

Sylvania City Council
February 4, 2019

7:30 p.m. Council Meeting
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Richardson, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Luetke.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of January 22, 2019.
5. Report of Zoning Ordinance Amendment application ZA-1-2018, for property located at 471 King Road from Bruce J. Fondren, Sr.
6. Proposed Ordinance No. 9-2019, Authorizing to enter into an Amendment to the Capital Improvement Legislative Grant Agreement for the City of Sylvania SOMO Project on behalf of the City of Sylvania with the State of Ohio to extend the grant project period to December 31, 2019.
7. Sylvania Avenue Pump Station Generator.
 - a. Service Director's report on bids.
 - b. Proposed Ordinance No. 10-2019, Accepting the bid of Transtar Electric, Inc. and awarding the contract for the Sylvania Ave. Pump Station Generator Project.
8. Silica Drive Resurfacing Project.
 - a. Service Director's report on bids.
 - b. Proposed Ordinance No. 11-2019, Accepting the bid of Henry W. Bergman, Inc. and awarding the contract for the Silica Drive Resurfacing Project.
9. Committee reports.
10. Committee referrals.

INFORMATION

- A. 2018 Funds Report from Police Chief Rhodus.

Minutes of the Meeting of Council
January 22, 2019

The Council of the City of Sylvania, Ohio met in regular session on January 22, 2019 at 7:30 p.m. with Mayor Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Patrick Richardson, Mary Westphal; (6) present; Mark Luetke; (1) absent.

Roll call:
Luetke; absent,
excused.

Pledge of Allegiance to the United States of America led by Mrs. Husman.

Pledge of
Allegiance.

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

The following items were added to the agenda:

- 8a. Mrs. Husman-Update of Heritage Sylvania & SCAT.
- 10. Proposed Ordinance 8-2019, Third Amendment to R.E. Purchase Agreement-SOMO.

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

Agenda
approval.

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

Mrs. Westphal presented the January 7, 2019 meeting minutes. Mrs. Westphal moved, Mrs. Husman seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of January 7, 2019 be approved; roll call vote being: Frye, Haynam, Husman, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the
January 7
meeting
minutes.

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

Mrs. Westphal reported on the public hearing from 7:00 p.m. on this date to consider Petition for Zoning Ordinance Amendment Application ZA-1-2018. The application seeks to change the zoning from R-1 "Single Family Residential large Lot District" to R-1 PD "Single Family Residential Large Lot Planned Development" for property located at 4713 King Road, Sylvania from Bruce J. Fondren, Sr. Mrs. Westphal reported that Council moved to ask administration to advance legislation to change the zoning from R-1 to R-1PD contingent upon the approval of a review of the architectural design.

Public Hearing
Report:
ZA-1-2018;
4713 King Rd,
R-1 to R-1PD.

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

Minutes of the Meeting of Council
January 22, 2019

Service Director's report on the Dump Truck Chassis purchase was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 6-2019, "Authorizing the Mayor and Director of Finance to accept the proposal of Valley Freightliner & Western Star for the provision of a new dump truck chassis for the Division of Streets, Department of Public Service; appropriating \$82,612 therefore; and declaring an emergency." Mr. Richardson moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Ordinance No. 6-2019;
"...provision of a new dump truck chassis ..."

Mr. Richardson moved, Mr. Frye seconded, that Ordinance No. 6-2019 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

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

Service Director's report on the Brush Chipper purchase was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 7-2019, "Accepting the proposal of Vermeer Mid Atlantic for the purchase of a Vermeer Model BC 1200 XL Brush Chipper; appropriating fund therefore in the amount of \$39,140; and declaring an emergency." Mrs. Cappellini moved, Mrs. Husman seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Richardson, Westphal, (6) yeas; (0) nays. The motion carried.

Ordinance No. 7-2019;
"...purchase of a Vermeer Brush Chipper..."

Mrs. Cappellini moved, Mrs. Westphal seconded, that Ordinance No. 7-2019 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

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

Mrs. Husman reported the Lathrop House is featured in the 2019 national calendar of Shuttercraft, Inc. (vendor). She also reported that SCAT's 4th Annual Hot Cocoa 5K Run/1Mile Walk is set for Saturday, February 16, 2019 at Olander Park.

Update of Heritage Sylvania and SCAT.

Mayor Stough stated that there are no items for agenda item 9, so Council will now consider agenda item 10.

Minutes of the Meeting of Council
January 22, 2019

Law Director Brinning presented the Third Amendment to the Commercial Real Estate Purchase Agreement of SOMO MF Partners, LLC and SOMO Retail Holdings, LLC to purchase the City's Real Estate known as SOMO Property.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 8-2019, "Accepting the third amendment to Commercial Real Estate Purchase Agreement of SOMO MF Partners, LLC and SOMO Retail Holdings, LLC to purchase the City's real estate known as the SOMO property located along Monroe Street; authorizing the Mayor and Director of Finance to accept said Third Amendment to Commercial Real Estate Purchase Agreement on behalf of the City of Sylvania; determining said real estate to be no longer needed for municipal purposes; and declaring an emergency." Mrs. Westphal moved, Mr. Frye seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Richardson, Westphal, (6) yeas; (0) nays. The motion carried.

Ordinance No. 8-2019, "Accepting 3rd Amendment to R.E. Purchase Agreement.... SOMO..."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 8-2019 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Haynam seconded that this meeting adjourn; all present voting yea (5); (0) nays. The motion carried and the meeting adjourned at 7:55 p.m.

Adjournment.

Clerk of Council

Mayor

ORDINANCE NO. 9 -2019

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AMENDMENT TO THE CAPITAL IMPROVEMENT LEGISLATIVE GRANT AGREEMENT FOR THE CITY OF SYLVANIA SOMO PROJECT ON BEHALF OF THIS CITY OF SYLVANIA WITH THE STATE OF OHIO TO EXTEND THE GRANT PROJECT PERIOD TO DECEMBER 31, 2019; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania was previously awarded funds through the State of Ohio's Capital Improvement Legislative Grant Program for its SOMO Project; and,

WHEREAS, the Grant Agreement required that the project period expired on December 31, 2018; and,

WHEREAS, the Director of Public Service has recommended approval of the Amendment to the Capital Improvement Legislative Grant Agreement for the SOMO Project to extend the grant project period through December 31, 2019.

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 be, and they hereby are, authorized, on behalf of the City of Sylvania, Ohio, to enter into an Amendment to the Capital Improvement Legislative Grant Agreement with the State of Ohio to extend the project period through December 31, 2019.

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Amendment to the Capital Improvement Legislative Grant Agreement should be entered into 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, _____, 2019, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

7a



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

February 4, 2019

To: The Mayor and Members of Sylvania City Council

Re: **SYLVANIA AVENUE PUMP STATION GENERATOR**

Dear Mr. Mayor and Council Members:

We received bids on January 30, 2019 for the above referenced project. There were a total of six (6) bids received.

The lowest bid was submitted by Transtar Electric, Inc. of Toledo, Ohio. Their bid of \$118,900 was approximately 31.3% under the Engineer's Estimate of \$173,025.

The project engineer, Dmytryka Jacobs Engineers, Inc., reviewed the bids and has confirmed that Transtar Electric has performed similar projects on wastewater facilities and has recommended their award on this project.

Therefore, it is our recommendation that the contract be awarded to Transtar Electric, Inc. of Toledo, Ohio, in the amount of \$118,900.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

dsw

7b

ORDINANCE NO. 10 -2019

**ACCEPTING THE BID OF TRANSTAR ELECTRIC, INC. AND
AWARDING THE CONTRACT FOR THE SYLVANIA AVENUE PUMP
STATION GENERATOR PROJECT TO SAME; AUTHORIZING THE
EXPENDITURE FOR THE GENERATOR IN THE AMOUNT OF
\$118,900; APPROPRIATING FUNDS THEREFORE; AND DECLARING
AN EMERGENCY.**

WHEREAS, plans for the Sylvania Avenue Pump Station Generator Project have been completed and are now on file with the Clerk of this Council; and,

WHEREAS, the Clerk of Council was authorized to advertise for bids at the January 7, 2019 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on January 30, 2019, and thereafter, the Director of Public Service, by report dated February 4, 2019, stated that the total engineer's estimate for the Sylvania Avenue Pump Station Generator Project was \$173,025 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Transtar Electric, Inc.	\$ 118,900.00
Westfield Electric	124,612.00
FET Construction	128,091.00
TAS, Inc.	138,000.00
US Utility	149,568.00
Hank's Plumbing & Heating	178,900.00

WHEREAS, the six (6) bids offered by the above bidders meet all of the City's specifications and the Director of Public Service, by report dated February 4, 2019, has recommended acceptance of the lowest and best bid of Transtar Electric and that the contract for the Sylvania Avenue Pumping Station Generator Project be awarded to same.

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

SECTION 1. That the bid of Transtar Electric, Inc., Toledo, Ohio for said Sylvania Avenue Pump Station Generator Project, in the amount of One Hundred Eighteen Thousand Nine Hundred Dollars (\$118,900.00), is hereby determined to be the lowest and best bid received and the same is hereby accepted.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to execute a contract with the bidder named in Section 1 above for the furnishing of such labor and materials in accordance with said bid.

SECTION 3. That to provide funds for said improvements hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-53405, Equipment**, the total sum of One Hundred Eighteen Thousand Nine Hundred Dollars (\$118,900.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the bid of Transtar Electric, Inc. should be accepted immediately so as to provide for the commencement of the Sylvania Avenue Pump Station Generator Project at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2019, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

8a



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

February 4, 2019

To: The Mayor and Members of Sylvania City Council

Re: **SILICA DRIVE RESURFACING**

Dear Mr. Mayor and Council Members:

We received bids on January 30, 2019 for the above referenced project. There were a total of three (3) bids received.

The lowest bid was submitted by Henry W. Bergman, Inc. of Genoa, Ohio. Their bid of \$84,867.81 was approximately 10.0% under the Engineer's Estimate of \$94,317.

Henry W. Bergman has not performed prime contracting work for the City of Sylvania in the past, but was the asphalt subcontractor on the Gower Road Sanitary Sewer Extension Project completed in 2015. In addition, the Service Department checked references and received positive input regarding their prime contracting services.

Therefore, it is our recommendation that the contract be awarded to Henry W. Bergman, Inc. of Genoa, Ohio, in the amount of \$84,867.81.

Please call if you have any questions.

Sincerely,

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

ORDINANCE NO. 11-2019

**ACCEPTING THE BID OF HENRY W. BERGMAN, INC. AND
AWARDING THE CONTRACT FOR THE SILICA DRIVE
RESURFACING PROJECT TO SAME; AUTHORIZING THE
EXPENDITURE FOR THE IMPROVEMENTS IN THE AMOUNT OF
\$84,867.81; APPROPRIATING FUNDS THEREFORE; AND DECLARING
AN EMERGENCY.**

WHEREAS, plans for the Silica Drive Resurfacing Project have been completed and are now on file with the Clerk of this Council; and,

WHEREAS, the Clerk of Council was authorized to advertise for bids at the January 7, 2019 Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on January 30, 2019, and thereafter, the Director of Public Service, by report dated February 4, 2019, stated that the total engineer’s estimate for the Silica Drive Resurfacing Project was \$94,317 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Henry W. Bergman, Inc.	\$ 84,867.81
Gerken Paving	87,198.74
Crestline Paving	89,788.00

WHEREAS, the three (3) bids offered by the above bidders meet all of the City’s specifications and the Director of Public Service, by report dated February 4, 2019, has recommended acceptance of the lowest and best bid of Henry W. Bergman, Inc. and that the contract for the Silica Drive Resurfacing Project be awarded to same.

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

SECTION 1. That the bid of Henry W. Bergman, Inc., Genoa, Ohio for said Silica Drive Resurfacing Project, in the amount of Eighty-Four Thousand Eight Hundred Sixty-Seven and 81/100 Dollars (\$84,867.81), is hereby determined to be the lowest and best bid received and the same is hereby accepted.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to execute a contract with the bidder named in Section 1 above for the furnishing of such labor and materials in accordance with said bid.

SECTION 3. That to provide funds for said improvements hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements**, the total sum of Eighty-Four Thousand Eight Hundred Sixty-Seven and 81/100 Dollars (\$84,867.81).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the bid of Henry W. Bergman, Inc. should be accepted immediately so as to provide for the commencement of the Silica Drive Resurfacing Project at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2019, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



City Of Sylvania

DIVISION OF POLICE
WILLIAM H. RHODUS, CHIEF

January 31, 2019

To: The Mayor and Members of the City Council

Re: 2018 Law Enforcement Trust Fund Report
2018 Drug Law Enforcement Fund Report
2018 Federal Equitable Sharing Fund
2018 Property Seized/Forfeited Report

Pursuant to Section 2933.43 of the Ohio Revised Code I am submitting this report verifying that the property and revenue received and expended complies with Ohio Revised Code Section 2923.43, division policy, and resolutions 11-90 and 12-90.

Law Enforcement Trust Fund - Resolution 11-90 (account - 225)

<u>Revenue</u>	<u>Expenditures</u>	<u>2018 Ending Balance</u>
\$70,902.28 balance from 2017	\$-0- training	\$32,400.34
\$34,025.39 property/cash seizures	\$68,847.33 equipment	
\$ other miscellaneous	\$3,680.00 investigations	
	\$-0- other miscellaneous	

Drug Law Enforcement Fund - Resolution 12-90 (account - 226)

<u>Revenue</u>	<u>Expenditures</u>	<u>2018 Ending Balance</u>
\$16,373.18 balance from 2017	\$-0- training	\$10,919.21
\$2,961.09 Sylvania Court mandatory fines	\$7,285.00 equipment	
\$-0- Common Pleas Court mandatory fines	\$ investigations	
\$-0- other miscellaneous	\$1,130.00 other miscellaneous	

Federal Equitable Sharing Fund (account - 229)

<u>Revenue</u>	<u>Expenditures</u>	<u>2018 Ending Balance</u>
\$34,811.24 balance from 2017	\$-0- training	\$40,887.60
\$5,870.80 Federal (DEA) seizures	\$-0- equipment	
\$205.56 interest posted	\$-0- investigations	
\$-0- other	\$-0- leased vehicles	

Seized/Forfeited Property in 2018

Seized Property

\$25,389.84 add up all forfeited \$ or bond back property
\$14,211.05 add up all \$ seized this year
\$60.49 add up all returned cash

Non-cash Seizures

2004 Chevrolet Express G3500 - White Box Truck
VIN: 1GBJG31V0411

Disposition/Proceeds

\$13,690.30 Forfeit to PD account 225
\$39,216.05 Pending disposition
-0- Seized money returned to owner

Disposition

There were no other revenues, expenditures, or seizures during this reporting period.

Respectfully submitted,



William H. Rhodus
Chief of Police