

Sylvania City Council
July 17, 2017

6:45 p.m. Zoning & Annexation Committee Meeting
Sign Code Revisions

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Mishka, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Mishka.
3. Additions to the agenda.
4. Approval of the Council meeting minutes:
 - a. June 19, 2017.
 - b. June 30, 2017 Special meeting.
5. Toledo Area Regional Transit Authority.
 - a. Committee of the Whole meeting report from July 12, 2017.
 - b. Proposed Resolution No. 6-2017, A Resolution amending the Resolutions previously adopted which created the Toledo Area Regional Transit Authority (TARTA) by:
 - (1) adding Lucas County as a member of TARTA; (2) eliminating TARTA's 2.5 mill property taxes and substituting a one-half percent sales and use tax; (3) allocating 2/3 of the tax collected to TARTA to directly fund its operating and 1/3 to other local governmental entities for the installation, maintenance and improvement of mass transit related infrastructure; and (4) providing a new mechanism for withdrawal from membership in TARTA, provided that such changes are contingent upon voter approval of the new TARTA funding system at the November 7, 2017 General Election.
6. Annual Assessment Ordinances:
 - a. Proposed Ordinance No. 51-2017, Assessing a special tax for ditch maintenance, etc.
 - b. Proposed Ordinance No. 52-2017, Assessing a special tax for tree maintenance, etc.
 - c. Proposed Ordinance No. 53-2017, Assessing a special tax for street lighting.
7. City owned property – 4827 Holland-Sylvania Road.
 - a. Service Director's report on demolition of buildings on site.
 - b. Proposed Ordinance No. 54-2017, Accepting the proposal of Salenbien Trucking & Excavating for the demolition of the City's property at 4827 Holland-Sylvania Road, Sylvania, Ohio; appropriating funds therefore in the amount of \$48,000.

8. 2016 Sanitary Lining Project
 - a. Service Director's report on Change Order #3-Final.
 - b. Proposed Ordinance No. 55-2017, Authorizing to approve Change Order No. 3 (Final) to this City's agreement with Insituform Technologies USA, LLC for the 2016 Sanitary Sewer Lining project.
9. Service Director's report on Sylvania River Trail Phase 2 project; and authorize the clerk to advertise for bids.
10. Proposed Ordinance No. 56-2017, Amending Sylvania Codified Ordinance Section 131.01-Department of Law-Director, Division of Prosecution to add a full-time Prosecutor for the period from August 1, 2017 through January 31, 2018.
11. Committee reports.
 - a. Employee & Community Relations Committee meeting from June 30, 2017 and July 7, 2017.
 - b. Committee of the Whole meeting regarding Main St. Reconstruction Project from June 30, 2017 and July 12, 2017.
 - c. Zoning & Annexation Committee meeting from 6:45p.m on this date.
12. Committee referrals.

INFORMATION

- A. Notice from Friends of the Lathrop House regarding Celebration of Freedom event.
- B. June 2017 Bank Reconciliation.
- C. June 2017 Cash Report from the Division of Taxation.
- D. Board of Architectural Review minutes from July 12, 2017.
- E. Municipal Planning Commission minutes from July 12, 2017.

Minutes of the Meeting of Council
June 19, 2017

The Council of the City of Sylvania, Ohio met in regular session on June 19, 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 Frye, Doug Haynam, Sandy Husman, Jason Mishka, Mary Westphal; (6) present; Mark Luetke; (1) absent.

Roll call:
Luetke, absent;
Excused.

Mrs. Husman 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 amended; roll call vote being: Cappellini, Frye, Haynam, Husman, 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 June 5, 2017 meeting minutes. Mrs. Westphal moved, Mr. Mishka seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of June 5, 2017 be approved; roll call vote being: Frye, Haynam, Husman, Mishka, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the
June 5 meeting
minutes.

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

Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 5-2017, "A Resolution of the Council of the City of Sylvania commending Lauren Micham for winning the Girls 100 Meter Hurdles Ohio High School Athletic Association Division 1 State Championship; and declaring an emergency."; Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Haynam, Husman, Mishka, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

Resolution No.
5-2017,
"...commending
Lauren Micham
...State Champ
...."

Mrs. Westphal moved, Mrs. Husman seconded, that Resolution No. 5-2017 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Mishka, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

Mayor Stough presented the Resolution to Lauren Micham commending her State Championship.

Presentation to
Lauren Micham;
State Champion.

Minutes of the Meeting of Council
June 19, 2017

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

Mrs. Westphal reported on the 7:00 p.m. public hearing on proposed Ordinance No. 30-2017, Front Yard Parking. Service Director Aller provided details on the parking. Council approved to advance legislation for approval on proposed Ordinance 30-2017. Report on P.H. on Ord. No. 30-2017.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 30-2017, a written copy of same having been previously furnished to each member of Council, "Amending Part Eleven-Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1157.12-Front Yard Parking Prohibited; 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, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried. Ordinance No. 30-2017, Front Yard Parking....

Mrs. Westphal moved, Mr. Mishka seconded, that Ordinance No. 30-2017 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Mishka, (6) yeas; (0) nays. The motion carried.

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

A Petition for Zoning Ordinance Amendment Application No. PD-2-2017, a request for zoning change from "R-1", Single-Family Residential Large Lot" to R-1 Planned Development for property located at 7610 Erie Street, Sylvania, Ohio from Erie Street Properties, LLC. was presented. Mr. Haynam moved, Mr. Frye seconded to defer action on this matter until the Special Council meeting on June 30, 2017 at 7:30 a.m. Roll call vote being: Haynam, Husman, Mishka, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried. Defer action on PD-2-2017, Erie St. properties, LLC until 6/30/17; 7:30 a.m.

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

Mayor Stough presented the Planning Commission's recommendation for proposed Ordinance No. 31-2017, Amending Part Eleven -Planning & Zoning Code of the Sylvania Codified Ordinance, 1979, as amended, by amending Section 1101.01-Definitions and Section 1153.02-Special uses regarding Adult Day Care Centers. Mrs. Westphal moved, Mrs. Husman seconded to set the public hearing for August 21, 2017 at 7:00 p.m. Roll call vote being: Husman, Mishka, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried. Public hearing for Ord.31-2017 set for August 21, 2017, 7:00 p.m.

Minutes of the Meeting of Council
June 19, 2017

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

Service Director's report on the 2017 Microsurfacing project was placed on file. Letters will be sent in the June utility bills to approximately 780 homes that may be affected with the project. The streets affected are: Calloway Green, Cambridge Wood Subdivision, McCord Road, Regis Park Condos, Stonehenge, Sylvan Square Subdivision, and Victoria Court.

Report on 2017 Microsurfacing project.

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

Several council members reported on the Employee & Community Relations Committee meeting held Thursday, June 15, 2017 at 8:00 a.m. to discuss the 2018 city calendar. Mr. Sanford reported on sponsorship and updates on the progress will be presented in a few months. Mrs. Cappellini reported that discussion continued on the process of appointments to the Boards and Commissions by Council and funding requests from organizations. No action was taken, discussions will continue.

Report on Emp. & Community Relations committee mtg...2018 calendar...

Mr. Haynam moved, Mr. Mishka seconded to set a Zoning & Annexation Committee meeting to revisions to two Sections of the Sign Code for July 17, 2017 at 6:45 p.m. p.m. Roll call vote being: Husman, Mishka, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

Set Zoning & Annex. mtg. for revisions to sign code, 7/17/17; 6:45 p.m.

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

Mrs. Westphal moved, Mr. Haynam seconded that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:21p.m.

Adjournment.

Clerk of Council

Mayor

Minutes of the Special Meeting of Council
June 30, 2017

The Council of the City of Sylvania, Ohio met in special session on June 30, 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 Frye, Mark Luetke, Doug Haynam, Sandy Husman, Mary Westphal; (6) present; Jason Mishka; (1) absent.

Roll call:
Mishka, absent;
Excused.

Mr. Luetke 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.

Requests were made for the following additions to the agenda:

Agenda
approval as
amended.

Discussion on the Zoning Ordinance Amendment Application PD-2-2017, from Erie Street Properties, LLC was deferred due to engineering drawing not submitted by 12:00 on Thursday, June 29, 2017.

- 4. Proposed Ordinance 49-2017.
- 5. Schedule an Employee & Community Relations Committee meeting.

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

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 49-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into a Memorandum of Understanding between the Toledo Regional Chamber of Commerce and the City of Toledo, Lucas County, Fulton County, City of Maumee, City of Perrysburg, City of Sylvania, Monroe County, Northwestern Water and Sewer District, and the Village of Whitehouse; 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; Luetke, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Ordinance No.
49-2017,
"...authorizing
...Memo of
Understanding
...Regional
Water ..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 30-2017 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried.

Minutes of the Special Meeting of Council
June 30, 2017

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

Mr. Luetke scheduled an Employee & Community Relations Committee meeting for Friday, July 7, 2017 at 8:00 a.m. to discuss the Community funding and the appointment process to City Boards and Commissions.

Set Emp/Com.
Relations Mtg.
7/7/17, 8:00a.m.

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

Mrs. Westphal moved, Mrs. Cappellini seconded that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:03 a.m.

Adjournment.

Clerk of Council

Mayor

RESOLUTION NO. 6-2017

A RESOLUTION AMENDING THE RESOLUTIONS PREVIOUSLY ADOPTED WHICH CREATED THE TOLEDO AREA REGIONAL TRANSIT AUTHORITY (TARTA) BY: (1) ADDING LUCAS COUNTY AS A MEMBER OF TARTA; (2) ELIMINATING TARTA'S 2.5 MILL PROPERTY TAXES AND SUBSTITUTING A ONE-HALF PERCENT SALES AND USE TAX; (3) ALLOCATING 2/3 OF THE TAX COLLECTED TO TARTA TO DIRECTLY FUND ITS OPERATIONS AND 1/3 TO OTHER LOCAL GOVERNMENTAL ENTITIES FOR THE INSTALLATION, MAINTENANCE AND IMPROVEMENT OF MASS TRANSIT RELATED INFRASTRUCTURE; AND (4) PROVIDING A NEW MECHANISM FOR WITHDRAWAL FROM MEMBERSHIP IN TARTA, PROVIDED THAT SUCH CHANGES ARE CONTINGENT UPON VOTER APPROVAL OF THE NEW TARTA FUNDING SYSTEM AT THE NOVEMBER 7, 2017 GENERAL ELECTION; AND DECLARING AN EMERGENCY.

WHEREAS, the Toledo Area Regional Transit Authority (TARTA) exists as a political subdivision under the laws of the State of Ohio and is operated in the following jurisdictions (Member Communities): the City of Toledo, the City of Maumee, the City of Sylvania, the City of Rossford, the Village of Ottawa Hills, the City of Waterville, and the Township of Sylvania; and,

WHEREAS, TARTA provides transit services within the areas of the Member Communities which are within portions of Lucas and Wood Counties; and,

WHEREAS, TARTA currently derives funding from two ad valorem property taxes (one 1.0 mill levy and one 1.5 mill levy) for a total of 2.5 mills paid by the property owners within the area of TARTA; and,

WHEREAS, several other Regional Transit Authorities in Ohio utilize a sales and use tax to fund operations which funding system is viewed as a preferable method of funding because it is paid by non-residents as well as residents; and,

WHEREAS, a sales and use tax funding system requires the addition of Lucas County as one of TARTA's Member Communities; and,

WHEREAS the Board of Trustees of TARTA has approved pursuing changes to TARTA's organizational and funding system which would: (1) expand mass transit service to all of Lucas County by adding Lucas County as a Member Community; (2) eliminate the current 2.5 mill property tax levies and substitute a one-half percent sales and use tax; (3) allocate 2/3 of the tax collected to TARTA to directly fund its operations and 1/3 to other local governmental entities for the installation, maintenance and improvement of mass transit related infrastructure; and (4) provide a different procedural method for Member Communities to withdraw from TARTA; and

WHEREAS, the proposed changes require the consent of all current TARTA Member Communities and the consent of the proposed new Member Community, Lucas County, in a timely manner so that the TARTA Board of Trustees may take action to place an issue onto the November 7, 2017 ballot.

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

Section 1. The City of Sylvania, Ohio hereby consents to and approves of the addition of Lucas County as a Member Community of TARTA pursuant to Ohio Revised Code §306.321 and the expansion of the territorial boundaries of TARTA to be coextensive with the boundaries of TARTA's Member Communities as now or hereafter exist.

Section 2. The City of Sylvania hereby consents to and approves of replacing TARTA's existing 2.5 mill property tax levies with sales and use taxes, contingent upon and subject to voter approval of a one-half percent sales and use tax at the November 7, 2017 general election, in accordance with all provisions of law for transitioning from a property tax funding system to a sales and use tax funding system as described in Ohio Revised Code §306.321 and as further provided and agreed to by the Member Communities. The City of Sylvania consents to and approves of the placement of the sales and use tax question onto the November 7, 2017 ballot. The tax shall be in effect for a period of ten (10) years. In accordance with Ohio Revised Code §5739.023, the tax shall become effective on the first day of the calendar quarter next following the sixty-fifth day following the date the tax commissioner receives from the board of elections the certification of the results of the election on the question of the tax.

Section 3. If the described sales and use tax is approved by the voters, the monies derived therefrom will be utilized in accordance with Ohio Revised Code §306.35, and after application of §306.321, two-thirds (⅔) of said sums collected to be retained by TARTA to fund its operations and one-third (⅓) of said sums collected to be expended to assist other local governmental entities in the TARTA service area in funding the installation, maintenance and improvement of transit related infrastructure so that the roads, sidewalks, bridges, bus stops, bus shelters, signage and associated improvements are adequate to allow TARTA to operate its vehicles and serve its passengers in the Member Communities.

On a monthly basis, as TARTA receives sales and use tax dollars from the State of Ohio, it will obtain the vehicle registration numbers of each Member Community and calculate the ratio of same to the total number of vehicle registrations in the TARTA service area. In the incorporated areas, TARTA will send monies to each such governmental unit on a monthly basis based upon the vehicle registration formula set forth above. As to the unincorporated areas (other than Sylvania Township), TARTA will send said monies (based upon the above formula) to Lucas County. Upon receipt of said funds, Lucas County will utilize fifty (50%) percent of said sums to perform the work described above on county roadways. The balance will be expended for activities described above on township roadways. Because Sylvania Township is a Member Community, its allocation under the above formula will be transmitted directly to it on a monthly basis.

Section 4. The City of Sylvania hereby consents to and approves of a revised composition of the TARTA Board of Trustees to reflect its expanded geographical boundaries, as follows:

- A. Seven members, of whom initially two shall have a term of one year; two of two years, three of three years; shall be appointed by the Mayor of the City of Toledo with the advice and consent of the Council of the City of Toledo;
- B. One member, who shall have a term of three years, shall be appointed by the Mayor of the Village of Ottawa Hills with the advice and consent of the Council of the Village;

- C. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Rossford with the advice and consent of the Council of the City of Rossford;
- D. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Sylvania with the advice and consent of the Council of the City of Sylvania;
- E. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Maumee with the advice and consent of the Council of the City of Maumee;
- F. One member, who shall have a term of three years, shall be appointed by the Board of Trustees of Sylvania Township;
- G. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Waterville with the advice and consent of the Council of the City of Waterville;
- H. Four members, of whom one shall have an initial term of three years, two of two years, and one of one year shall be appointed by the Board of Lucas County Commissioners;
- I. One member, who shall have a term of three years, may be appointed by the legislative authority of any township or municipality that elects to have such representation by becoming a Member Community of TARTA appointed in the same fashion as called for above.

Any vacancy occurring in the position of a member of the Board of Trustees shall be filled for the unexpired term in the manner provided for an initial appointment.

Section 5. From and after the date the results of the November 7, 2017 general election approving a one-half percent sales and use tax are final:

- A. A municipality or township that is not already a Member Community of TARTA and that is located wholly within Lucas County may join TARTA pursuant to the provisions of the Ohio Revised Code. Because the new Member Community is located within an area where the sales and use tax already is in effect, there shall be no additional election on the tax by the voters of the new Member Community. If necessary to effectuate this result, the new Member Community shall not be regarded as a Member Community, but instead shall be deemed to have been afforded representation on the Board of Trustees only.
- B. A municipality, township or county that is located within a geographical area in which TARTA's sales and use tax is not in effect may adopt an ordinance or resolution stating its desire and request to become a Member Community of TARTA, pursuant to the provisions of the Ohio Revised Code. If the TARTA Board of Trustees shall approve the admission of the proposed Member Community, the procedures specified in Ohio Revised Code §306.321 for the admission of additional members and presentation of the tax described therein shall be followed. In the event the voters approve the tax, the municipality, township, or county shall become a Member Community, but if the voters do not approve the tax, the proposed Member Community shall not be a Member Community, all as provided in Ohio Revised Code §306.321.

Section 6. Any Member Community may withdraw from TARTA as follows:

- A. As to any Member Community within Lucas County, withdrawal shall be effective 60 days after adoption of a resolution or ordinance providing for withdrawal. The ordinance or resolution shall be sent to the TARTA Board of Trustees and all other Member Communities by the most effective means of electronic communication available within 24 hours of passage. Such withdrawal is not subject to approval or consent of the electorate, any other TARTA Member Community or the TARTA Board of Trustees.
- B. Any Member Community not in Lucas County that seeks to withdraw shall, through its City Council or Township Board of Trustees, pass a resolution or ordinance providing that the issue of withdrawal be submitted to the electors of the Member Community. The resolution or ordinance shall specify the date of the election. The resolution or ordinance shall be filed with the County Board of Elections and shall be sent to the TARTA Board

of Trustees and all other Member Communities by the most effective means of electronic communication available within 10 days of passage. Should the question of withdrawal pass, withdrawal shall be effective 60 days after the results of said election are certified by the Board of Elections. On the effective date of withdrawal, the power to levy a tax within the territorial boundaries of the withdrawing community shall end on the earliest date permitted by law, provided that provision shall be made for the payment of any indebtedness of TARTA in accordance with the law, including Ohio Revised Code §306.54.

Section 7. The Board of Trustees of TARTA shall adopt its resolution providing for the submission of the question of the imposition of an additional one-half percent sales and use tax to the electors of TARTA, as enlarged, not later than ten (10) days following the filing of the ordinances and resolutions of the Member Communities, all as provided in Ohio Revised Code §306.321.

Section 8. The (Board or Council's) consent and approval of the foregoing is expressly contingent upon other existing Member Communities of TARTA consenting to the admission of Lucas County as a Member Community and the approval of ordinances or resolutions substantially similar to this resolution authorizing the changes described herein. In accordance with Ohio Revised Code §306.321, in the event the sales and use tax is not approved, Lucas County shall not be included as a Member Community of TARTA and the geographical boundaries of TARTA shall be the same as they were prior to the date Lucas County was admitted as a Member Community.

Section 9. All prior resolutions adopted by the City of Sylvania with respect to TARTA are amended and superseded to the extent they are inconsistent with the provisions of this resolution.

Section 10. It is found and determined that all formal actions of this (Board or Council) concerning and relating to the adoption of this resolution were adopted in an open meeting in compliance with all legal requirements, including Ohio Revised Code §121.22.

Section 11. This resolution is hereby declared to be an emergency and shall be effective immediately upon its adoption. The reason for the emergency is that this measure is necessary for the immediate preservation of the public peace, health, safety and welfare and also because it is necessary to immediately inform other TARTA Member Communities of the (Board or Council's) desire and intention to consent to the reorganization of TARTA in the manner described herein and permit an orderly and timely process to proceed by which Member Communities may consider and adopt similar ordinances and resolutions.

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. 51 -2017

TO ASSESS A SPECIAL TAX UPON THE LOTS AND LANDS DESCRIBED IN THE SCHEDULE REFERRED TO HEREIN TO PAY A PART OF THE COST AND EXPENSE OF PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, CLEANING AND ENCLOSING OPEN DRAINAGE DITCHES WITHIN THE CORPORATE LIMITS OF THE CITY OF SYLVANIA FOR THE YEAR ENDING DECEMBER 31, 2017; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Sylvania has heretofore, by Ordinance, established one (1) district for the purpose of constructing, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania during the year 2017, and provided that part of the cost and expense connected with said work in said district in the total amount of Two Hundred Seventy-Seven Thousand, Four Hundred Sixty-Three and 38/100 (\$277,463.38) shall be levied and assessed in the sum of forty cents (40¢) per front foot upon all lots and lands bounding and abutting upon the streets and public right-of-way in said district as set forth in said Ordinance; and,

WHEREAS, the Clerk of Council has given notice of the passage of the Ordinance creating the Ditch District for 2017 and of the estimated assessments on file in the Office of the Clerk of Council; and,

WHEREAS, Council has considered and adjusted all objections to estimated assessments that were properly and timely filed.

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

SECTION 1. That, to pay a part of the cost and expense of the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania as described in the schedule as reported by the Clerk of Council for the year ending December 31, 2017, there be, and hereby is assessed, in one (1) installment for 2017, upon the lots and lands bounding and abutting upon the streets and public right-of-way in said district, the several sums shown in the list of assessments, as adjusted if adjusted, and set opposite the description of the respective lots and lands and do hereby determine and declare that said lots and lands are specially benefitted in the amounts so assessed against the same, which amounts and assessments are hereby confirmed and approved.

SECTION 2. That the owners of said several lots and parcels of land shall pay the said sum so assessed as above against their said lots and lands, respectively, in one (1) installment, to the Treasurer of Lucas County, Ohio, at the same time and in the same manner as other taxes are paid, or be subject to the penalty and interest to be paid thereon as provided by law.

SECTION 3. That the Clerk of Council be, and she hereby is, directed to certify said assessments in one (1) installment within twenty (20) days of the passage hereof, to the Auditor of Lucas County, Ohio, to be, by her, placed upon the grand tax duplicate of said County for the year 2017 against said lots and lands, respectively, to be collected at the same time and in the same manner as other taxes are collected.

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 provision for the construction, maintenance and repair of ditches should be made forthwith and therefore this Ordinance should be effective 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.

ATTEST:	_____ President of Council
_____ Clerk of Council	APPROVED AS TO FORM:
APPROVED:	_____ Director of Law
_____ Mayor	
_____ Date	

6b

ORDINANCE NO. 52 -2017

TO ASSESS A SPECIAL TAX UPON THE LOTS AND LANDS DESCRIBED IN THE SCHEDULE REFERRED TO HEREIN TO PAY A PART OF THE COST AND EXPENSE OF PROVIDING FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES FOR THE PURPOSE OF CONTROLLING BLIGHT AND DISEASE OF SAME; AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHT-OF-WAY OF THE CITY FOR THE YEAR ENDING DECEMBER 31, 2017; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Sylvania has heretofore, by Ordinance, established one (1) district for the purpose of removing or specially treating therein shade trees for the purpose of controlling the blight and disease of same for the planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2017, and provided that part of the cost and expense connected with said work in said district in the total amount of Two Hundred Forty-Two Thousand, Eight Hundred Twenty-One and 78/100 (\$242,821.78) shall be levied and assessed in the sum of thirty-five cents (35¢) per front foot upon all lots and lands bounding and abutting upon the streets and public right-of-way in said district as set forth in said Ordinance; and,

WHEREAS, the Clerk of Council has given notice of the passage of the Ordinance creating the Tree District for 2017, and of the estimated assessments on file in the Office of the Clerk of Council; and,

WHEREAS, Council has considered and adjusted all objections to estimated assessments that were properly and timely filed.

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

SECTION 1. That, to pay the cost and expense of the removal or special treatment of certain shade trees for the purpose of controlling the blight and disease and for planting, maintaining, trimming and removing of other shade trees in and along the streets and within public right-of-way of the City of Sylvania described in the schedule as reported by the Clerk of Council for the year ending December 31, 2017, there be, and hereby is assessed, in one (1) installment for 2017, upon the lots and lands bounding and abutting upon the streets and public right-of-way in said district, the several sums shown in the list of assessments, as adjusted if adjusted, and set opposite the description of the respective lots and lands and do hereby determine and declare that said lots and lands are specially benefitted in the amounts so assessed against the same, which amounts and assessments are hereby confirmed and approved.

SECTION 2. That the owners of said several lots and parcels of land shall pay the said sum so assessed as above against their said lots and lands, respectively, in one (1) installment, to the Treasurer of Lucas County, Ohio, at the same time and in the same manner as other taxes are paid, or be subject to the penalty and interest to be paid thereon as provided by law.

SECTION 3. That the Clerk of Council be, and she hereby is, directed to certify said assessments in one (1) installment within twenty (20) days of the passage hereof, to the Auditor of Lucas County, Ohio, to be, by him, placed upon the grand tax duplicate of said County for the year 2017 against said lots and lands, respectively, to be collected at the same time and in the same manner as other taxes are collected.

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 assessments need to be certified immediately so as to meet the deadline for certifying the same to the Auditor and therefore this Ordinance should be effective 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

6c

ORDINANCE NO. 53 -2017

**ORDINANCE APPROVING THE ASSESSMENTS HERETOFORE
AUTHORIZED BY RESOLUTION NO. 3-2017 FOR STREET
LIGHTING; LEVYING SAID ASSESSMENTS; AND DECLARING
AN EMERGENCY.**

WHEREAS, this Council by Resolution No. 3-2017, passed April 17, 2017, declared the necessity for lighting the municipal streets, determined the basis for levying annual assessments on lots and lands in this City for such purpose, and authorized such assessments in the amount as estimated by the Clerk of Council, pursuant to said Resolution; and,

WHEREAS, the Clerk of Council pursuant to said Resolution and Revised Code Section 727.14, gave notice of the passage of said Resolution and the filing of such estimated assessments; and,

WHEREAS, no objections were filed pursuant to Revised Code Section 727.15 or such objections as were filed have been considered by Council, and such assessments, as adjusted if adjusted, should be approved, levied and certified to the Auditor of Lucas County, Ohio.

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

SECTION 1. That the assessments for the street lighting authorized by said Resolution in the aggregate amount of Three Hundred Ninety-Seven Thousand, Four Hundred Ninety-Five and 44/100 (\$397,495.44) and the assessments, as adjusted if adjusted, are hereby approved and such assessments in the amount so approved are hereby levied on the several parcels and lots of land in said City on the basis as set forth in said Resolution and the Clerk of Council is hereby directed to certify said assessments to the Auditor of Lucas County, Ohio, within the time provided therefore by the Revised Code of Ohio Section 5705.34.

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that immediate provision must be made for lighting the City streets. 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

7a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 27, 2017

To: The Mayor and Members of Sylvania City Council

Re: **4827 Holland-Sylvania Road
Demolition**

Dear Mr. Mayor and Council Members:

We requested quotes from six contractors to demolish the existing buildings on our property. We received 3 quotes as follows:

Salenbien Trucking & Excavating	\$48,000
Pashal, Bihn & Sons Excavating	\$63,950
Klumm Bros Excavating & Demo	\$76,000

We have worked with Salenbien Trucking & Excavating on past City projects and they have performed well. Therefore, we recommend approving an agreement in the amount of \$48,000 for demolition to Salenbien Trucking & Excavating.

Our total cost for demolition on the site will be \$74,880. We hope to be complete with the demolition late summer or early fall.

Please call if you should have any questions.

Sincerely,

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

7b

ORDINANCE NO. 54 -2017

ACCEPTING THE PROPOSAL OF SALENBIEN TRUCKING & EXCAVATING FOR THE DEMOLITION OF THE CITY'S PROPERTY AT 4827 HOLLAND-SYLVANIA ROAD, SYLVANIA, OHIO; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$48,000; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 26-2015, passed April 20, 2015, authorized the Mayor and Director of Finance to enter into an Offer to Purchase for the property located at 4827 Holland-Sylvania Rd., Sylvania, Ohio; and,

WHEREAS, Ordinance No. 46-2017, passed June 5, 2015, accepted the proposal of DMD Environmental, Inc. to manage the asbestos removal from the City's property at 4827 Holland-Sylvania Road, Sylvania, Ohio and appropriated funds therefore in the amount of \$26,880; and,

WHEREAS, the Director of Public Service, by report dated June 27, 2017, reported that the City requested quotes from six contractors to demolish the existing structure located at 4827 Holland-Sylvania Road, which quotes were as follows:

<u>CONTRACTOR</u>	<u>PROPOSAL PRICE</u>
Salenbien Trucking & Excavating	\$ 48,000.00
Pashal, Bihn & Sons Excavating	63,950.00
Klumm Bros. Excavating & Demo	76,000.00

WHEREAS, the Director of Public Service, by report dated June 27, 2017, has recommended that the proposal of Salenbien Trucking & Excavating to demolish the structure located at 4827 Holland-Sylvania Rd., Sylvania, Ohio at a cost of Forty-Eight Thousand Dollars (\$48,000.00), 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 Salenbien Trucking & Excavating in the amount of Forty-Eight Thousand Dollars (\$48,000.00) to manage the asbestos removal during the demolition of the structure located at 4827 Holland-Sylvania Rd., Sylvania, Ohio, 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 demolition hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7750-53102, Land Improvements** the amount of Forty-Eight Thousand Dollars (\$48,000.00).

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 the City should provide for the asbestos removal 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

8a



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

July 17, 2017

To: The Mayor and Members of Sylvania City Council

Re: **2016 SANITARY LINING PROJECT (CITY OF SYLVANIA & LUCAS COUNTY SANITARY ENGINEER)
CHANGE ORDER NO. 3 (FINAL)**

Dear Mr. Mayor and Council Members:

The joint agency 2016 Sanitary Lining Project with the Lucas County Sanitary Engineer's Office (LCSE) was recently completed. Change Order No. 1 (Ord. 11-2017) was approved by Council on February 21, 2017 which increased the original contract from \$560,396.50 to \$575,675.50. Change Order No. 2 (Ord. 38-2017) was approved by Council on May 1, 2017 which increased contract a second time from \$575,675.50 to \$585,740.80.

Now that the project is completed, the final installed bid quantities have been resolved and a change order is necessary to adjust the final contract price.

The installed quantities have resulted in a decrease to the adjusted contract in the amount of \$27,176.95. We would recommend approval of Change Order No. 3 (Final) which will decrease the adjusted contract amount from \$585,740.80 to \$558,563.85.

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 3

Project Ordinance No.: 54-2016 Purchase Order No. 52576

Contract: 2016 Sanitary Lining Project (COS & LCSE)

Title of Change Order: _____

Date: 6/30/2017

Description of Change: Final Bid Item Adjustments (See Attached) -\$27,176.95

RECOMMENDED
FOR APPROVAL BY:

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

7/10/17
Date

Original Contract Amt	\$	560,396	50
Previous Changes (+ or --)	\$	+25,344	30
This Change (+ or --)	\$	-27,176	95
Adjusted Contract Amt	\$	558,563	85

REVIEWED BY: Joseph E. Shaw
DATE: 7/6/17
SUBMITTED BY: Insituform Technologies USA, LLC
DATE: 07/05/17

Jana Lause, Contracting & Attesting Officer

City of Sylvania, Ohio

The above proposal is hereby approved.

Craig A. Stough, Mayor Date

The above proposal is hereby approved.

Toby Schroyer, Finance Director Date

**CITY OF SYLVANIA
CHANGE ORDER NO. 3 (FINAL)**

2016 SANITARY LINING PROJECT (COS & LCSE)

6/30/2017

Sheet 1 of 1

1 ORIGINAL CONTRACT AMOUNT	\$560,396.50
2 CHANGE ORDER NO. 1 (Approved Ord. 11-2017, 2/21/17)	\$15,279.00
a. REVISED CONTRACT AMOUNT NO. 1	\$575,675.50
3 CHANGE ORDER NO. 2 (Approved Ord. 38-2017, 5/1/17)	\$10,065.30
a. REVISED CONTRACT AMOUNT NO. 2	\$585,740.80
4 TOTAL OF BID QUANTITIES INSTALLED (See Attached, Lines 01-25)	\$533,219.55
5 TOTAL INSTALLED AMOUNT (Line 2 + Line 3 + Line 4)	\$558,563.85
6 CHANGE ORDER NO. 3 (Deduct, Line 3a - Line 5)	(\$27,176.95)

86

ORDINANCE NO. 55 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 3 (FINAL) 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; DECREASING THE CONTRACT AMOUNT BY \$27,176.95; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 54-2016, passed September 6, 2016, accepted the bid of Insituform Technologies USA, LLC, which bid was in the amount of \$560,396.50; and,

WHEREAS, Ordinance No. 11-2017, passed February 21, 2017, authorized the Mayor and Director of Finance to approve Change Order No. 1 to the City's Agreement with Insituform Technologies USA, LLC and increased the contract amount by \$15,279; and,

WHEREAS, Ordinance No. 38-2017, passed May 1, 2017, authorized the Mayor and Director of Finance to approve Change Order No. 2 to the City's Agreement with Insituform Technologies USA, LLC and increased the contract amount by \$27,176.95; and,

WHEREAS, the Director of Public Service, by report dated July 17, 2017, has indicated that the project is now complete and the final installed quantities have resulted in a net decrease to the contract in the amount of Twenty-Seven Thousand One Hundred Seventy-Six and 95/100 Dollars (\$27,176.95), for a total contract amount of \$558,563.85.

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 decreasing the contract amount by the sum of Twenty-Seven Thousand One Hundred Seventy-Six and 95/100 Dollars (\$27,176.95), 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 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 3. 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 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.

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



July 14, 2017

To: The Mayor and Members of Sylvania City Council

Re: **Sylvania River Trail Phase 2**

Dear Mr. Mayor and Council Members:

We have received approval from the Ohio Department of Natural Resources (ODNR) to proceed with our project in regards to our Clean Ohio Trails Fund grant. We anticipate receiving approval from ODNR in regards to our Capital Appropriation (SB 310) very soon.

Our next meeting will not be until August 21, 2017. It is our desire to advertise the project as soon as the approval discussed above is received. Therefore, in the interest of time, we are requesting that the Clerk of Council be authorized to advertise for bids upon the receipt of ODNR approval of the project.

The engineer's estimate for the project is \$2,413,186. It is our intent to receive bids in time so a contract award can be made at your meeting on September 6, 2017.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

ORDINANCE NO. 56 -2017

AMENDING SYLVANIA CODIFIED ORDINANCE SECTION 131.01 – DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION TO ADD A FULL-TIME PROSECUTOR FOR THE PERIOD FROM AUGUST 1, 2017 THROUGH JANUARY 31, 2018 AT WHICH TIME THE ADDITIONAL FULL-TIME PROSECUTOR SHALL BE ELIMINATED; AMENDING SYLVANIA CODIFIED ORDINANCE SECTION 139.03(e)(3) TO SET THE SALARY OF THE PROSECUTOR AT \$80,000 ANNUALLY AND TO CHANGE THE SALARY OF THE CHIEF PROSECUTOR TO \$80,000 ANNUALLY EFFECTIVE FEBRUARY 1, 2018; AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio,

_____ members elected thereto concurring:

SECTION 1. That Sections 131.01(c) and 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on the attached “Exhibit A-1 and A-2” from August 1, 2017 through February 1, 2018.

SECTION 2. That Sections 129.01(d) and 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on the attached “Exhibit B-1 and B-2” from February 1, 2018 and thereafter.

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 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(c) 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 the changes to the administrative structure should 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 issue.

President of Council

ATTEST:

Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

131.01 DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION.

* * *

(c) The Department of Law shall have a Division of Prosecution comprised of one chief prosecutor, one full-time prosecutor, one part-time assistant prosecutor, one Secretary II and one Secretary who will be employed on a part-time basis, who shall serve under the direction of the Prosecutors. The prosecutors in the Division of Prosecution shall be primarily responsible for the prosecution of all City of Sylvania and State cases in Sylvania Municipal Court and the cases of all municipalities with whom the City of Sylvania has contracted to provide prosecutorial services, subject to the oversight of the Director of Law. The prosecutors shall be attorneys at law duly admitted to practice law in the State of Ohio. The prosecutors shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0(c) of Article IV of the Charter. The Director of Law may appoint, on a case by case basis, such Special Prosecutors as may be necessary when the prosecutor has a potential conflict of interest or there exist other legal grounds why the prosecutor should not prosecute a particular case. The Prosecutors shall be compensated in accordance with the provision made for them in the Position and Compensation Plan and/or in accordance with the compensation provided for them in an ordinance of Council and/or a separate agreement authorized by an ordinance of the Council. The Prosecutors shall submit reports to the Director of Law at such frequency, in such detail and covering such matters as the Director shall require.

(Ord. _____-2017. Passed _____-2017.)

“Exhibit A-1”

139.02(e)(3) Compensation for elective and appointive officials. The following elective and appointed officials which are not otherwise provided for in this chapter shall be compensated as follows:

TITLE

RATE

* * *

Prosecutor*

\$80,000 annually commencing August 1, 2017 and terminating January 31, 2018.

* * *

*Those persons in this subsection (e)(3) occupying the positions indicated above by an asterisk after such position shall each have the sum of one thousand dollars (\$1,000) paid and deposited by the City to their respective credit in one of the City=s approved deferred compensation plans, annually commencing with the year 1991.

(Ord. ____-2017. Passed ____-2017.)

“Exhibit A-2”

131.01 DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION.

* * *

(c) The Department of Law shall have a Division of Prosecution comprised of one chief prosecutor, two part-time assistant prosecutors, one Secretary II and one Secretary who will be employed on a part-time basis, who shall serve under the direction of the Prosecutors. The prosecutors in the Division of Prosecution shall be primarily responsible for the prosecution of all City of Sylvania and State cases in Sylvania Municipal Court and the cases of all municipalities with whom the City of Sylvania has contracted to provide prosecutorial services, subject to the oversight of the Director of Law. The prosecutors shall be attorneys at law duly admitted to practice law in the State of Ohio. The prosecutors shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0(c) of Article IV of the Charter. The Director of Law may appoint, on a case by case basis, such Special Prosecutors as may be necessary when the prosecutor has a potential conflict of interest or there exist other legal grounds why the prosecutor should not prosecute a particular case. The Prosecutors shall be compensated in accordance with the provision made for them in the Position and Compensation Plan and/or in accordance with the compensation provided for them in an ordinance of Council and/or a separate agreement authorized by an ordinance of the Council. The Prosecutors shall submit reports to the Director of Law at such frequency, in such detail and covering such matters as the Director shall require.

(Ord. _____-2017. Passed _____-2017.)

“Exhibit B-1”

139.02(e)(3) Compensation for elective and appointive officials. The following elective and appointed officials which are not otherwise provided for in this chapter shall be compensated as follows:

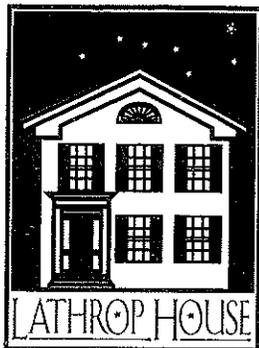
<u>TITLE</u>	<u>RATE</u>
	* * *
Chief Prosecutor*	\$80,000 annually commencing February 1, 2018 and thereafter.
	* * *

*Those persons in this subsection (e)(3) occupying the positions indicated above by an asterisk after such position shall each have the sum of one thousand dollars (\$1,000) paid and deposited by the City to their respective credit in one of the City's approved deferred compensation plans, annually commencing with the year 1991.

(Ord. ____-2017. Passed ____-2017.)

"Exhibit B-2"

A



Friends of the Lathrop House

Honorable Mayor

Council Members

City of Sylvania

6759 Monroe St.

Sylvania, Ohio 43560

The Friends of the Lathrop House is pleased to extend an invitation to the mayor and council members to attend our annual Celebration of Freedom to be held August 5th^o from 1 -3 PM. The celebration will include The Toledo Symphony Youth Orchestra, Civil War reenactors, historical interpreters, children's games, tours of the house, and refreshments.

We hope to see you on the fifth so that you, will be able to share in the festivities that highlight our city's courageous heritage.

Sincerely,

Sue McHugh, President

Celebration of Freedom at The Lathrop House

Saturday, August 5, 2017

“The Sounds of Freedom”

1:00 to 3:00 p.m.

Featuring

- The Toledo Symphony Youth Orchestra •
- Historical interpreters and reenactors •
Abraham Lincoln, Frederick Douglass, Harriet Tubman and Lucian Lathrop
- 5th United States Colored Troops co.C •
- Children’s Stories and Games of Long Ago •
- Refreshments •

Tours of The Lathrop House
3:00 to 5:00 p.m.

This Program is Free and Open to the Public

Presented by The Friends of The Lathrop House
in partnership with The Toledo Symphony Orchestra

City of Sylvania

Bank Reconciliation

June 2017

B

Ending balance for May 2017 23,256,147.78
 Add: Monthly Receipts 2,398,365.78
 Subtotal \$ 25,654,513.56
 Less: Monthly Disbursements 2,239,905.82
 Ending balance for June 2017 \$ 23,414,607.74

Less:
 CD Metamora Bank \$ (2,000,000.00)
 Star Ohio (77,823.29)
 Petty Cash (1) (2,050.00)
 Cemetery Savings (1,062.86)
 Toledo Community Fund (31,803.18)
 PNC MoneyMayket (1,029,478.89)
 Key Bank Securities (1,008,142.24)
 5/3rd Securities (7,875,643.61)
 SJS Account (5,513,005.69)
 Morgan Stanley Investment (2,072,695.33)
 Sylvania Township Bonds (440,000.00)
 \$ 3,362,902.65

Less:

(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 \$ 3,669,193.90
 Deposit in Transit 6,074.25

Subtotal \$ 3,675,268.15

Less: Outstanding Checks (2) 312,365.50

Adjusted Bank Balance \$ 3,362,902.65

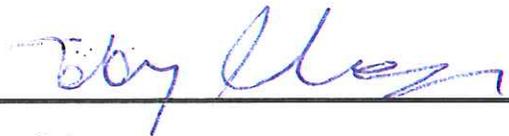
(2)
 May Outstanding Checks \$ 258,717.45

Checks written this month 863,569.68

Subtotal \$ 1,122,287.13

Checks Cleared this month (809,921.63)

June Outstanding Checks \$ 312,365.50



Toby Schroyer
 Director of Finance, City of Sylvania



City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

July 5, 2017

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

Dear Mayor Stough and Council Members:

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

	Deposits	Refunds	Balance
June 30, 2017	\$874,447.20	\$30,690.41	\$843,756.79
June 30, 2016	\$841,066.67	\$10,694.12	\$830,372.55
Monthly Difference	\$33,380.53	\$19,996.29	\$13,384.24
Year to Date 2017	\$6,068,284.62	\$170,069.12	\$5,898,215.50
Year to Date 2016	\$6,101,719.65	\$119,705.02	\$5,982,014.63
Yearly Difference	-\$33,435.03	\$50,364.10	-\$83,799.13
			-1.40%

	Deposits	Refunds	Balance
June 30, 2017	\$874,447.20	\$30,690.41	\$843,756.79
June 30, 2015	\$756,179.07	\$8,432.49	\$747,746.58
Monthly Difference	\$118,268.13	\$22,257.92	\$96,010.21
Year to Date 2017	\$6,068,284.62	\$170,069.12	\$5,898,215.50
Year to Date 2015	\$5,330,145.24	\$146,086.34	\$5,184,058.90
Yearly Difference	\$738,139.38	\$23,982.78	\$714,156.60
			13.78%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

Board of Architectural Review

Minutes of the regular meeting of July 12, 2017. Mr. Lindsley called the meeting to order.

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

Mr. Arnold moved, Mr. McCann seconded to approve the Minutes of the June 14, 2017, meeting as submitted. Vote being: Stough, Arnold, McCann, Marciniak and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Regulated Sign – app. no. 26-2017 requested by Jamal’s Cute Signs for Café Fitness 7632 Sylvania Ave., Sylvania, Ohio 43560. Application is for a new wall sign. Sign is within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Regulated Sign – app. no. 27-2017 requested by Jamal’s Cute Signs for Pizza Express, 4900 N. McCord, Sylvania, Ohio 43560. Application is for a new wall sign. Sign is within the limits of the Sylvania Sign Code. Mr. McCann moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 5 – Regulated Sign – app. no. 28-2017 requested by Marcee Lichtenwald of Allen Industries, Harmon Sign Division for Promedica Flower Hospital Hickman Cancer Center 5200 Harroun Rd., Sylvania, Ohio 43560. Marcee Lichtenwald present. Application is for a new wall sign. Mr. Burns stated that the current wall sign will need go come down when the new sign goes up. Mr. Lichtenwald state that she received confirmation that it will. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application noting that the existing wall sign need to come down when the new sign goes up. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 6 – Regulated Sign– app. no. 29-2017 requested by Sadaf Sediqe for Sylvania Community Arts Commission, 5725 Main Street, Sylvania, Ohio 43560. Jennifer Archer, Dani Fuller, Rae Betz and Laura Jakes present. Application is for 9 vinyl mechanical box covers. Ms. Fuller said that the covers will be similar to those used in Ann Arbor. Ms. Betz stated that when the artwork is removed from the boxes that the removal would be clean and that the covers should last a decade. Mayor Stough stated that the sign shown in #6 has created some controversy. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Sylvania Municipal Planning Commission

Minutes of the regular meeting of July 12, 2017. Mr. Lindsley called the meeting to order.

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

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the June 14, 2017, meeting as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Final Plat Approval for Woodland Hills, submitted by George Oravec of Oravec & Associates. George Oravec and David Schmitt present. Mr. Oraveczs stated that all conditions/comments made by Joe Shaw were met as well as all of the conditions of the PD. Mr. Arnold moved, Mr. Marciniak seconded to approve the Final Plat as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission