

Sylvania City Council

October 16, 2017

7:00 p.m. Streets Committee Meeting
Main Street Reconstruction Project

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 Mrs. Husman.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of October 2, 2017.
5. Mr. Adam Fineske, Superintendent Sylvania Schools to present a district update, goals for the future, etc.
6. Roundabout Study (Brint & Main, Brint & Harroun, Holland-Sylvania & Harroun)
 - a. Service Director's report on proposal for professional engineering services.
 - b. Proposed Ordinance No. 71-2017, Authorizing to accept the proposal of NE Roundabouts, Inc. for engineering services for roundabout studies at three intersections.
7. ODOT's 2018 Alexis Rd between Monroe & Flanders-Storm Sewer Replacement & Asphalt Resurfacing project.
 - a. Service Director's report on ODOT required legislation.
 - b. Proposed Resolution No. 9-2017, Resolution consenting to the City's participation in the Alexis Road Resurfacing and Storm Sewer Replacement project.
8. OPWC Grant Application-Brint, Centennial, Sylvania-Metamora & King Roads Resurfacing project.
 - a. Service Director's report on project.
 - b. Proposed Resolution No. 10-2017, Resolution authorizing to file a grant application with ODOT for the Brint, Centennial, Sylvania-Metamora & King Roads Resurfacing project.
9. Main St. Reconstruction project.
 - a. Service Director's report on Temporary Construction Easement-Food-King Supermarket, Inc.
 - b. Proposed Ordinance No. 72-2017, Accepting a temporary construction easement from Food-King Supermarket, Inc. relative to the Main Street Reconstruction project, dedicating the easement for public purposes and appropriating funds.

- c. Service Director's report on Temporary Construction Easement – Sautter's Food Center, Inc.
 - d. Proposed Ordinance No. 73-2017, Accepting a temporary construction easement from Sautter's Food Center, Inc. relative to the Main Street Reconstruction project, dedicating the easement for public purposes and appropriating funds.
10. SOMO Property.
 - a. Service Director's report on re-platting on property.
 - b. Proposed Ordinance No. 74-2017, Authorizing to accept the proposal of Feller, Finch & Associates to provide surveying and engineering services for the SOMO re-plat project.
 11. Proposed Ordinance No. 75-2017, Approving the offer to purchase of First Brookside, LLC to purchase a 7' x 148.84' parcel of the City's real estate at a sale price of \$500.00.
 12. Proposed Ordinance No. 76-2017, Authorizing to enter into a loan agreement with the Department of the Navy, Navel History and Heritage Command, for the brass ship's bell from the USS Sylvania.
 13. Proposed Resolution No. 11-2017, Resolution of the Council of the City of Sylvania supporting the five-year, 0.8-mill operating levy for the Olander Park System.
 14. Set 2018 Meeting Schedule.
 - a. Set regular Council meetings.
 - b. Set Trick or Treat date and time. (October 31st is a Wednesday)
 15. Committee reports.
 - a. Street Committee meeting from 7:00 p.m. on this date.
 16. Committee referrals.

INFORMATION

- A. September 2017 Bank Reconciliation.
- B. September 2017 Cash Report from the Division of Taxation.
- C. Board of Architectural Review minutes from October 11, 2017.
- E. Municipal Planning Commission minutes from October 11, 2017.

Minutes of the Meeting of Council
October 2, 2017

The Council of the City of Sylvania, Ohio met in regular session on October 2, 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, Mark Luetke, Jason Mishka, Mary Westphal; (7) present; (0) absent.

Roll call:
All present.

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

Pledge of
Allegiance.

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

Requests were made for the following additions to the agenda:

- 15a. Schedule a Finance Committee meeting.
- 15b. Schedule a Streets Committee meeting.

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

Agenda
approval.

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

Mrs. Westphal presented the September 18, 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 September 18, 2017 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
September 18
meeting
minutes.

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

Chief Rhodus introduced our three new police officers, Patrick Gilmore, Christopher Barrow, and Marc Tanner and provided a short background of each officer.

New Police
Officers:
Gilmore,
Barrow, Tanner.

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

Mrs. Westphal reported on the public hearing held at 7:00 p.m. to consider Zoning Ordinance Amendment for a Special Use Permit for property located at 5631, 5635, 5639 W. Alexis Rd, and 5526 & 5530 Alger from Nicor, Inc. She stated one spoke in favor and one in opposition of the Special use Permit. After questions were answered from the opposition, he no longer was opposed to the request. A motion to advance legislation to Council was passed.

Public hearing
report re: SUP-
2-2017: Nicor,
Inc.

Minutes of the Meeting of Council
October 2, 2017

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 70-2017, a written copy of same having been previously furnished to each member of Council, "Granting a Special use Permit to allow the operation of Adult Day Services at 5631, 5635, 5639 W. Alexis Road, 5530 and 5526 Alger Road, Sylvania, Ohio, on the application of Nicholas Giantsos, President of Nicor, Inc., on the recommendation of the Municipal Planning Commission; and declaring an emergency."; Mr. Haynam moved, Mr. Frye seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance No. 70-2017, "Granting SUP...Nicor Inc....Adult Day Services..."

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 70-2017 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Mrs. Westphal reported on the public hearing held at 7:00 p.m. to consider proposed Ordinance No. 57-2017, Amending Section 1166 of the Sylvania Codified Ordinances by amending Section 1166.11-Signs permitted in B-2 General Business District, Section 1166.12-Signs permitted in B-3 Central Business District and Section 1166.13-Signs permitted in B-4 Shopping Center District. She stated no one spoke in favor or in opposition of the amendment to the Zoning code and a motion to advance legislation to Council was passed.

Public hearing report re: Proposed Ordinance No. 57-2017; Signs.

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 57-2017, a written copy of same having been previously furnished to each member of Council, "Amending Section 1166 of the Sylvania Codified Ordinances by amending Section 1166.11-Signs permitted in B-2 General Business District, Section 1166.12-Signs permitted in B-3 Central Business District and Section 1166.13-Signs permitted in B-4 Shopping Center District; and declaring an emergency."; Mr. Haynam moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No. 57-2017 – "amending Section 1166...Signs permitted..."

Mr. Haynam moved, Mrs. Westphal seconded, that Ordinance No. 57-2017 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

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

Minutes of the Meeting of Council
October 2, 2017

Erika Buri, from the Olander Park System provided an update on the upcoming levy. Ms. Buri stated the 0.8 mill levy will cost each property owner an additional \$19.04 each year, or \$1.59 a month per \$150,000 property value. She provided an overview of the facilities, the funding and the programs provided. Mrs. Westphal moved, Mr. Haynam seconded to endorse the Olander Park levy; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Olander Park
Levy Update.

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

Mayor Stough stated Council was in receipt of the recommendation from the Planning Commission regarding proposed Ordinance No. 62-2017, Amending Part Eleven – Planning and Zoning Code of the Sylvania Codified Ordinances, 1979, as amended, by amending Section 1101.10-Definitions and Section 1153.02-Special uses. Mr. Haynam moved, Mrs. Westphal seconded to set the public hearing for November 6, 2017 at 7:00 p.m. and authorize the clerk to advertise the same. Roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Set Public
Hearing: Ord
No. 62-2017;
11/6/17,
7:00p.m.

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

Service Director's report on the Sylvania River Trail Phase II project was placed on file. Mrs. Cappellini moved, Mr. Mishka seconded to authorize the Clerk to re-advertise for bids for the Sylvania River Trail Phase II project. Roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Re-advertise for
bids: River
Trail, Phase II.

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

Service Director's report on the Alexis Road Hydraulic Study was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 67-2017, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Northwest Consultants, Inc. to provide professional engineering and surveying services for the Alexis Road Hydraulic Study; appropriating funds therefore in the amount of \$26,718; and declaring an emergency." Mr. Mishka moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance 67-
2017;
"Accepting NCI
to provide
engineering and
surveying
services...
Alexis Rd.
Hydraulic
Study..."

Minutes of the Meeting of Council
October 2, 2017

Mr. Mishka moved, Mrs. Westphal seconded, that Ordinance No. 67-2017 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the demolition of City owned property at 4827 Holland-Sylvania Road was placed on file. Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 68-2017, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the amendment to the proposal of DMD Environmental for the asbestos removal from the City's property at 4827 Holland-Sylvania Road; appropriating funds therefore in the amount of \$661; and declaring an emergency." Mrs. Husman moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No. 68-2017;
"...DMD Environmental ...asbestos removal at 4827 Hol-Syl Rd...."

Mrs. Husman moved, Mr. Luetke seconded, that Ordinance No. 68-2017 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on a temporary construction easement-Toledo Edison Company relating to the Main Street Reconstruction project was place on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 69-2017, a written copy of same having been previously furnished to each member of Council, "Accepting a temporary construction easement from Toledo Edison Company relative to the Main Street Reconstruction project; dedicating the easement for public purposes; appropriating funds therefore; and declaring an emergency." Mr. Frye moved, Mr. Mishka seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 69-2017,
"Accepting temp. easement, Toledo Edison ...Main St Reconstruction project..."

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 69-2017 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
October 2, 2017

Mayor Stough stated that Council will now consider agenda item 13.

Mr. Mishka moved, Mrs. Westphal seconded to approve the 1999 Ford F450 Dump Truck to be offered for auction on GovDeals.com as it is no longer needed by City: roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Approval to offer 1999 Ford F450 on GovDeals.com.

Mayor Stough stated that Council will now consider agenda item 14.

Mrs. Westphal reported on the Committee-of-the-Whole meeting held at 6:00 p.m. regarding the Downtown Sylvania Association/Red Bird Arts District request for funding for 2018. She stated that no action was taken as further discussion will be part of the 2018 budget process.

COW Mtg. report...DSA/Red Bird Arts Dist. funding request.

Mayor Stough stated that Council will now consider agenda item 15.

Mrs. Westphal set a Finance Committee meeting for Thursday, October 18, 2017 at 7:30 a.m. in the Finance Office Conference Room in the administration building to discuss the 2018 Budget.

Finance Com. Mtg. set for 10/18/17; 7:30 a.m.

Mr. Frye set a Street Committee meeting for Monday, October 16, 2017 at 7:00 p.m. to further discuss the Main Street Reconstruction project between the bridge and Monroe Street.

Streets Com. Mtg. set for 10/16/17; 7:00 p.m.

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

Mrs. Westphal moved, Mr. Mishka seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:35 p.m.

Adjournment.

Clerk of Council

Mayor

69



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 16, 2017

To: The Mayor and Members of Sylvania City Council

Re: **Professional Engineering Services Proposal
Roundabout Study (Brint & Main, Brint & Harroun, & Holland-Sylvania & Harroun)**

Dear Mr. Mayor and Council Members:

The Service Department is proposing that a roundabout study be conducted at three intersections in the City of Sylvania. The three intersections of study include Brint Road/Main Street, Brint Road/Harroun Road, and Holland-Sylvania Road/Harroun Road. The Lucas County Engineer's Office (LCEO) shares roadway jurisdiction with the City at all three locations and will be providing support services for the City on this study.

The goal of this study is to confirm if a modern roundabout is a feasible alternative to improve traffic flow and increase the level of service (LOS) at any, or all, intersections within this triangular corridor. The LCEO will be providing updated traffic counts which will be used to create an existing traffic model. Geometric layout(s) will be developed for each intersection and various build and no-build scenarios analyzed. Traffic simulation models will be created and the proposed Level of Service (LOS) will be calculated for each roundabout. Finally, a report will be prepared documenting the findings including exhibits, schematic drawings, and summary of concerns at each location.

The City received a proposal from NE Roundabouts, Inc. to perform the study in the amount of \$11,400. Howard McCulloch of NE Roundabouts is a nationally recognized expert in roundabout analysis and is the New York State Department of Transportation (NYSDOT) roundabout specialist. He has designed over 80 roundabouts for NYSDOT and has conducted roundabout training and analysis for government officials and engineering consultants in 30 states. NE Roundabouts, Inc. has assisted the LCEO on previous roundabout projects throughout Lucas County. We would recommend approval of the proposal in the amount of \$11,400 with NE Roundabouts, Inc.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

6730 MONROE STREET • SYLVANIA, OHIO 43560-1948 • (419) 885-8965 • FAX (419) 885-0486

www.cityofsylvania.com

City of Sylvania
Department of Public Service
c/o Joseph E. Shaw, P.E., P.S.
6730 Monroe Street
Sylvania, OH 43560



September 27, 2017

Mr. Howard McCulloch, P.E.
NE ROUNDABOUTS, Inc.
2396 NY ROUTE 43
Averill Park, NY 12018
518-424-5933

CONTRACT

SERVICES:

Perform a conceptual study of 3 intersections that form a triangle in Sylvania, OH. The intersections are: Holland Sylvania Road (CR 1572) @ Harroun Road (TR 77), Holland Sylvania Road (CR 1572) @ Brint Road (CR 8) and Main St, Brint Road (CR 8) @ Harroun Road (TR 77). The conceptual study will include HCM analysis of the existing intersections as well as analyzing these intersections as roundabouts. Conceptual geometric layouts will be developed as well.

A. SCOPE OF SERVICES:

1.0 Synchro Analysis of Existing Conditions:

An existing conditions model will be developed using Synchro 10 to implement the new HCM 6 methodology. Design year volumes will be analyzed as well.

2.0 SIDRA Analysis for Roundabout Alternative:

The existing counts will be run in SIDRA to determine how well the current intersections will work as roundabouts when first constructed as well as how well they will work in the design year.

3.0 Geometric Layout:

Develop conceptual 2D roundabout designs to accommodate the WB-67 design vehicle while still providing for safe and efficient movement for other vehicles, pedestrians, and bicyclists. A few alternatives may be developed per location to provide potential tradeoffs between Right-of-Way (ROW) constraints and design criteria.

4.0 Traffic Simulation:

A simulation of build year and design year (20 years after construction most likely) will be created using VISSIM. VISSIM will be able to properly display the expected traffic operations with the new intersection designs. The VISSIM simulation will assist with obtaining public acceptance of the project by visualizing the improved traffic conditions.

5.0 Summary Memo:

A memo summarizing the results of the analysis as well as any concerns/challenges with the geometric layouts will be developed.

B. TIME FRAME:

The existing conditions and potential roundabout operational analysis as well as the initial conceptual roundabout designs will be finished within 14 days after receiving the necessary files and a notice to proceed. Modifications, based on feedback from LCEO and/or the City of Sylvania, to the initial conceptual roundabout designs will be finished within 7 days after receiving all comments to be addressed.

C. COST:

The cost for this design and capacity analysis assistance is as follows:

- Synchro Analysis - \$150/hour for a maximum of 12 hours - (maximum of \$1,800)
- SIDRA Analysis - \$150/hour for a maximum of 8 hours - (maximum of \$1,200)
- Design Assistance (CAD) - \$150/hour for a maximum of 24 hours - (maximum of \$3,600)
- Simulation Model - \$150/hour for a maximum of 20 hours - (maximum of \$3,000)
- Summary Memo - \$150/hour for a maximum of 12 hours - (maximum of \$1,800)

D. SPECIAL NOTES:

Existing peak hour turn counts as well as design year counts, ortho photos with ROW information, and any other information needed to perform this conceptual study will be provided by LCEO and/or the City of Sylvania.

NE Roundabouts, Inc.

City of Sylvania



Howard McCulloch - Owner

Craig A. Stough – Mayor of Sylvania

Toby A. Schroyer - Director of Finance

6b

ORDINANCE NO. 71 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF NE ROUNDABOUTS, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR ROUNDABOUT STUDIES AT THREE INTERSECTIONS IN THE CITY OF SYLVANIA; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$11,400; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service has recommended that roundabout studies be completed at three intersections in the City – Brint Road and Main Street; Brint Road and Harroun Road; and Holland-Sylvania and Harroun Road; and,

WHEREAS, the Lucas County Engineer’s Office shares roadway jurisdiction with the City at all three intersections and will be providing in-kind support services for the studies; and,

WHEREAS, the Director of Public Service, by report dated October 16, 2017, indicated that he has received a proposal from NE Roundabouts, Inc. to perform the studies at the three intersections at a cost of \$11,400 and recommends acceptance of the proposal.

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 NE Roundabouts, Inc. on behalf of this City, thereby indicating such approval and acceptance said proposal for roundabout studies at three intersections – Brint Road and Main Street; Brint Road and Harroun Road; and Holland-Sylvania Road and Harroun Road.

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. 401-7750-53503, Street Improvements**, an amount not to exceed Eleven Thousand Four Hundred Dollars (\$11,400.00).

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 Roundabout Studies can proceed 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

79



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 16, 2017

To: The Mayor and Members of Sylvania City Council

Re: **ODOT-LUC-184-0.35 (PID 99662)**

Dear Mr. Mayor and Council Members:

The Ohio Department of Transportation (ODOT) plans to move forward with a storm sewer replacement and asphalt resurfacing project in 2018 on Alexis Road between Monroe Street and Flanders Road.

Because a portion of the project is within the City municipal limits ODOT requires legislation that provides consent for the work. A copy of the legislation is enclosed for your reference.

Also, City Council authorized an engineering contract for the preparation of construction plans and specifications for additional storm sewer improvements on Alexis Road that would coordinate with this ODOT project (Ord. 64-2017). The goal of the City project is to have the plans ready and delivered to ODOT on or before December 29, 2017 so that the City project and ODOT project can be sold, administered, and constructed together as one project by ODOT.

The anticipated sale date of the joint ODOT/City project is April 9, 2018.

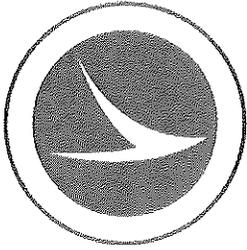
We would recommend approval of the consent legislation for this project.

Please call if you should have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service



OHIO DEPARTMENT OF TRANSPORTATION
John R. Kasich, Governor

Jerry Wray, Director

District 2
317 East Poe Rd., Bowling Green, OH 43402-1330
419-353-8131
transportation.ohio.gov

September 28, 2017

Joseph E. Shaw, P.E., P.S.
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

RE: LUC SR 184 0.35 Resurf/Storm Swr, PID 99662

Dear Mr. Shaw:

In order for ODOT to construct the project within the City limits and allow for inclusion of the City funded storm sewer replacement, legislation needs to be enacted. To accomplish that, transmitted herewith is one pdf copy of the required participatory legislation. The project is currently scheduled for an April 9, 2018 sale.

If acceptable, please present this legislation to your City Council for enactment. Note that the appropriate official designated as the contractual officer should sign in that capacity in the lower section of page 3.

Upon enactment, please return one legible pdf copy or two hardcopies of the executed legislation, affixed with your City's seal, to this office. If your City has no seal, please include a letter indicating that fact with the legislation. We ask that the legislation be returned to our office by 12/15/2017 in order for us to submit the plans on-time. We will return one pdf copy or one hardcopy to you once we obtain our Director's signature.

We will also need the full ODOT compliant set of plans for the City's storm sewer work by 12/29/2017.

If you have any questions, please give me a call. My phone number is 419-373-4403.

Respectfully,

Aaron D. Behrman, P.E.
District Programs Engineer

ADB/tmh

Enclosure

c: Reading File

PRELIMINARY LEGISLATION

Participatory

Ordinance # _____

PID No. 99662

County/Route/Section LUC SR 184 0.35 Resurf/Storm Swr

The following is an ordinance enacted by the City of Sylvania, Lucas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the LPA/STATE has identified the need for the described project:

To resurface and replace sections of storm sewer on SR 184 (Alexis Rd) from SR 51 in the City of Sylvania to Flanders Road.

NOW THEREFORE, be it ordained by the City of Sylvania, Ohio

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA agrees to assume and contribute the entire cost and expense of the project less the amount of federal-aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation.
- 2) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration. In addition, the LPA will assume and bear one hundred percent (100%) of the total cost of the storm sewer located within the City of Sylvania.
- 3) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 4) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 5) The State agrees to be the lead agency and to administer the construction phase of the project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The _____ of said City is hereby empowered on behalf of the City
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: _____, 2_____.
(Date)

Attested: _____
(Clerk Signature)

(Contractual Officer Signature)

Attested: _____
(Clerk Signature)

(President of Council Signature)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Sylvania, Lucas County, Ohio

I, _____, as Clerk of the City of Sylvania, Ohio, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative Authority of the said City, on the _____ day of _____, 2____, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in

_____, Page _____ .
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____, 2 _____.

Clerk

(SEAL)
(If Applicable)

City of Sylvania, Ohio

The afore going is accepted as a basis for proceeding with the project herein described.

For the City of Sylvania, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

RESOLUTION NO. 9-2017

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SYLVANIA
CONSENTING TO THE CITY'S PARTICIPATION IN THE ALEXIS
ROAD RESURFACING AND STORM SEWER REPLACEMENT
PROJECT; AUTHORIZING THE MAYOR AND DIRECTOR OF
FINANCE TO EXECUTE CONTRACTS AS REQUIRED; AND
DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Department of Transportation and the City of Sylvania have identified the need to resurface and replace sections of storm sewer on SR 184 (Alexis Rd.) from SR 51 in the City of Sylvania to Flanders Road.

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 hereby consents to the Ohio Department of Transportation and Director of Transportation to complete the above-described project.

SECTION 2. The City of Sylvania shall cooperate with the Director of Transportation in the above-described project as follows:

1. The City of Sylvania agrees to assume and contribute the entire cost and expense of the project less the amount of federal aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation.
2. The City of Sylvania will assume and bear one hundred percent (100%) of the total cost of any features requested by the City of Sylvania which are not necessary for the project as determined by the State and/or the Federal Highway Administration. In addition, the City of Sylvania will assume and bear one hundred percent (100%) of the total cost of the storm sewer located within the City of Sylvania.
3. The City of Sylvania consents to having the State acquire all necessary rights of way for the subject project in the name of the City of Sylvania.
4. The City of Sylvania agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
5. The State agrees to be the lead agency and to administer the construction phase of the project.

SECTION 3. The City of Sylvania agrees that all existing street and public right-of-way within the jurisdiction of the City of Sylvania which is necessary for the described project shall be made available therefore. The City of Sylvania further agrees that any right-of-way acquired by said City of Sylvania on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations. The City of Sylvania agrees that all utility accommodation, relocation and reimbursement will comply with the current

provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4. Upon completion of the Project, and unless otherwise agreed, the City of Sylvania shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the City of Sylvania in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

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

SECTION 6. That the Clerk of Council is hereby directed to post a copy of this Resolution in the office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12 of the Charter of this City.

SECTION 7. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should consent to the participation in the project at the earliest possible time and therefore this Resolution should be made effective immediately. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, 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

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

October 16, 2017

To: The Mayor and Members of Sylvania City Council

Re: **OPWC GRANT APPLICATION
BRINT ROAD, CENTENNIAL ROAD, SYLVANIA-METAMORA ROAD & KING ROAD RESURFACING**

Dear Mr. Mayor and Council Members:

The City would like to submit a joint agency Ohio Public Works Commission (OPWC) application with the Lucas County Engineer's Office this year to fund a resurfacing project on various shared City/County roadways.

The roadways scheduled to be resurfaced as a part of this application would include Brint Road from Ten Mile Creek to Silica Drive (less Brint King Roundabout, 0.90 miles), Centennial Road from 0.14 miles south of Sylvania-Metamora Road to the Ohio-Michigan State Line (0.61 miles), Sylvania-Metamora Road from 0.14 miles west of Centennial Road to 0.08 miles east of Centennial Road (0.22 miles), and King Road from Sylvania Avenue to 0.25 miles north of Sylvania Avenue. The total length to be resurfaced is 1.98 miles, of which 61% of the work falls within the City limits.

The total cost of the project is estimated to be \$1,112,672. A breakdown among participants is as follows:

OPWC (39%)	\$433,942
City of Sylvania (37.2%)	\$414,025
Lucas County (23.8%)	<u>\$264,705</u>
Total	\$1,112,672

The City would pursue this application as the lead agency requesting 50% grant/50% loan monies. The anticipated schedule would allow for a third quarter 2019 or 2020 construction of the project. We recommend proceeding ahead and pursuing OPWC grant funds in the amount of \$433,942.

Sincerely,

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

CURRENT PROJECT ESTIMATE

FOR

2019 RESURFACING PROJECT

Brint Rd., King Rd. Centennial Rd., & Sylvania Metamora Rd. (Erie St)

(CITY OF SYLVANIA AND LUCAS COUNTY)

Design & Engineering	\$29,000	City & County
Bid Documents & Advertising	\$1,000	City & County
Construction & Contingency	\$1,051,672	OPWC, City & County
Construction Inspection / Testing	\$31,000	City & County
TOTAL PROJECT COST	\$1,112,672	

COUNTY CONTRIBUTION

(23.80%)

Design & Engineering	\$ 29,000
Bid Documents/Advertising	\$ 1,000
Construction & Contingency	\$ 203,705
Construction Inspection	\$ 25,000
Testing	<u>\$ 6,000</u>
TOTAL	\$ 264,705

CITY CONTRIBUTION

(37.20%)

Design & Engineering	\$ 0
Bid Documents/Advertising	\$ 0
Construction & Contingency	\$ 414,025
Construction Inspection	\$ 0
Testing	\$ 0
TOTAL	<u>\$ 414,025</u>

OPWC CONTRIBUTION

(39.0%)

Construction	\$ 433,942
City (61.39%)	= \$ 266,397
LCE (38.61%)	= <u>\$ 167,545</u>
TOTAL	\$ 433,942

City OPWC = \$266,397	
	(\$133,198 grant & \$133,199 loan)
LCE OPWC = \$167,545	
	(\$83,772 grant & \$83,773 loan)

RESOLUTION NO. 10 -2017**A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO FILE A GRANT APPLICATION WITH THE OHIO PUBLIC WORKS COMMISSION FOR THE BRINT ROAD, CENTENNIAL ROAD, SYLVANIA-METAMORA ROAD AND KING ROAD RESURFACING PROJECT; AND DECLARING AN EMERGENCY.**

WHEREAS, the Director of Public Service, by report dated October 16, 2017, has requested permission to apply for Ohio Public Works Commission (“OPWC”) grant funding for the Brint Road, Centennial Road, Sylvania-Metamora Road and King Road Resurfacing Project; and,

WHEREAS, the project will be a joint project and application with the Lucas County Engineer’s Office; and,

WHEREAS, the resurfacing includes Brint Road from Ten Mile Creek to Silica Drive; Centennial Road from 0.14 miles south of Sylvania-Metamora Road to the Ohio/Michigan State Line (0.61 miles); Sylvania-Metamora Road from 0.14 miles west of Centennial Road to 0.08 miles east of Centennial Road (0.22 miles), and King Road from Sylvania Avenue to 0.25 miles north of Sylvania Avenue for a total of 1.98 miles, within 61% of the work being in the City limits; and,

WHEREAS, the Director of Public Service, by report dated October 16, 2017, has indicated that the estimated cost for this project is \$1,112,672, with the City of Sylvania contributing \$414,025 (37.2%); Lucas County \$264,705 (23.8%) with the remaining funded by the grant in the amount of \$433,942 (39%) and has recommended the City proceed with the grant application.

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

SECTION 1. That the Mayor and Director of Finance of the City of Sylvania are hereby authorized to file an application for OPWC grant funding for the Brint Road, Centennial Road, Sylvania-Metamora Road and King Road Resurfacing Project.

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

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

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should file its application for the grant immediately and therefore this Resolution should be made effective immediately. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, 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:

Clerk of Council

APPROVED:

Mayor

Date

President of Council

APPROVED AS TO FORM:

Director of Law

99



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 16, 2017

To: The Mayor and Members of Sylvania City Council

Re: **LUC-CR-1572-8.96 (Main Street Reconstruction)**
Temporary Construction Easement – Parcel 2-T (Food-King Supermarket, Inc.)

Dear Mr. Mayor and Council Members:

In order to accommodate this roadway improvement it is necessary to purchase a temporary construction easement from the property owner, Food-King Supermarket, Inc., nka Sautter's Food Center, Inc. This temporary easement will be used for driveway and sidewalk construction purposes and extends 4' onto the subject property from the existing right-of-way line of Main Street.

We have come to an agreement with the owners in the amount of \$2,056 for the temporary construction easement. We would request approval of the temporary easement with Food-King Supermarket, Inc., nka Sautter's Food Center, Inc. and authorization of payment in the amount of \$2,056.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

**MAIN STREET RECONSTRUCTION
LUC-CR-1572-8.96, PID 104438**

RIGHT OF WAY AGREEMENT

This Agreement is entered into this ____ day of _____, 2017 by the **City of Sylvania, Ohio** and **Food-King Supermarket, Inc., nka Sautter's Food Center, Inc.**

NOW, THEREFORE, in consideration of \$2,056.00 and other certain good and valuable consideration to them, to be paid to **Food-King Supermarket, Inc., nka Sautter's Food Center, Inc.** by the **City of Sylvania, Ohio, Food-King Supermarket, Inc., nka Sautter's Food Center, Inc.** shall grant to the **City of Sylvania, Ohio** a temporary construction easement, Parcel 2-T, as attached for the LUC-CR-1572-8.96 Project.

Approved by the City of Sylvania Council by Ordinance: _____

City of Sylvania, Ohio:

Mayor – Craig A. Stough

Director of Finance – Toby A. Schroyer

Approved:

Director of Law – Leslie B. Brining

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: Food-King Supermarket, Inc., nka Sautter's Food Center, Inc., the Grantor(s) herein, in consideration of the sum of \$2,056.00, to be paid by City of Sylvania, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to non-exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 002-T
LUC-Main Street

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Lucas County Current Tax Parcel No. 82-02127
Prior Instrument Reference: Vol. 1767, Page 425, Lucas County Recorder's Office.

To have and to hold said temporary easement, for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement herein granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors; however, in no event shall this temporary easement exist beyond December 31, 2018.

The temporary easement interest granted herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance

of a public road. The temporary easement is being granted with the agreement of Grantee that all reasonable efforts shall be made to minimize the obstruction of the three driveway entrances servicing the Grantor's Parcel No. 82-02127. Further, it is agreed that at no time will more than one such driveway be obstructed during the term of construction.

IN WITNESS WHEREOF Food King Supermarket, Inc., nka Sautter's Food Center, Inc. has caused its name to be subscribed by Jim Sautter, its duly authorized Owner, and its duly authorized agent on the 2nd day of October , 2017.

FOOD KING SUPERMARKET, INC. NKA
SAUTTER'S FOOD CENTER, INC.

By: James Sautter
JIM SAUTTER
Owner

STATE OF OHIO, COUNTY OF LUCAS ss:

BE IT REMEMBERED, that on the 2nd day of October , 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Jim Sautter, who acknowledged being the Owner and duly authorized agent of Food King Supermarket, Inc., nka Sautter's Food Center, Inc. and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Kevin J. Keane
Attorney at Law
NOTARY PUBLIC
My Commission expires: No Expiration
DATE

This document was prepared by the City of Sylvania Law Director in the name of and for the use by the City of Sylvania, Ohio.

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 06/13/17

PID 104438

**PARCEL 2-T
LUC-MAIN STREET
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
INSTALL SIDEWALK
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
"CITY OF SYLVANIA", LUCAS COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Lucas, City of Sylvania, and being part of the Northwest Quarter of Section 10, Town 9 South, Range 6 East as shown on the right of way plans prepared in April, 2017, for the City of Sylvania, titled "LUC-MAIN STREET" and being further bounded and described as follows:

Beginning at the intersection of the existing Westerly right of way line of Main Street (74.25 feet right of way) with the Northerly line of lands now or formerly owned by Toledo Edison Company through Deed Volume 714, Page 484 of the Lucas County records, (Station 155+59.98, 37.125 feet left of Main Street);

- 1) Thence Westerly along the Northerly line of said Toledo Edison Company lands, South 88 degrees 31 minutes 30 seconds West, a distance of 4.00 feet to a point, (Station 155+59.94, 41.125 feet left Main Street);
- 2) Thence Northerly along a line parallel with the centerline of said Main Street, North 01 degrees 00 minutes 47 seconds West, a distance of 130.00 feet to a point on the Southerly line of lands now or formerly owned by Sautter Food Center, Inc. through Microfiche 91 468C06 of the Lucas County records, (Station 156+89.94, 41.125 feet left Main Street);
- 3) Thence Easterly along the Southerly line of said Sautter Food Center, Inc. lands, North 88 degrees 31 minutes 30 seconds East, a distance of 4.00 feet to a point on the existing Westerly right of way line of said Main Street, (Station 156+89.98, 37.125 feet left Main Street);
- 4) Thence Southerly along the existing Westerly right of way line of said Main Street, said line being parallel with the centerline of said Main Street, South 01 degrees 00 minutes 47 seconds East, a distance of 130.00 feet to the **True Point of Beginning**;

EXHIBIT A

LPA RX 887 T

Page 2 of 2

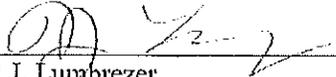
Rev. 07/09

The above described tract contains 0.012 acres more or less.

Grantor gained title through Deed Volume 1767, Page 425 of the Lucas County Records.

The basis of the bearings shown are relative to an assumed meridian and are shown to denote angular measurement only.

This description was written by Cody Gable and reviewed by Ronald J. Lumbrezer, Registered Surveyor Number 8029, DGL Consulting Engineers, LLC, in May 2017. This description is based on a field survey made on December 22, 2017 by DGL Consulting Engineers, LLC under the direction and supervision of R.J. Lumbrezer, Registered Surveyor Number 8029.


R.J. Lumbrezer

6/13/2017

Date

Ohio Professional Surveyor #8029
DGL CONSULTING ENGINEERS, LLC
3455 Briarfield Blvd. – Suite E
Maumee, Ohio 43537
2-T



9b

ORDINANCE NO. 72 -2017

ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM FOOD-KING SUPERMARKET, INC. RELATIVE TO THE MAIN STREET RECONSTRUCTION PROJECT; DEDICATING THE EASEMENT FOR PUBLIC PURPOSES; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, plans for the reconstruction of Main Street in the City of Sylvania, Ohio have been completed; and,

WHEREAS, it is necessary to obtain a temporary construction easement for relative to the Main Street Reconstruction Project; and,

WHEREAS, Food-King Supermarket, Inc. is entitled to receive payment of just compensation representing the fair market value of the temporary construction easement and it has executed and delivered a temporary easement and it will be paid the sum of Two Thousand Fifty-Six Dollars (\$2,056.00), a copy of which grant of easement is attached hereto as "Exhibit A;" and,

WHEREAS, said grant of temporary easement is presented to this Council for acceptance and for appropriation of funds and authorization of payment thereof to the Grantor.

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 easement as executed and tendered as described on "Exhibit A" be, and the same hereby is, accepted from Food-King Supermarket, Inc., the grantor therein.

SECTION 2. That the easement area identified and described in said easement as set forth on "Exhibit A" be, and the same hereby is, dedicated for the respective public purposes expressed in said easement.

SECTION 3. That the Director of Law is hereby directed to deliver the recorded temporary easement document to the Director of Finance for retention by him as custodian of the records of this City.

SECTION 4. That, to provide funds for payment to the Grantor of said temporary easement hereby accepted, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND**, from funds therein not heretofore appropriated, to **Account No. 401-7610-53503, Street Improvements**, the sum of Two Thousand Fifty-Six Dollars (\$2,056.00).

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

SECTION 6. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the reconstruction of Main Street should proceed as soon as possible and accordingly the acquisition of the necessary right-of-way and temporary easements should proceed 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.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

9c



City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 16, 2017

To: The Mayor and Members of Sylvania City Council

Re: **LUC-CR-1572-8.96 (Main Street Reconstruction)**
Temporary Construction Easement – Parcel 3-T (Sautter’s Food Center, Inc.)

Dear Mr. Mayor and Council Members:

In order to accommodate this roadway improvement it is necessary to purchase a temporary construction easement from the property owner, Sautter’s Food Center, Inc. This temporary easement will be used for driveway and sidewalk construction purposes and extends 4’ onto the subject property from the existing right-of-way line of Main Street.

We have come to an agreement with the owners in the amount of \$300 for the temporary construction easement. We would request approval of the temporary easement with Sautter’s Food Center, Inc. and authorization of payment in the amount of \$300.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

**MAIN STREET RECONSTRUCTION
LUC-CR-1572-8.96, PID 104438**

RIGHT OF WAY AGREEMENT

This Agreement is entered into this ____ day of _____, 2017 by the **City of Sylvania, Ohio** and **Sautter's Food Center, Inc.**

NOW, THEREFORE, in consideration of \$300.00 and other certain good and valuable consideration to them, to be paid to **Sautter's Food Center, Inc.** by the **City of Sylvania, Ohio**, **Sautter's Food Center, Inc.** shall grant to the **City of Sylvania, Ohio** a temporary construction easement, Parcel 3-T, as attached for the LUC-CR-1572-8.96 Project.

Approved by the City of Sylvania Council by Ordinance: _____

City of Sylvania, Ohio:

Mayor – Craig A. Stough

Director of Finance – Toby A. Schroyer

Approved:

Director of Law – Leslie B. Brining

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: Sautter's Food Center, Inc., the Grantor(s) herein, in consideration of the sum of \$300.00, to be paid by City of Sylvania, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to non-exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 003-T
LUC-Main Street

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Lucas County Current Tax Parcel No. 82-10177
Prior Instrument Reference: Microfiche 91 468C06, Lucas County Recorder's Office.

To have and to hold said temporary easement, for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement herein granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors; however, in no event shall this temporary easement exist beyond December 31, 2018.

The temporary easement interest granted herein is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance

of a public road. The temporary easement is being granted with the agreement of Grantee that all reasonable efforts shall be made to minimize the obstruction of the three driveway entrances servicing the Grantor's Parcel No. 82-10177. Further, it is agreed that at no time will more than one such driveway be obstructed during the term of construction.

IN WITNESS WHEREOF Sautter's Food Center, Inc. has caused its name to be subscribed by Jim Sautter, its duly authorized Owner, and its duly authorized agent on the 2nd day of October, 2017.

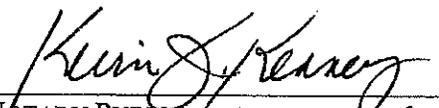
SAUTTER'S FOOD CENTER, INC.

By: 
JIM SAUTTER
Owner

STATE OF OHIO, COUNTY OF LUCAS ss:

BE IT REMEMBERED, that on the 2nd day of October, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Jim Sautter, who acknowledged being the Owner and duly authorized agent of Sautter's Food Center, Inc., and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.


NOTARY PUBLIC
My Commission expires: NO EXPIRATION DATE

This document was prepared by the City of Sylvania Law Director in the name of and for the use by the City of Sylvania, Ohio.

EXHIBIT A

Page 1 of 2

LPA RX 887 T

Rev. 07/09

Ver. Date 06/13/17

PID 104438

**PARCEL 3-T
LUC-MAIN STREET
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
INSTALL SIDEWALK
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
"CITY OF SYLVANIA", LUCAS COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Lucas, City of Sylvania, and being part of the Northwest Quarter of Section 10, Town 9 South, Range 6 East as shown on the right of way plans prepared in April, 2017, for the City of Sylvania, titled "LUC-MAIN STREET" and being further bounded and described as follows:

Beginning at the intersection of the Westerly existing right of way line of said Main Street (74.25 feet right of way) with the Northerly line of lands now or formerly owned by Food King Super Market through Deed Volume 1767, Page 425 of the Lucas County records, (Station 156+89.98, 37.125 feet left of Main Street);

- 1) Thence Westerly along the Northerly line of said Food King Super Market lands, South 88 degrees 31 minutes 30 seconds West, a distance of 4.00 feet to a point, (Station 156+89.94, 41.125 feet left Main Street);
- 2) Thence Northerly along a line parallel with the centerline of said Main Street, North 01 degrees 00 minutes 47 seconds West, a distance of 32.00 feet to a point on the Southerly line of lands now or formerly owned by Emro Marketing Company through Microfiche 89 109B10 of the Lucas County records, (Station 157+21.94, 41.125 feet left Main Street);
- 3) Thence Easterly along the Southerly line of said Emro Marketing Company lands, North 88 degrees 31 minutes 30 seconds East, a distance of 4.00 feet to a point on the existing Westerly right of way line of said Main Street, (Station 157+21.98, 37.125 feet left Main Street);
- 4) Thence Southerly along the existing Westerly right of way line of said Main Street, said right of way line being parallel with the centerline of said Main Street, South 01 degrees 00 minutes 47 seconds East, a distance of 32.00 feet to the **True Point of Beginning**;

EXHIBIT A

LPA RX 887 T

Page 2 of 2

Rev. 07/09

The above described tract contains 0.003 acres more or less.

Grantor gained title through Microfiche 91-468C06 of the Lucas County Records

The basis of the bearings shown are relative to an assumed meridian and are shown to denote angular measurement only.

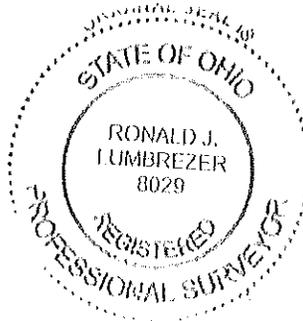
This description was written by Cody Gable and reviewed by Ronald J. Lumbrezer, Registered Surveyor Number 8029, DGL Consulting Engineers, LLC, in May 2017. This description is based on a field survey made on December 22, 2017 by DGL Consulting Engineers, LLC under the direction and supervision of R.J. Lumbrezer, Registered Surveyor Number 8029.



6/13/2017

Date

R.J. Lumbrezer
Ohio Professional Surveyor #8029
DGL CONSULTING ENGINEERS, LLC
3455 Briarfield Blvd. – Suite E
Maumee, Ohio 43537
3-T



9d

ORDINANCE NO. 73 -2017

ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM SAUTTER'S FOOD CENTER, INC. RELATIVE TO THE MAIN STREET RECONSTRUCTION PROJECT; DEDICATING THE EASEMENT FOR PUBLIC PURPOSES; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, plans for the reconstruction of Main Street in the City of Sylvania, Ohio have been completed; and,

WHEREAS, it is necessary to obtain a temporary construction easement for relative to the Main Street Reconstruction Project; and,

WHEREAS, Sautter's Food Center, Inc. is entitled to receive payment of just compensation representing the fair market value of the temporary construction easement and it has executed and delivered a temporary easement and she will be paid the sum of Three Hundred Dollars (\$300.00), a copy of which grant of easement is attached hereto as "Exhibit A;" and,

WHEREAS, said grant of temporary easement is presented to this Council for acceptance and for appropriation of funds and authorization of payment thereof to the Grantor.

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 easement as executed and tendered as described on "Exhibit A" be, and the same hereby is, accepted from Sautter's Food Center, Inc., the grantor therein.

SECTION 2. That the easement area identified and described in said easement as set on "Exhibit A" be, and the same hereby is, dedicated for the respective public purposes in said easement.

SECTION 3. That the Director of Law is hereby directed to deliver the recorded temporary easement document to the Director of Finance for retention by him as custodian of the records of this City.

SECTION 4. That, to provide funds for payment to the Grantor of said temporary easement hereby accepted, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND**, from funds therein not heretofore appropriated, to **Account No. 401-7610-53503 - Street Improvement**, the sum of Three Hundred Dollars (\$300.00).

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

SECTION 6. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the reconstruction of Main Street should proceed as soon as possible and accordingly the acquisition of the necessary right-of-way and temporary easements should proceed 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.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

109



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 12, 2017

To: The Mayor and Members of Sylvania City Council

Re: **SOMO**

Dear Mr. Mayor and Council Members:

When the survey was completed as part of the sale of the SOMO site it was discovered that there were several gaps and overlaps of the existing parcels.

In discussion between the proposed developer and the City, all agreed that the best way to resolve these issues was to re-plat the area. The re-plat will enable the developer to create lots based on their plans as well as resolve the previously mentioned survey concerns.

Therefore, we are requesting approval of an agreement with Feller, Finch & Associates in the amount of \$3,500 to provide surveying and engineering services for a new plat of the SOMO area.

Please call if you should have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

FellerFinch

& ASSOCIATES, INC.

Engineers · Surveyors

1683 Woodlands Drive
Maumee, Ohio 43537
Phone: (419) 893-3680
Fax: (419) 893-2982
www.fellerfinch.com

Donald L. Feller, P.E.
Gregory N. Feller, P.E.
Aaron M. Feller

October 9, 2017

Mr. Kevin Aller, Public Service Director
City of Sylvania
6730 Monroe Street
Sylvania, Ohio 43560

RE: SOMO Multi-Family Complex
Proposal No. 10E08470A

Dear Mr. Aller:

We propose to provide surveying services for the following project:

Prepare a plat drawing of an approximately 206-unit apartment facility located on roughly 4 Ac. (the SOMO property) at 6453 Monroe Street in the City of Sylvania, Lucas County, Ohio.

You will be expected to provide us with any information regarding additional requirements, including any special or extraordinary considerations for the project or special services needed. Our services will consist of the following:

I. Surveying Services

A. Final Plat

1. Prepare the final plat drawing per the City of Sylvania and Lucas County requirements.
2. Submit the final plat drawing and obtain approval.
3. Attend any City of Sylvania meetings to obtain approval of the final plat.
4. Provide staking for the plat monuments.

II. Additional Services

- A. Services resulting from significant changes in the scope of the project or its design including, but not limited to, changes in size and complexity.
- B. Revising previously approved design drawings and documents.
- C. Surveying services during construction required to restake destroyed, lost, or disturbed construction layout stakes and/or survey control points.

Our fees for the services described above are:

- I.A. Final Plat\$3,500.00

Additional or non-customary services and resident services during construction will be charged on the basis of our attached hourly rates. We will invoice you monthly for our services and reimbursable expenses.

The above financial arrangements are on the basis of prompt payment of our invoices and continuous progress of the Project through construction. Invoices that remain unpaid for more than thirty (30) days after the invoice date will be charged a service/finance charge of 1-1/2% per month. **We reserve the right to suspend or terminate our services if our invoices are not paid within forty-five (45) days of the invoice date.** Any charges held to be in dispute shall be called to our attention within ten (10) days of receipt of our invoice.

All Documents are instruments of service and FFA shall retain an ownership and property interest therein (including the copyright and the right of reuse) whether or not the project is completed. You shall not rely in any way on any document unless it is signed or sealed by the Engineer or one of its consultants.

Files in electronic media format of text, data, graphics, or other types as furnished by one party to the other are furnished only for convenience, not reliance by the receiving party. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

This proposal/agreement is intended by the parties to be governed by the laws of the State of Ohio. The parties agree that dispute hereunder shall be adjudicated in court of competent jurisdiction in Lucas County, Ohio.

In recognition of the relative risks and benefits of the project to both the Client and the Design Professional, the Client agrees, to the fullest extent permitted by law, to limit the Design Professional's total liability to the Client or anyone making claims through the Client, for any and all damages or claim expenses (including attorney's fees) arising out of this Agreement, from any and all causes, to the total amount of the Design Professional's fee.

This proposal/agreement represents the full and final understanding between you and us in respect to the project and supersedes any previous understandings both written and oral, and may only be modified in writing signed by both of us. If this proposal/agreement sets forth your understanding of the arrangement between us, we would appreciate your signing both copies of this letter in the space below and return one signed copy to us. This proposal/agreement will be open for acceptance for forty-five (45) days, unless changed by us in writing.

If you have questions or desire additional information, please contact our office.

Sincerely,

FELLER, FINCH & ASSOCIATES, INC.

A handwritten signature in black ink, appearing to read "Donald L. Feller". The signature is fluid and cursive, with the first name being the most prominent.

Donald L. Feller, P. E.
CEO

Accepted this _____ day of _____, 20_____.

CLIENT: CITY OF SYLVANIA

By: _____
(Signature)

Name: _____ Title: _____
(Please Print Name & Title)

To better serve our clients, we now offer the option of credit card payment by VISA, MasterCard, American Express, or Discover. Please contact our accounting department for additional information.

2017 FEE SCHEDULE

<u>SERVICE</u>	<u>HOURLY RATE</u>
Principal	\$ 150.00
Architect/Engineer/Surveyor VI	110.00
Architect/Engineer/Surveyor V	100.00
Architect/Engineer/Surveyor IV	90.00
Architect/Engineer/Surveyor III	82.00
Architect/Engineer/Surveyor II	74.00
Architect/Engineer/Surveyor I	68.00
Technician V	88.00
Technician IV	81.00
Technician III	74.00
Technician II	68.00
Technician I	62.00
Field Technician III	60.00
Field Technician II	55.00
Field Technician I	53.00
Business Development Specialist	68.00
Grants Coordinator	74.00
Clerical	44.00
Survey Crew (2 man w/GPS)	115.00
(minimum survey crew charge, 4 hours)	

Additional expenses, such as printing, survey stakes, etc. would be at actual cost.

Effective January 1, 2017

10b

ORDINANCE NO. 74 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF FELLER, FINCH & ASSOCIATES TO PROVIDE SURVEYING AND ENGINEERING SERVICES FOR THE SOMO RE-PLAT PROJECT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$3,500; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 26-2017, passed March 6, 2017, approved the Offer to Purchase of Republic Development, LLC and J.C. Hart Company, Inc. to purchase the City's real estate known as the SOMO Property located along Monroe Street at a sale price of \$1,200,000; and,

WHEREAS, since that time, the City and Republic Development, LLC and J.C. Hart Company, Inc. have been working through the contingencies contained in the purchase agreement; and,

WHEREAS, when the survey was completed, several gaps and overlaps were discovered in the existing parcels; and,

WHEREAS, the City and Republic and J.C. Hart have determined that the best way to resolve the issues is to re-plat the area which will enable the developer to create lots based on their plans as well as resolve the survey concerns; and,

WHEREAS, the Director of Public Service, by report dated October 12, 2017, has received a proposal from Feller, Finch & Associates in the amount of \$3,500 to provide surveying and engineering services for a new plat of the SOMO area and recommends acceptance of the proposal.

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 Feller, Finch & Associates on behalf of this City, thereby indicating such approval and acceptance said proposal for the surveying and engineering services for the SOMO Re-Plat 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 Three Thousand Five Hundred Dollars (\$3,500.00).

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 SOMO Re-Plat 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.

ATTEST:

President of Council
APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

ORDINANCE NO. 75 -2017

APPROVING THE OFFER TO PURCHASE OF FIRST BROOKSIDE, LLC TO PURCHASE A 7' X 148.84' PARCEL OF THE CITY'S REAL ESTATE AT A SALE PRICE OF \$500.00; AUTHORIZING THE MAYOR AND THE DIRECTOR OF FINANCE TO ACCEPT SAID OFFER TO PURCHASE ON BEHALF OF THE CITY OF SYLVANIA; DETERMINING SAID REAL ESTATE TO BE NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 8-2017, passed January 17, 2017, approved the Offer to Purchase of Midland Agency of Northwest Ohio, Inc. to purchase the City's real estate known as the Maplewood Marketplace, 5703 Main St. at a sales price of \$1,100,000; and,

WHEREAS, during the diligence period, some issues were identified that needed to be repaired, and in lieu of the City making the repairs, the Buyer has requested that credits equal to the repair cost be given off the purchase price and the Buyer will make the necessary repairs and improvements; and,

WHEREAS, Ordinance No. 43-2017, passed May 15, 2017, authorized the Mayor and Director of Finance to enter into a Third Amendment to Real Estate Purchase Agreement to purchase said real estate known as the Maplewood Marketplace, 5703 Main St., from the City of Sylvania for a total purchase price of One Million Fifty-Nine Thousand Four Hundred Fifty-Four Dollars (\$1,059,454.00); and,

WHEREAS, the closing on the sale of the property was held on May 17, 2017 and since that time, the owners of the property have been finalizing their plans for the property and building which include incorporating some of the City's property adjacent to the Maplewood Marketplace; and,

WHEREAS, First Brookside, LLC has proposed to purchase the approximate 7' x 148.84' parcel of property adjacent to the Maplewood Marketplace for the sum of Five Hundred Dollars (\$500.000).

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

SECTION 1. That this Council hereby finds and determines that the 7' x 148.84' parcel of real estate adjacent to the Maplewood Marketplace is no longer needed for any municipal purpose.

SECTION 2. That the Offer to Purchase, submitted by First Brookside, LLC in the amount of Five Hundred Dollars (\$500.00) for the purchase of the property adjacent to the Maplewood Marketplace is hereby approved and the Mayor and Director of Finance be, and they hereby are, authorized to accept said Offer to Purchase on behalf of this City.

SECTION 3. That the method, manner, consideration and procedure for the sale of said City owned real estate is hereby determined to be as set forth herein and as approved by this Ordinance and it is hereby determined that the sale of said real estate as hereby approved complies with those requirements.

SECTION 4. That the Mayor and Director of Finance be, and they hereby are, authorized to execute and deliver a Warranty Deed for said premises prepared by the Director of Law and they are hereby authorized to so any and all things necessary and incidental to facilitate the closing on said sale of real estate, all under the supervision of the Director of Law.

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

SECTION 6. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11 and 12, of the Charter of this City.

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this City must act on the purchase agreement or lose the benefits thereof and therefore this Ordinance should be effective forthwith. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2017, as an emergency measure.

ATTEST:

Clerk of Council

President of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

REAL ESTATE PURCHASE AGREEMENT

FIRST BROOKSIDE, LLC, an Ohio limited liability company (“Purchaser”), of 9 Riverhills Lane, Toledo, Ohio 43623, offers and agrees to purchase from the **CITY OF SYLVANIA, OHIO**, an Ohio municipal corporation (“Seller”), of 6730 Monroe Street, Sylvania, Ohio 43560, the approximate seven foot (7’) by one hundred forty-eight and 84/100ths foot (148.84”) parcel of real property graphically depicted on Exhibit A attached hereto that is part of a larger parcel of land identified as Tax District 82, Parcel Nos. 03501 and 94082 (the “Larger Parcel”) and which is immediately adjacent to the northern boundary of the property commonly addressed as 6604 Maplewood Avenue (the “Premises”), subject to the following terms and conditions. The Premises includes all fixtures, improvements, licenses, easements, privileges and appurtenances belonging to and benefitting the Premises, and all of Seller’s right, title and interest, if any, in and to any street, alley or roadway adjoining the Premises.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **Agreement to Sell.** Seller at Closing (as herein defined) shall sell, transfer and convey to Purchaser, and Purchaser shall purchase all of Seller’s right, title and interest in the Premises.

2. **Purchase Price and Payment.** The purchase price for the Premises is Five Hundred Dollars (\$500) (the “Purchase Price”), payable by Purchaser to Seller at Closing by wire transfer or certified funds. Within three (3) business days of Seller’s acceptance, Purchaser will deliver \$50 (the “Deposit”) to the Title Company (herein defined) to be held in escrow. The Deposit is applied toward the Purchase Price at Closing or as otherwise provided in this Agreement.

3. **Conditions Precedent to Purchaser’s Obligations.** Purchaser’s obligation to consummate the purchase of the Premises under this Agreement is subject to the satisfaction of the following conditions or Purchaser may terminate this Agreement:

A. Within fifteen (15) days of the Effective Date (herein defined), Purchaser will obtain a commitment for an owner’s policy of title insurance in the amount of the Purchase Price issued by Midland Title and Escrow, Ltd. (the “Title Company”), naming Purchaser as the proposed insured and showing, to Purchaser’s sole satisfaction, good and marketable fee simple title to the Premises in Seller, free of all liens, defects, or encumbrances, except those to be paid and released by Seller at Closing and subject only to those existing easements, covenants, conditions, reservations, agreements and restrictions of record, government ordinances, zoning regulations, and public utility easements, if any, which do not, in Purchaser’s sole discretion, impair or prevent the Purchaser’s intended development and use of the Premises (the “Permitted Exceptions”); and subject to real estate taxes and assessments, both general and special, which are a lien but are not yet due and payable. If the title to the Premises is not satisfactory to Purchaser, Purchaser will, prior to the end of the Diligence Period (herein defined), notify Seller of Purchaser’s objection to the title to the Premises, and Seller may elect to cure such objection to Purchaser’s satisfaction within ten (10) days of Purchaser’s objection. If Seller cannot or does not cure such title

objection to Purchaser's satisfaction, then Purchaser may terminate this Agreement prior to Closing. Purchaser and Seller will share equally the cost of the commitment for title insurance and the premiums for the owner's title insurance policy. Purchaser will pay the cost of all title insurance endorsements. Purchaser and Seller will share equally the Title Company escrow costs for Closing. At least seven days prior to Closing, Title Company will update the title commitment and if that title update discloses new title exceptions or encumbrances to the Premises, then the rights of Purchaser and Seller under this paragraph shall apply to such new exception or encumbrance.

B. For a period of sixty (60) days after the Effective Date (the "Diligence Period"), Seller will provide Purchaser access to the Premises to permit Purchaser to conduct, at Purchaser's cost, an environmental site assessment and an ALTA survey and any other inspections or studies of the Premises selected by Purchaser (collectively, the "Inspections"). Purchaser shall, at its cost, restore and repair the condition of the Premises damaged as a result of the Inspections.

C. During the first ten (10) days of the Diligence Period, Purchaser and Seller will agree to the location of the actual boundaries of the Premises. Purchaser will obtain a survey and new legal descriptions for the Premises and apply to the appropriate governmental authority for the subdivision of the Premises from the Larger Parcel. Prior to Closing, Purchaser will obtain all required governmental approvals to subdivide the Larger Parcel into the Premises or this Agreement will terminate. Seller will cooperate with Purchaser to obtain such subdivision approval.

If, within the time periods above, Purchaser does not receive and approve, in Purchaser's sole discretion, any of the items set forth in this Paragraph 3, then Purchaser may: (i) agree with Seller to a Purchase Price reduction; (ii) permit Seller to remedy the issue to Purchaser's satisfaction; (iii) waive Purchaser's objection to any such item and proceed to Closing; or (iv) terminate this Agreement.

4. **Title.** At Closing, Seller will execute and deliver to Purchaser a general warranty deed conveying fee simple title to the Premises to Purchaser, in recordable form signed by Seller, free and clear of all liens and encumbrances and subject only to Permitted Exceptions and real estate taxes and assessments, not yet due and payable (the "Deed"). At Closing, Seller will execute and deliver to Purchaser an owner's affidavit acceptable to the Title Company to remove standard exceptions from the owner's policy of title insurance that can be removed with such an affidavit. Prior to Closing, Seller will provide Purchaser and the Title Company evidence of an ordinance passed by the Seller authorizing this Agreement and Seller's performance of its obligations under the Agreement. At Closing, Purchaser and Seller will sign a settlement statement prepared by the Title Company and pay their respective costs as provided for in this Agreement.

5. **Prorations and Charges.**

A. Real estate taxes and assessments, penalties, charges and interest for the Premises, due and payable prior to Closing, will be paid in full by Seller at Closing. All real estate taxes and assessments for the Premises not yet due and payable on the Closing will be prorated to the date of Closing according to the Lucas County due and payable method of tax proration. Seller will pay the conveyance fee due for the transfer of the Premises to Purchaser, if any. Purchaser shall pay the recording fee for the Deed.

6. **Risk of Casualty Loss.** Until Closing, Seller shall bear the sole risk of loss due to fire or other casualty at the Premises. If the Premises shall be damaged or destroyed by fire or other cause between the date this Agreement and the Closing, Purchaser may (a) elect to proceed with the transaction, in which event Purchaser shall be entitled to all insurance proceeds made payable to the Seller under any and all policies of insurance covering the Premises so damaged or destroyed, or (b) elect to rescind this Agreement, in which event both parties hereto shall be released from all liability hereunder and the Deposit will be returned to Purchaser. If Purchaser elects to so rescind this Agreement, Purchaser shall notify Seller in writing after Purchaser has received notice of such damage or destruction.

7. **Miscellaneous.**

A. This offer to purchase the Premises submitted by Purchaser is subject to written acceptance by the Seller, and when signed by an authorized agent of Seller and delivered to Purchaser (the "Effective Date") shall constitute a contract binding Purchaser and Seller, their respective successors and assigns for the purchase and sale of the Premises upon the terms and conditions set forth herein when delivered (the "Agreement").

B. This transaction will close fifteen (15) days after the expiration of the Diligence Period; which date shall be known as the "Closing" or "Closing date" for the purposes of this Agreement, at or through the office of the Title Company.

C. If this Agreement is at any time terminated by Purchaser as permitted by this Agreement, then the Deposit will be returned to Purchaser without any further action required by Seller, and, upon such return of the Deposit, this Agreement shall become null and void with no further liability on the part of either party. If this Agreement is not so terminated on or prior to the Diligence Period is non-refundable, except in the event Seller breaches its obligation under this Agreement. If Purchaser defaults in the performance of Purchaser's obligations under this Agreement for more than ten (10) days after written notice from Seller specifying the alleged default, then, provided Seller is not in default hereunder, Seller's sole and exclusive remedy is to terminate this Agreement on written notice to Purchaser and the Deposit will be delivered to Seller as liquidated damages. The amount of the Deposit paid to Seller as liquidated damages is Seller's sole and exclusive remedy under this Agreement. If Seller defaults in the performance of Seller's obligations under this Agreement, then Purchaser is entitled to all available legal or equitable remedies, including, without limitation, specific performance and the return of the Deposit to Purchaser.

D. This offer expires at **5:00 p.m. on October 17, 2017**, unless accepted by Seller in writing and the signed Agreement is delivered to Purchaser by that time.

E. This Agreement contains the entire agreement between the parties and there are no agreements, representations or warranties, oral or written, which are not set forth herein. This Agreement may not be amended or modified except by a writing signed by both parties.

F. Seller and Purchaser each warrant to the other that they have had no dealings with any other real estate broker, agent or finder, so as to entitle such party to a commission in connection with the transaction contemplated by this Agreement. If for any reason a commission is due as a result of this transaction to any party, then the party with the dealings or alleged dealings with such other party will pay such commission, expense, damages and attorneys' fees relating to such commission. The parties' obligations under this paragraph survive Closing and delivery of the Deed.

G. As of Closing, Seller will have terminated all leasehold estates and rights of possession in and to the Premises, and will to deliver exclusive possession of the Premises to Purchaser, free and clear of all leasehold estates, tenancies or other rights of possession or use.

H. Purchaser may assign this Agreement to another legal entity, provided the majority owners of Purchaser are also principals in such entity.

I. Seller's obligations under this Agreement are subject to approval by Seller's city council prior to Closing. However, if Seller terminates this Agreement, then on such termination Seller will pay all expenses incurred by Purchaser under this Agreement, including, without limitation, Purchaser's attorneys' fees.

[Signatures on next page]

PURCHASER:

FIRST BROOKSIDE, LLC,
an Ohio limited liability company

By: _____

Date: _____

ACCEPTANCE

The undersigned, Seller, hereby accepts the foregoing offer to purchase the Premises and agrees to make the transfer and conveyance of the Premises and to otherwise comply with the Agreement.

SELLER:

CITY OF SYLVANIA, OHIO,
an Ohio municipal corporation

By: _____
Craig A. Stough, Mayor

By: _____
Toby A. Schroyer, Director of Finance

Date: _____

Approved as to Form:

Leslie B. Brinning, Director of Law

12

ORDINANCE NO. 76 -2017

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A LOAN AGREEMENT WITH THE DEPARTMENT OF THE NAVY, NAVAL HISTORY AND HERITAGE COMMAND, FOR THE BRASS SHIP'S BELL FROM THE USS SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 107-94, passed October 17, 1994, authorized the Mayor and Director of Finance to enter into a Long Term Loan Agreement with the Department of the Navy for the Brass Ship's Bell from the USS Sylvania; and,

WHEREAS, since that time, the bell has been displayed in the Administration Building; and,

WHEREAS, the Department of the Navy has requested the City enter into another Loan Agreement for the Brass Ship's Bell from the USS Sylvania, a copy of which is attached hereto as "Exhibit A."

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 Director of Finance are hereby authorized, on behalf of this City, to enter into a Loan Agreement with the Department of the Navy, Naval History and Heritage Command, Washington Navy Yard, Washington, DC in the form and substance of "Exhibit A" attached hereto.

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 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, Sections 11 and 12, of the Charter of this City.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the lease for the USS Sylvania ship's bell should be entered into at the earliest possible time and therefore this Ordinance should be effective forthwith. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;

otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or 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:

APPROVED AS TO FORM:

Mayor

Director of Law

Date

Department of the Navy
Naval History and Heritage Command
Curator Branch
805 Kidder Breesse Street SE
Washington Navy Yard, DC 20374-5060
TEL: (202) 433-7886

L2017.111
8 September 2017

The Curator for the Navy has placed the below listed items on loan for a period of five (5) years, from 8 September 2017 to 8 September 2022, with:

Director of Law
City of Sylvania
6730 Monroe Street
Sylvania, OH 4350

POC: Leslie Brinning
PHONE: (419) 885-7865
EMAIL: LBrinning@cityofsylvania.com

Bell, Ship, Brass, USS SYVLANIA (AFS-2); tapered cylindrical shaped, with a flared lower rim and clapper. Inscribed lettering on the bell reads, "U.S."
Navy Department Accession Number: 1994-74-A

1. We agree to:

- a. Display the material on loan with dignity;
- b. Maintain the material in good physical condition;
- c. Display an exhibit label near material stating it is on loan from the "Naval History and Heritage Command";
- d. Return the original signed loan agreement;
- e. Report to the Loan Officer in the month of **SEPTEMBER** on the condition and location of the material and provide current photographs;
- f. Material is not to be transferred to another party without previous authorization from the Head, Curator Branch, at Tel (202) 433-2318, or Curator, Loan Office, at Tel (202) 433-7886, email: Curegistrar@navy.mil.
- g. Request disposition instructions from the Curator when the material has served its purpose;
- h. At the end of the loan period, the loan will be subject to review for purposes of renewal; if no annual reports and photographs have been received during the loan period concerned, the loan will NOT be renewed and the material must be returned to the Naval History and Heritage Command.
- i. Borrowers will bear all costs relating to shipping of materials at the time of their receipt and when returning said materials to the Department of the Navy when the loan has been terminated.

2. I certify that the material has been received,

CITY OF SYLVANIA

By: _____
Craig A. Stough, Mayor

By: _____
Toby A. Schroyer, Director of Finance

Date

RESOLUTION NO. 11 - 2017

A RESOLUTION OF THE COUNCIL OF THE CITY OF SYLVANIA SUPPORTING THE FIVE-YEAR, 0.8-MILL OPERATING LEVY FOR THE OLANDER PARK SYSTEM; AND DECLARING AN EMERGENCY.

WHEREAS, The Olander Park System operates and maintains Olander Park, Sylvan Prairie Park, Fossil Park, Whetstone Park and Southview Oak Savanna and Waterbury Wet Woods; and,

WHEREAS, The Olander Park System has operated, maintained and improved the parks and facilities and programming all while maintaining financial responsibility and accountability; and,

WHEREAS, The Olander Park System requires additional funds to operate for the next five years.

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

SECTION 1. That this Council recognizes the importance of The Olander Park System to the community.

SECTION 2. That this Council does hereby support the proposed 0.8 mill Operating Levy for The Olander Park System which will be placed on the November 7, 2017 ballot.

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

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

SECTION 5. That this 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 its support for the passage of the operating levy prior to the vote of November 7, 2017. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by this Charter.

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

Passed, _____, 2017, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

**CITY OF SYLVANIA, OHIO
SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2018**

City Council meets in Council Chambers located in the Municipal Building (also the Police Division) at 6635 Maplewood Ave., Sylvania Ohio 43560 at **7:30 p.m.** unless otherwise noted

The **Municipal Planning Commission** meets in Council Chambers at **5:30 p.m.** unless otherwise noted

The **Board of Appeals (Zoning)** meets in Council Chambers at **7:00 p.m.** as needed

JANUARY

3 City Council Wednesday
10 Plan Commission Wed
16 City Council Tuesday

FEBRUARY

5 City Council Monday
14 Plan Commission Wed
20 City Council Tuesday

MARCH

5 City Council Monday
14 Plan Commission Wed
19 City Council Monday

APRIL

2 City Council Monday
11 Plan Commission Wed
16 City Council Monday

MAY

7 City Council Monday
16 Plan Commission Wed
21 City Council Monday

JUNE

4 City Council Monday
13 Plan Commission Wed
18 City Council Monday

JULY

11 Plan Commission Wed
16 City Council Monday

AUGUST

15 Plan Commission Wed
20 City Council Monday

SEPTEMBER

5 City Council Wednesday
12 Plan Commission Wed
17 City Council Monday

OCTOBER

1 City Council Monday
10 Plan Commission Wed
15 City Council Monday

NOVEMBER

5 City Council Monday
14 Plan Commission Wed
19 City Council Monday

DECEMBER

3 City Council Monday
12 Plan Commission Wed
17 City Council Monday



B

City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

October 3, 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
September 30, 2017	859,753.66	14,304.79	845,448.87
September 30, 2016	853,751.41	4,179.77	849,571.64
	-----	-----	-----
Monthly Difference	6,002.25	10,125.02	-4,122.77
Year to Date 2017	8,424,865.28	208,696.83	8,216,168.45
Year to Date 2016	8,446,552.49	144,449.64	8,302,102.85
	-----	-----	-----
Yearly Difference	-21,687.21	64,247.19	-85,934.40
			-1.04%

	Deposits	Refunds	Balance
September 30, 2017	859,753.66	14,304.79	845,448.87
September 30, 2015	733,021.31	22,243.58	710,777.73
	-----	-----	-----
Monthly Difference	126,732.35	(7,938.79)	134,671.14
Year to Date 2017	8,424,865.28	208,696.83	8,216,168.45
Year to Date 2015	7,547,114.83	211,036.63	7,336,078.20
	-----	-----	-----
Yearly Difference	877,750.45	(2,339.80)	880,090.25
			12.00%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

Board of Architectural Review

Minutes of the regular meeting of October 11, 2017. Mr. McCann called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Daniel Arnold and Brian McCann (4) present. Mr. Lindsley was absent. Zoning Administrator, Timothy Burns and Deputy Service Director, Joe Shaw also present.

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the September 13, 2017, meeting as submitted. Vote being: Stough, Arnold, McCann and Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Regulated Sign– app. no. 39-2017 requested Brian Heil of Toledo Sign for Crave Cave, 6469 Monroe Street, Sylvania, Ohio 43560. Application is for new wall sign. Mr. Heil was present and stated that the sign would be a LED internally lit. Sign is within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

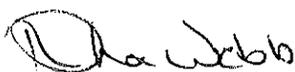
Item 4 – Regulated Sign – app. no. 40-2017 requested by Joseph Hellul of Bambino's Pizza & Subs, 5155 South Main Street, Sylvania, Ohio 43560. Application is for a new wall sign. Sign within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold and Stough (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Marciniak stated that he would need to recuse himself from the discussion and vote for the next item due to a business conflict.

Item 5 – Regulated Sign – app. no. 41-2017 requested by Karrie Brock for 3618 King Road, Sylvania, Ohio 43560. Application is for a new monument sign. Ms. Brock was present. Ms. Brock said that the new monument sign would be non-illuminated. Mr. Burns stated that although there is an existing monument sign, the code allows for a second monument sign as the frontage exceeds 250 ft. Ms. Brock added that the existing monument sign and the new monument sign would be located near separate driveways. Sign is within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mayor Stough seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: McCann, Arnold and Stough (3) aye; (0) nay. Motion passed by a 3 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

Sylvania Municipal Planning Commission

Minutes of the regular meeting of October 11, 2017. Mr. McCann called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Daniel Arnold and Brian McCann (4) present. Mr. Lindsley was absent. Zoning Administrator, Timothy Burns and Deputy Service Director, Joe Shaw also present.

Mr. Arnold moved, Mr. Marciniak seconded to approve the Minutes of the August 16, 2017, meeting as submitted. Vote being: Stough, Arnold, McCann and Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Mr. Marciniak moved, Mr. Arnold seconded to approve the Minutes of the September 13, 2017, meeting as submitted. Vote being: Stough, Arnold, McCann and Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 – Lot Split App. No. 2-2017 – Dawn Seney, 8010 Erie Street Sylvania, Ohio. Ms. Seney was present and presented a photo of her property which showed the section of her property that she would like to split off. She explained that the lot split would be to split off the northern section of the property to be sold to the adjoining property owner of 8009 Milford. Mayor Stough added that the rationale of the lot split would be that the property would be attached to the Milford Dr. Property and that the attachment to that property would be a requirement of the approval as the split would create a property that would not have public right of way. Mr. Shaw stated the City Service Department checked with both the Lucas County Recorder and the Auditor and they confirmed that we could conditionally approve the lot split as long as it is recorded with the adjacent property; and that the recording would need to happen within one year. Mayor Stough moved, Mr. Arnold seconded to approve Lot Split Application No. 2-2017, by Dawn Seney, conditional on the property being attached to the adjacent northern property at 8009 Milford Drive. Vote being: Stough, Arnold, McCann and Marciniak (4) aye; (0) nay. Motion passed by a 4 to 0 vote

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission