGE FOR THE DIVISION OF STREETS, DEPARTMENT OF PUBLIC SERVICE; APPROPRIATING \$15,460 THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, the Streets Division is in need of a new one-ton dump truck with dump body and safety package; and,

WHEREAS, the Director of Public Service has received a proposal from Kalida Truck Equipment, Inc. for the purchase of one (1) new dump body and safety package at a total cost of \$15,460; and,

WHEREAS, the Director of Public Service, by report dated February 28, 2017, has recommended acceptance of the proposal of Kalida Truck Equipment, Inc. to purchase a new dump body and safety package for the Streets Division, Department of Public Service.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the proposal of Kalida Truck Equipment, Inc. on behalf of this City, thereby indicating such approval and acceptance for the provision of a new dump body and safety package for the Division of Streets, Department of Public Service.

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

SECTION 3. That, upon receipt of delivery of said dump body and safety package by the City of Sylvania, the Director of Finance is hereby authorized to issue his warrant or warrants in payment therefore from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53401 – Vehicles**, the total sum of Fifteen Thousand Four Hundred Sixty Dollars (\$15,460.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that proposal for said one-ton dump body and safety package should be approved immediately so that the purchase can be made at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

MEMORANDUM

February 28, 2017

To: The Mayor and City Council
Re: Unusable Furniture

Council Members,

We have several items that are no longer of use for the police division as listed below:

- 2 Executive Hi-Back Chairs
- 4 Guest Chairs
- 1 Steelcase Chair

We would request approval to dispose of these items by posting them for sale on the GovDeals website. Should we not receive any bids to purchase these chairs, we will post them on GovDeals again at a later date.


William H. Rhodus
Chief of Police

City of Sylvania
Bank Reconciliation
February 2017

A

Ending balance for Jan 2017	20,561,975.98
Add: Monthly Receipts	<u>3,911,479.83</u>
Subtotal	\$ 24,473,455.81
Less: Monthly Disbursements	<u>4,229,765.77</u>
Ending balance for Feb 2017	\$ 20,243,690.04

Less:

CD Metamora Bank	\$ (2,000,000.00)
Star Ohio	(77,568.83)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
PNC MoneyMarket	(1,028,971.36)
Key Bank Securities	(1,008,138.87)
5/3rd Securities	(7,341,655.05)
SJS Account	(5,491,085.19)
Morgan Stanley Investment	(2,061,455.59)
Sylvania Township Bonds	(440,000.00)
	\$ 759,899.11

Less:

	<u>\$ 759,899.11</u>
(1)	
Division of Public Service	\$ 150.00
Department of Finance	100.00
Division of Water	600.00
Division of Police	200.00
Municipal Court	700.00
Division of Taxation	150.00
Division of Forestry	150.00

Petty Cash Balance \$ 2,050.00

BANK BALANCE

EOM 5/3rd Bank Balance	\$ 1,380,854.67
Deposit in Transit	-
Payroll Adjustment	11.00

Subtotal \$ 1,380,865.67

Less: Outstanding Checks (2) 620,966.56

Adjusted Bank Balance \$ 759,899.11

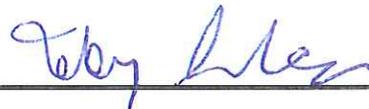
(2)
Jan Outstanding Checks \$ 272,203.16

Checks written this month 1,280,829.28

Subtotal \$ 1,553,032.44

Checks Cleared this month (932,065.88)

Feb Outstanding Checks \$ 620,966.56



Toby Schroyer
Director of Finance, City of Sylvania