

Sylvania City Council

October 7, 2019

6:30 p.m. Committee of the Whole

City Logo

7:00 p.m. Parks & Forestry Committee

Presentation from Ohio Environmental Council

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 September 16, 2019.
5. Chief Schnoor to introduce the new Police Captain Doug Hubaker.
6. Mr. Craig Findley, CEO of Venture Visionary Partners to thank City Council for the Job Creation Grant.
7. Proposed Resolution No. 12-2019, Accepting the amounts & rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.
8. Proposed Resolution No. 13-2019, Adopting a statement, pursuant to Revised Code of Ohio 709.03 (D), indicating what services will be provided to the area proposed to be annexed to the City of Sylvania. (Country Walk subdivision)
9. Proposed Ordinance No. 83-2019, Granting a license to Yee Properties, LLC to enter a portion of City owned right-of-way to install and maintain a patio. (Southeast corner of Main & Maplewood)
10. Harroun Road Traffic Impact Study.
 - a. Service Director's report on Study.
 - b. Proposed Ordinance No. 84-2018, Accepting the proposal of DGL Consulting Engineers to complete a Traffic Impact Study along the Harroun Road Corridor from the Ottawa River Bridge to Brint Road.

11. Notice of a new D1, beer for on premises consumption until 1:00 a.m., and D2, wine and certain prepackages mixed drinks until 1:00 a.m. permit from MC Khadra Chamoun LLC d/b/a Ammera Mediterranean Bistro, 5127 Main St., Sylvania, OH.
12. Revised Proposed Ordinance No. 79-2019, Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 131-Department of Law.
13. Committee reports.
 - a. Employee & Community Relations Committee held on 9/25/19.
 - b. Utilities Committee held on 9/30/19.
 1. Proposed Ordinance No. 85-2019, Authorizing to enter into a Uniform Water Purchase and Supply Agreement, on behalf of the City of Sylvania, Ohio, with the City of Toledo for a period of 40 years.
 - c. Parks & Forestry Committee held on this date.
14. Committee referrals.

INFORMATION

- A. September 2019 Cash Report from the Division of Taxation.
- B. September 2019 Bank Reconciliation.
- C. Sylvania Area Joint Recreation District Master Plan Executive Summary.

Minutes of the Meeting of Council
September 16, 2019

The Council of the City of Sylvania, Ohio met in regular session on September 16, 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, Mark Luetke, Patrick Richardson, Mary Westphal; (7) present; (0) absent.

Roll call:
All present.

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:

- 4a. Mr. & Mrs. Meadows questions regarding paintball issue.
- 12b. Ordinance No. 81-2019.
- 12c. Ordinance No. 82-2019.
- 12d. Reschedule Utilities Committee meeting.
- 12e. City logo report.
- 12f. Schedule a Parks & Forestry Committee meeting.
- 12g. Schedule an Employee & Community Relations Committee meeting.
- 14. Mayor's announcement.
- 15. Committee of the Whole Executive Session.

Mrs. Westphal moved, Mr. Luetke seconded to approve the agenda as amended; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, 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 3, 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 September 3, 2019 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
September 3
meeting
minutes.

Law Director Brinning reported on the Funigans/Quarryside HOA mediation regarding the paintball issue. Diane Meadows reported on paintballs in yards.

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

Service Director's report on the Centennial Crossings, Plat 5 project was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 76-2019, "Accepting the proposal of the Maakil Group, Ltd. to conduct Construction Engineering, Testing and Inspection Services for the Centennial Crossings Plat Five

Ordinance No.
76-2019,
"Engineering,
testing and

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Project; appropriating funds therefore in the amount of \$24,075; 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: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

inspection
svcs...
Centennial
Crossing, Plat
5....”

Mr. Richardson moved, Mr. Haynam seconded, that Ordinance No. 76-2019 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 77-2019, a written copy of same having been previously furnished to each member of Council, “Approving the banner application of the Sylvania Area Chamber of Commerce; authorizing the Zoning Administrator to indicate such approval on behalf of the City of Sylvania; and declaring an emergency.” Mr. Haynam moved, Mr. Frye seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No.
77-2019,
“Approving
banner
application...
Syl Chamber...”

Mr. Haynam moved, Mr. _____ seconded, that Ordinance No. 77-2019 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 78-2019, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to enter into an Economic Development Grant Agreement with Venture Visionary Partners; and declaring an emergency.” Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Ordinance No.
78-2019,
“Authorizing
Econ Dev.
Grant
Agreement...Ve
nture Visionary
Partners.....”

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance No. 78-2019 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal (7) yeas; (0) nays. The motion carried.

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

Mayor Stough stated additional review is needed by Administration before moving forward with proposed Ordinance No. 79-2019. Mayor Stough requested this matter be referred to the Employee & Community Relations Committee.

Mrs. Westphal moved, Mr. Frye seconded to refer proposed Ordinance No. 79-2019 to the Employee and Community Relations Committee, after additional review by Administration. Roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ord. No. 79-2019 referred to Emp & Com Relations Com.

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

Mayor Stough presented the Planning Commission's recommendation for Zoning Ordinance Amendment Application SUP-1-2019, from Shalom of the Pie, LLC, 8216 Erie Street, Sylvania, Ohio to amend the Special use for a change in hours and the use of the kitchen for catering. Mr. Haynam moved, Mr. Luetke seconded, to set the public hearing date for October 21, 2019 at 7:00 p.m., and authorize the clerk to advertise for same; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Public hearing for SUP-1-2019 set for Oct 21, 7:00 p.m.

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

Law Director Brinning reported on the Zoning Ordinance Amendment application ZA-1-2018, for property located at 4713 King Road from Bruce J. Fondren, Sr.

ZA-1-2018 Update.

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

Mr. Richardson moved, Mrs. Husman seconded to place the paint striper on GovDeals.com as it is no longer of use in the Street Department. Roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Approval of Paint Striper sale on GovDeals.com.

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

Mr. Luetke reported the Employee & Community Relations Committee held a meeting on September 10, 2019 to discuss the proposal from Environmental Design Group regarding the Downtown Master Plan and Market Analysis.

Rept. of Emp. & Com Relations Committee mtg.

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Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 80-2019, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Environmental Design Group to provide a Sylvania Downtown Master Plan and Market Analysis; appropriating funds therefore in an amount not to exceed \$26,103; and declaring an emergency." Mr. Luetke 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, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance No.
80-2019,
"...Sylvania
Downtown
Master Plan and
Market
Analysis...."

Mr. Luetke moved, Mr. Frye seconded, that Ordinance No. 80-2019 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Mr. Luetke set an Employee & Community Relations Committee meeting for September 25, 2019 at 5:00 p.m. in the Finance Conference room to discuss Council's appointment to the Board of Zoning Appeals.

Emp & Com
Relations Com
Mtg: 9/25/19
5:00 p.m.

Mr. Richardson reported the Streets Committee met on this date to discuss the petition to change the street name from Hickory Grove to Hickory Grove Road.

Rept. of Streets
Com re: street
name change...
Hickory Grove.

Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 81-2019, a written copy of same having been previously furnished to each member of Council, "Changing the street name of Hickory Grove to Hickory Grove Road in the City of Sylvania, Ohio; ordering the recording of a certified copy of the Ordinance changing the name of said Road; and declaring an emergency." Mr. Richardson moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No.
81-2019,
"Changing
street name
...Hickory
Grove Road...."

Mr. Richardson moved, Mrs. Westphal seconded, that Ordinance No. 81-2019 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

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Mr. Frye reported the Safety Committee met on this date to discuss the request for full-time Magistrate in the Municipal Court.

Rept. of Safety
Com. re: full-
time Magistrate.

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 82-2019, a written copy of same having been previously furnished to each member of Council, "Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Section 139.03(e)(3) to add the position of Full-time Magistrate for the Sylvania Municipal Court and to set the salary at \$91,520; and declaring an emergency." Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No.
82-2019,
"....add position
of full-time
Magistrate...."

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 82-2019 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Mrs. Westphal moved, Mr. Luetke seconded to reschedule the Utilities Committee meeting from September 23, 2019 to September 30, 2019 at 5:00 p.m. Roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Util. Com Mtg
rescheduled to
9/30/19;
5:00 p.m.

Mrs. Westphal moved, Mr. Haynam seconded to schedule a Public Meeting for September 30, 2019 at 6:00 p.m. to receive community comments on the Water Contract.

Public Meeting
Re: Water
Contract set
9/30/19, 6:00
p.m.

Mrs. Westphal provided an update on the City Logo. Council is in receipt of the colors, but waiting for the flag design to be completed.

City Logo
update.

Mrs. Cappellini moved, Mr. Richardson seconded to set a Parks & Forestry Committee meeting for October 7, 2019 at 7:00 p.m. to hear a presentation by Nick Mandros of the Ohio Environmental Council regarding natural parks and urban settings. Roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Parks &
Forestry Com
Mtg. set for
10/7/19, 7:00
p.m.

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

Mayor Stough announced that Mr. Luetke and Mrs. Husman will be honored at the Ray of Hope Awards for community service.

Mr. Luetke and
Mrs. Husman
honored at Ray
of Hope
Awards.

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

Mrs. Westphal moved, Mr. Richardson seconded to enter into Committee of the Whole Executive Session for the purpose of possible purchase of real estate at 8:39 p.m. Roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

COW Executive
Session Re:
possible real
estate purchase.

Mrs. Westphal moved, Mr. Richardson seconded to return from Executive Session to General Session at 9:06 p.m. Roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Mrs. Westphal moved, Mrs. Husman seconded to adjourn at 9:07 p.m. Roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Adjournment.

Clerk of Council

Mayor

7

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(CITY COUNCIL)

REVISED CODE, SECS. 5705.34-5705.35

The Council of the **City of Sylvania**, Lucas County, Ohio, met in _____ session on the
_____ day of _____ 20____, at the office of _____
with the following members present:

Mr/Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, The Budget Commission of Lucas County, Ohio, has certified its action thereon to this
Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by
this Council, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

RESOLVED, By the Council of the **City of Sylvania**, Lucas County, Ohio, that the
amounts and rates, as determined by the Budget Commission in its certification, be and the same are
hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of
each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A
SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY
BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Com- mission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund (CHARTER)	217,000	873,500	2.00	0.50
General Bond Retirement Fund	660,000			1.50
Police Pension	350,000	130,000	0.30	0.80
TOTAL	1,227,000	1,003,500	2.30	2.80

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)			
GENERAL FUND:					
Current Expense Levy authorized by voters on					
for not to exceed years. , 20					
Current Expense Levy authorized by voters on					
for not to exceed years. , 20					
Total General Fund Outside 10 mill Limitation.	0.50	217,000			
Park Fund: Levy authorized by voters on					
for not to exceed years.					
Total Police Pension Fund Outside Mills	0.80	350,000			
Total Bond Retirement Fund Outside Mills	1.50	660,000			
Total	2.80	1,227,000			

and be it further

RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of said County; and be it further

RESOLVED, That the Clerk of this 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.

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. 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 this Charter.

Vote dispensing with the Second and Third Readings: Yeas _____ Nays _____

_____ seconded the Resolution and the roll being called upon its adoption

the vote resulted as follows:

_____	Cappellini	_____
_____	Frye	_____
_____	Haynam	_____
_____	Husman	_____
_____	Luetke	_____
_____	Richardson	_____
_____	Westphal	_____

Adopted the _____ day of _____, 2019 as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

RESOLUTION NO. 13 -2019**ADOPTING A STATEMENT, PURSUANT TO REVISED CODE OF OHIO 709.03 (D), INDICATING WHAT SERVICES WILL BE PROVIDED TO THE AREA PROPOSED TO BE ANNEXED TO THE CITY OF SYLVANIA BY PETITION FOR ANNEXATION FILED WITH THE BOARD OF LUCAS COUNTY COMMISSIONERS; AND DECLARING AN EMERGENCY.**

WHEREAS, on September 9, 2019, this Council received notice from James E. Moan that he was the authorized agent for the petitioner of the territory sought to be annexed (approximately 22.845 acres) by a majority of owners of property in the Country Walk subdivision to the City of Sylvania filed with the Board of Commissioners of Lucas County, Ohio on August 5, 2019; and,

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

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

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

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

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

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

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

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

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

Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, 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

ORDINANCE NO. 83 -2019

GRANTING A LICENSE TO YEE PROPERTIES, LLC TO ENTER A PORTION OF CITY OWNED RIGHT-OF-WAY TO INSTALL AND MAINTAIN A PATIO; AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO SIGN THE LICENSE AGREEMENT; AND DECLARING AN EMERGENCY.

WHEREAS, Yee Properties, LLC/J & G Pizza Palace and Upside Brewing have requested a license over a portion of City right-of-way to install a patio on the north side of the building located at 5692 N. Main St., Sylvania, Ohio; and,

WHEREAS, the granting of said License Agreement as set forth in "Exhibit A" will permit Yee Properties, LLC/J & G Pizza Palace and Upside Brewing to properly install and maintain the patio at 5692 N. Main St., Sylvania, Ohio.

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

SECTION 1. That the License Agreement set forth above as "Exhibit A" is hereby granted and the Mayor and Director of Finance are hereby authorized to evidence the granting of said License Agreement by signing said Agreement on behalf of this City.

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 License should be granted forthwith so as to permit Yee Properties, LLC/ J & G Pizza Palace and Upside Brewing to install seating, countertops, planters and benches on the north side of 5692 N. Main St. 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

LICENSE AGREEMENT

This License Agreement is entered into between Yee Properties, LLC, 5692 N. Main St., Sylvania, Ohio 43560 and the City of Sylvania, 6730 Monroe Street, Sylvania, OH 43560. The purpose of this License Agreement is to permit Yee Properties, LLC/J & G Pizza Palace and Upside Brewing to install an outdoor dining patio for J & G Pizza Palace/Upside Brewing restaurant. The License Agreement is made subject to the conditions set forth below.

I. ACCESS

1. Yee Properties, LLC/Upside Brewing shall have access to the area legally described on the attached "Exhibit A."

II. SCOPE OF LICENSE

This License Agreement gives Upside Brewing the right to enter onto the property for the following purpose(s):

1. Installation and maintenance of an outdoor patio, as shown on the attached "Exhibit A" in the manner and design shown therein.

III. SITE CONDITION

Yee Properties, LLC/Upside Brewing shall conduct its activities in a manner so as to minimize the disturbance to existing site conditions. Any disturbance to the property resulting from Upside Brewing, LLC's activities shall be repaired or corrected promptly.

IV. INDEMNITY

1. Yee Properties, LLC, J & G Pizza Palace and Upside Brewing will indemnify and hold harmless the City of Sylvania from all actions, claims, demands, liabilities, and damages which may be imposed on or incurred by the City of Sylvania as a consequence of any act or omission on the part of Yee Properties, LLC, J & G Pizza Palace and Upside Brewing, or anyone acting on behalf of Yee Properties, LLC, J & G Pizza Palace and Upside Brewing, in the exercise of its rights under this License Agreement.
2. In the performance of its obligation hereunder, Yee Properties, LLC, J & G Pizza Palace and Upside Brewing will observe any and all local, state, and federal safety, health and environmental regulations which may be applicable. Yee Properties, LLC, J & G Pizza Palace and Upside Brewing shall indemnify the City of Sylvania from any losses, damages, claims or demands of whatever nature which might arise as a result of Yee Properties, LLC, J & G Pizza Palace and Upside Brewing's failure to observe any applicable safety, health, and environmental regulations.

V. GOVERNING LAW

The law of the State of Ohio shall apply to the interpretation of this License Agreement and to the resolution of any disputes arising out of the matter set forth herein.

VI. TERM OF LICENSE AGREEMENT

This License Agreement shall be effective on October 8, 2019 and shall continue in effect until October 7, 2024.

VII. TERMINATION OF LICENSE AGREEMENT

Either party may terminate this License Agreement prior to the expiration of the term set forth in Section VI above if the other party violates any condition of the License Agreement. Any termination hereunder shall be effective thirty days after written notification to the other party of such termination.

VIII. ASSIGNABILITY

This License Agreement is binding upon the parties, their successors in title or interest, assignees, and heirs.

Dated this _____ day of _____, 20____.

YEE PROPERTIES, LLC

By _____

By _____

CITY OF SYLVANIA

By _____
Craig A. Stough, Mayor

By _____
Toby A. Schroyer, Director of Finance

UPSIDE BREWING

By _____

By _____

STATE OF OHIO, COUNTY OF LUCAS, ss:

Before me appeared Craig A. Stough, Mayor and Toby A. Schroyer, Director of Finance on behalf of the City of Sylvania, a Municipal Corporation, who acknowledged that the execution of this License Agreement was their free act and deed, and the free act and deed of said Municipal Corporation this _____ day of _____, 2019.

Notary Public

STATE OF OHIO, COUNTY OF LUCAS, ss:

Before me appeared _____ and _____
as _____ and _____ of Yee Properties, LLC, who
acknowledged that the execution of this License Agreement was their free and deed, and the free
act and deed of said LLC this _____ day of _____, 2019.

Notary Public

STATE OF OHIO, COUNTY OF LUCAS, ss:

Before me appeared _____ and _____
as _____ and _____ of Upside Brewing who
acknowledged that the execution of this License Agreement was their free and deed, and the free
act and deed of said LLC this _____ day of _____, 2019.

Notary Public

This Instrument Prepared By:
Leslie B. Brinning, Director of Law
City of Sylvania
6730 Monroe St.
Sylvania, OH 43560
(419) 885-7865

109



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

October 7, 2019

To: The Mayor and Members of Sylvania City Council

Re: **Harroun Road Traffic Impact Study**

Dear Mr. Mayor and Council Members:

The Service Department is proposing that a traffic impact study be conducted along the Harroun Road corridor from the Ottawa River Bridge to Brint Road. The goal of this study is to analyze traffic and look for traffic calming measures to improve safety. Two areas of particular interest will be the Sylvania River Trail crossing south of the bridge and the main entrance to Flower Hospital.

The scope of work will include collecting traffic counting data using video counters at Ravine Drive, three (3) ProMedica driveways, and Brint Road. Hose counts will be collected at Oakland Court and Arrowhead Drive. Once the data is collected a traffic model will be created which will be used to evaluate countermeasures. Crash data will be collected and signalization warrants will be reviewed at all intersections. Once all the analyzation is complete a Traffic Study will be prepared with the recommended improvements established.

The City received a proposal from DGL Consulting Engineers, LLC to perform the traffic impact study in the amount of \$14,000. DGL is the current design engineer for the City working on the ODOT safety improvement project at Monroe Street & Harroun Road (LUC-CR-4-9.77, PID 109598). Traffic data collected with that project would be used as a supplement on this project.

The Service Department has reviewed 2019 capital improvement project expenses and has the necessary funds available to perform this project this year. As a result we would recommend approval of the DGL proposal in the amount of \$14,000. Please call with any questions.

Sincerely,

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



DGL Consulting Engineers, LLC
Providing civil engineering solutions since 1926.

October 2, 2019

Joe Shaw, PE, PS
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

Re: Traffic Impact Study – Harroun Road

Dear Mr. Shaw:

Please accept this proposal as DGL Consulting Engineers' (DGL) response to your request for a traffic impact study. The study area is located along Harroun Road in Sylvania, Ohio. Detailed Scope Information can be found within the attached document.

Thank you for the opportunity to participate in your proposal process. We look forward to working with you on this project as a complement to the Monroe Street and Harroun Road project. Please contact me directly should you have any questions related to the material included herein.

Sincerely,

DGL Consulting Engineers, LLC

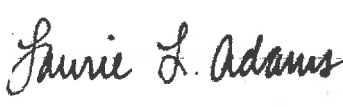
Laurie L. Adams, PE, PTOE, PTP
Managing Principal, Director of Traffic/Safety

T: 419.535.1015 Ext. 205 | C: 419.350.5834 | E: ladams@dgl-ltd.com

Cc: Corrinne Lochtefeld – DGL
Rick McGuckin – DGL
Amy Zimmerman - DGL

209-19260

An Agreement for the Provision of Limited Professional Services

Design Professional		Client	
DGL Consulting Engineers, LLC		City of Sylvania	
3455 Briarfield Blvd., Suite E		6730 Monroe Street	
Maumee, OH 43537		Sylvania, OH 43560	
Project Name		Project No.	
Traffic Impact Study – Harroun Road		209-19260	
Location	Sylvania, Ohio		
Scope of Services	See Scope of Services Attachment for definitions		
Fee Arrangement	Traffic Impact Study = \$14,000		
Retainer Amounts			
Special Conditions	If additional fee is required, DGL will request in writing.		
		Accepted by: (Client)	
		Signature	Date
		Craig A. Stough Mayor	
		Printed Name / Title Signature indicates the authority to bind the company to the terms herein	
Offered by:		Accepted by: Client	
			
Signature	Date	Signature	Date
Laurie L. Adams, PE, PTOE, PTP		Toby A. Schroyer	
Managing Principal/Director of Traffic & Safety		Finance Director	
Printed Name / Title		Printed Name / Title	
Signature indicates the authority to bind the company to the terms herein		Signature indicates the authority to bind the company to the terms herein	

The Terms and Conditions at the end of this price proposal are part of this Agreement.

Scope of Services

Background

A Traffic Impact Study (TIS) is requested to analyze traffic along Harroun Road in Sylvania, Ohio. The study area is Harroun Road from just south of Monroe Street to Brint Road and will include Ravine Drive and the ProMedica Drives. DGL will analyze the safety aspects of the Harroun Road and Sylvania River Trail crossing. The study will recommend safety measures to encourage traffic calming along Harroun Road.

Scope of Work

The following Scope of Work items are based on the industry standards for a Traffic Impact Study. The following items are proposed as noted in the request:

- **Traffic Data –**
 - Turning movement counts using video counters will be used at the following intersections:
 - Harroun Road & Ravine Drive
 - Harroun Road & ProMedica Drive 1
 - Harroun Road & ProMedica Drive 2 (Main)
 - Harroun Road & ProMedica Drive 3
 - Harroun Road & Brint Road
 - Hose counters to collect traffic data on Oakland Ct and Arrowhead Dr.
 - Data is already available for the Monroe & Harroun intersection. Harroun and Kroger will be changed to a Right In-Right Out drive with a future project. No additional information is required.
 - Please note that traffic data collection is weather dependent.
- **Traffic Model –** DGL will create a model showing existing traffic for the study area.
- **Traffic Analyses –** Investigate crashes along the corridor. Analyze ProMedica site drives and the nearest adjacent intersections for current and future year conditions, including the potential for different intersection layouts. A roundabout will be considered at the main hospital campus drive and will include Oakland Ct. Signal warrants will be performed as needed.
- **Multi-Use Path Crossing Analysis –** as part of the overall safety plan for the corridor, alternatives for a safer crossing will be investigated. This analysis will include data collection of the crossing and a review of various safety measures.
- **Traffic Study –** Prepare a traffic impact study for submittal to the City of Sylvania.
- **Meetings –** DGL will meet with the City and ProMedica to discuss various access alternatives.

Schedule

DGL is available to start this work immediately upon your authorization and can complete the study within six (6) weeks of the traffic data collection.

Assumptions

- The City will provide signal timing and other Harroun Road details.
- DGL will obtain the growth rate for the study area through TMACOG.

DGL CONSULTING ENGINEERS, LLC TERMS & CONDITIONS

Fee The total fee, except stated lump sum, shall be understood to be an estimate, based upon Scope of Service, and shall not be exceeded by more than ten percent, without written approval of the Client. Where the fee arrangement is to be on an hourly basis, the rates shall be those that prevail at the time services are rendered. Reimbursable expenses will include a mark-up of 1.10%. Any change in scope will be discussed prior to additional services being rendered.

Billings/Payments Invoices for services and reimbursable expenses shall be submitted, at the Design Professional's option, either upon completion of the services or on a monthly basis. Invoices shall be payable within 30 days after the invoice date. A service charge of 1.5% (or the maximum legal rate) per month will be applied to the unpaid balance after 30 days from the invoice date. Design Professional shall have the right to suspend/terminate services if payment is not received within 60 days after the invoice date and the Design Professional shall have no liability for any resultant delays or damages incurred by Client as a result of such suspension/termination. Retainers shall be credited on the final invoice. The Client agrees to pay all costs of collection, including reasonable attorney's fees.

Standard of Care In providing services under this agreement, the Design Professional will endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. Design Professional will perform its services as expeditiously as is consistent with professional skill and care and the orderly progress of Design Professional's part of the Project. Regardless of any other term or condition of this Agreement, Design Professional makes no express or implied warranty of any sort. All warranties, including warranty of merchantability or warranty of fitness for a particular purpose, are expressly disclaimed.

Consequential Damages Notwithstanding any other provision to the contrary, and to the fullest extent permitted by law, neither the Client nor the Design Professional shall be liable to the other for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or this Agreement. This mutual waiver of consequential damages shall include, but not be limited to, loss of use, loss of profit, loss of business or income or any other consequential damages that either party may have incurred from any cause of action whatsoever.

Hidden Conditions (*Optional, use if existing structure or project*) A condition is hidden if concealed by existing finishes or structure or is not capable of investigation by reasonable visual observation. If the Design Professional has reason to believe that a condition may exist, the Client shall authorize and pay for all costs associated with the investigation of such a condition. If (1) the Client fails to authorize such investigation after such notification, or (2) the Design Professional has no reason to believe that such a condition exists, the Design Professional shall not be responsible for the existing conditions or any resulting damages or losses resulting therefrom.

Hazardous Materials/Mold The Design Professional shall have no responsibility for the discovery, presence, handling, removal, disposal or exposure of persons to hazardous materials of any form including mold. The Design Professional shall have no responsibility for an existing or constructed building that may, as a result of post-construction, use, maintenance, operation or occupation, contain or be caused to contain mold substances which can present health hazards and result in bodily injury, property damage and/or necessary remedial measures and costs.

Indemnifications The Client agrees, to the fullest extent permitted by law, to indemnify and hold Design Professional and its subconsultants harmless from and against any and all damage, losses or cost (including reasonable attorneys' fees and defense costs) caused in whole or in part by its acts, errors or omissions and those of anyone for whom they are legally liable. The Design Professional further agrees, subject to Risk Allocation below, to indemnify the Client for damages to the extent arising from its own negligent errors acts or omissions.

Risk Allocation (*Fill in the amount*) 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 \$____,000 or the amount of the Design Professional's fee, whichever is greater.

Termination of Services This agreement may be terminated upon 10 days written notice by either party should the other fail to perform their obligations hereunder. In the event of termination, the Client shall pay the Design Professional for all services rendered to the date of termination, all reimbursable expenses, and reasonable termination expenses.

Betterment If a required item or component of the Project is omitted from the Design Professional's documents, the Design Professional shall not be responsible for paying the cost required to add such item or component to the extent that such item or component would have been included or required in the Design Professional's original documents. In no event will the Design professional be responsible for any costs or expense that provides betterment or upgrades or enhances the value of the Project.

Ownership of Documents All documents produced by the Design Professional under this agreement, including electronic files, shall remain the property of the Design Professional and may not be used by this Client for any other purpose without the written consent of the Design Professional. Any such use or reuse shall be at the sole risk of Client who shall defend, indemnify and hold the Design Professional and its subconsultants harmless from any and all claims and/or damages arising therefrom. Electronic files are not contract documents and cannot be relied upon as identical to contract documents because of changes or errors induced by translation, transmission, or alterations while under the control of others. Use of information contained in the electronic files is at the user's sole risk and without liability to Design Professional and its subconsultants.

Defects in Service The Client shall promptly report to the Design Professional any defects or suspected defects in the Design Professional's services. The Client further agrees to impose a similar notification requirement on all contractors in its Client/Contractor contract and shall require all subcontracts at any level to contain a like agreement. Failure by the Client and the Client's contractors or subcontractors to notify the Design Professional shall relieve the Design Professional of the costs of remedying the defects above the sum such remedy would have cost had prompt notification been given when such defects were first discovered.

Construction Activities The Design Professional shall not be responsible for the acts or omissions of any person performing any construction Work or for instructions given by the Client or its representatives to any one performing any construction Work, nor for construction means and methods or job-site safety.

Dispute Resolution Any claim or dispute between the Client and the Design Professional shall be submitted to non-binding mediation, subject to the parties agreeing to a mediator. If the Parties cannot agree upon a mediator the claim or dispute shall be submitted to the American Arbitration Association (AAA) for mediation in accordance with the Construction Arbitration and Mediation Rules of the AAA then in effect.

Relationship of the Parties All services provided by Design Professional are for the sole use and benefit of the Client. Nothing in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Design Professional.

Entire of Agreement This Agreement constitutes the entire agreement between the parties and these Terms & Conditions may only be amended by written agreement by both parties. Should any portion of this Agreement is found to be illegal or enforceable, such portion shall be deleted and the balance shall remain in effect.

Applicable Law The law applicable to this Agreement is the state of the Project location.

ORDINANCE NO. 84 -2019

ACCEPTING THE PROPOSAL OF DGL CONSULTING ENGINEERS TO COMPLETE A TRAFFIC IMPACT STUDY ALONG THE HARROUN ROAD CORRIDOR FROM THE OTTAWA RIVER BRIDGE TO BRINT ROAD; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$14,000; AND DECLARING AN EMERGENCY.

WHEREAS, due to the recent construction of Phase II of the Sylvania River Trail and the anticipated ODOT Safety Improvement Project at Monroe Street and Harroun Road, the Department of Public Service is recommending that a traffic study be performed for the Harroun Road corridor from the Ottawa River Bridge to Brint Road; and,

WHEREAS, the Director of Public Service has received a proposal from DGL Consulting Engineers to analyze traffic and propose traffic calming measures to improve safety, especially at the Sylvania River Trail crossing south of the bridge and the main entrance to Flower Hospital; and,

WHEREAS, the scope of work will include collecting traffic counting data, creating a traffic model to evaluate countermeasures, collect crash data and review signalization warrants at all intersections to complete a Traffic Study; and,

WHEREAS, the Director of Public Service has, by report dated October 7, 2019, recommended that the proposal of DGL Consulting Engineers, LLC to provide Professional Engineering Services for the Harroun Road Traffic Impact Study Project at a cost of Fourteen Thousand Dollars (\$14,000.00), be accepted.

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

SECTION 1. That the proposal of DGL Consulting Engineers in the amount Fourteen Thousand Dollars (\$14,000.00) for Professional Engineering Services relative to the Harroun Road Traffic Impact Study, is hereby accepted.

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

SECTION 3. That to provide funds for said engineering services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401- 7610-53503 Street Improvements**, the amount of Fourteen Thousand Dollars (\$14,000.00).

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

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

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

RECEIVED

OCT 02 2019

NOTICE TO LEGISLATIVE
AUTHORITY

CITY OF SYLVANIA
CITY COUNCIL

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

6276876		NEW	NC KHADRA CHAMOUN LLC DBA AMMERA MEDITERRANEAN BISTO 5127 MAIN ST SYLVANIA OH 43560
PERMIT NUMBER		TYPE	
ISSUE DATE			
09 24 2019			
FILING DATE			
D1 D2			
PERMIT CLASSES			
48	077	A	C52542
TAX DISTRICT			RECEIPT NO.

FROM 09/27/2019

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 09/27/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/28/2019

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 6276876**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF SYLVANIA CITY COUNCIL
6730 MONROE ST
SYLVANIA OHIO 43560

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. For best results, search only **ONE** criteria at a time. If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA**Permit Number**

6276876

Permit Name / DBA**Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 6276876; Name: NC KHADRA CHAMOUN LLC; DBA: DBA AMMERA MEDITERRANEAN BISTO; Address: 5127 MAIN ST SYLVANIA 43560		
NASSIF CHAMOUN	MANAGE MEM	CEO

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)

12

ORDINANCE NO. 79 -2019

**REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND
DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED
ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED
ORDINANCE CHAPTER 131 – DEPARTMENT OF LAW; AMENDING
SYLVANIA CODIFIED ORDINANCE SECTION 139.03(e)(3) TO SET THE
SALARY OF THE PROSECUTOR AT \$75,000 ANNUALLY; AND
DECLARING AN EMERGENCY**

WHEREAS, the Director of Law has recommended that the Division of Prosecution be re-organized as set forth on the attached "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 Section 131.01 of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached "Exhibit A."

SECTION 2. That Section 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached "Exhibit B."

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the re-organization to the Prosecutor's Office structure and salary should be made 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 this 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

131.01

DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION;
CONSULTANT EXPENSE REIMBURSEMENT.

* * * * *

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

* * * * *

(Ord. ____-2019. Passed ____-2019.)

“Exhibit A”

139.02(e)(3) Compensation for elective and appointive officials. The following elective and

appointed officials which are not otherwise provided for in this chapter shall be compensated as follows:

TITLE

RATE

* * *

Prosecutor

\$75,000 annually commencing October 8, 2019 and thereafter.

* * *

“Exhibit B”

ORDINANCE NO. 85 -2019**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE
TO ENTER INTO A UNIFORM WATER PURCHASE AND SUPPLY
AGREEMENT, ON BEHALF OF THE CITY OF SYLVANIA, OHIO,
WITH THE CITY OF TOLEDO FOR A PERIOD OF 40 YEARS; AND
DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 85-2008, passed by Sylvania City Council on September 15, 2008, authorized the Mayor and Director of Finance to enter into a Water Agreement with the City of Toledo for a period of 20 years commencing July 24, 2008; and,

WHEREAS, beginning in 2016, the Toledo Metropolitan Area Council of Governments ("TMACOG") studied and proposed a regional water authority; and,

WHEREAS, in 2018, the Toledo Regional Chamber of Commerce retained a consultant, on behalf of the region, to facilitate the continued negotiations and establishment of a regional water authority which was ultimately not approved by the City of Toledo; and,

WHEREAS, although those negotiations were unsuccessful in establishing the Toledo Area Water Authority, the City of Toledo did move forward with establishing a Regional Water Commission as a charter amendment that was approved by the voters of the City of Toledo on November 6, 2018; and,

WHEREAS, following approval of the Charter Amendment, the City of Sylvania, together with the Cities of Maumee and Perrysburg, Northwest Water and Sewer District, Lucas County, Fulton County, Monroe County on behalf of the South County Water System and the Village of Whitehouse continued negotiations with the City of Toledo for the provision of water; and,

WHEREAS, among other things, the proposed Uniform Water Purchase and Supply Agreement: i. establishes the Regional Water Commission ; ii. sets forth the methodology for

setting both the Wholesale and Retail Rates, and requires the Wholesale Rate be less than the First Block Retail Rate, inclusive of the Fixed Cost Rate; iii. requires that the capital needs of the system, including redundancy, be considered in recommending the wholesale rate and that such rate provides for the payment of debt service; and,

WHEREAS, Toledo City Council passed Ordinance No. 417-19 on September 3, 2019 to authorize Mayor Wade Kapszukiewicz to enter into the Uniform Water Purchase and Supply Agreement on behalf of the City of Toledo and requested the other Contracting Jurisdictions take action on or before October 18, 2019 to provide for the establishment of new rates effective January, 2020; and,

WHEREAS, at the September 3, 2019 meeting of Sylvania City Council, the proposed Uniform Water Purchase and Supply Agreement was referred to the Utilities Committee for their review and recommendation; and,

WHEREAS, the Utilities Committee met on September 30, 2019 to review the proposed Agreement and also held a Public Comment meeting on September 30, 2019; and,

WHEREAS, the proposed Uniform Water Purchase and Supply Agreement 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 be, and they hereby are authorized to enter into a Uniform Water Purchase and Supply Agreement with the City of Toledo on behalf of the City of Sylvania as attached hereto as "Exhibit A."

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 Uniform Water Purchase and Supply Agreement should be entered into at the earliest possible time prior to the City of Toledo deadline of October 18, 2019. 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 TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

A

October 1, 2019

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, 2019	\$	1,080,324.33	\$	7,417.09	\$	1,072,907.24
September 30, 2018	\$	1,061,088.72	\$	10,476.13	\$	1,050,612.59
		<hr/>		<hr/>		<hr/>
Monthly Difference	\$	19,235.61	\$	(3,059.04)	\$	22,294.65
Year to Date 2019	\$	8,963,218.29	\$	240,778.16	\$	8,722,440.13
Year to Date 2018	\$	8,342,339.45	\$	224,525.88	\$	8,117,813.57
		<hr/>		<hr/>		<hr/>
Yearly Difference	\$	620,878.84	\$	16,252.28	\$	604,626.56
						7.45%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

City of Sylvania
Bank Reconciliation
September 2019

B

Ending balance for August 2019	29,052,285.26
Add: Monthly Receipts	<u>2,428,067.26</u>
Subtotal	\$ 31,480,352.52
Less: Monthly Disbursements	<u>2,683,548.78</u>
Ending balance for September 2019	\$ 28,796,803.74

Less:

CD Metamora Bank	\$ (2,112,763.72)
Star Ohio	(81,316.55)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
Key Bank Securities	(8,165.03)
5/3rd Securities	(7,905,382.05)
SJS Account	(5,716,958.08)
Morgan Stanley Investment	(200,000.00)
USB Financial	(3,988,821.98)
First Federal Bank (CD)	(2,031,013.65)
Key Bank (CD)	(1,014,895.83)
Sylvania Township Bonds	(305,000.00)
	\$ 5,397,570.81

Bank Error 9/12/19	28.38
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	\$ 5,397,599.19
(1)	
Division of Public Service	\$ 150.00
Department of Finance	100.00
Division of Water	600.00
Division of Police	200.00
Municipal Court	700.00
Division of Taxation	150.00
Division of Forestry	150.00

Petty Cash Balance	\$ 2,050.00
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BANK BALANCE

EOM 5/3rd Bank Balance	\$ 6,224,306.53
Deposit in Transit:	
Income Tax	19,202.31
General Deposit	7,421.23

Subtotal	\$ 6,250,930.07
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Less: Outstanding Checks (2)	853,330.88
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Adjusted Bank Balance	\$ 5,397,599.19
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(2)	
August Outstanding Checks	\$ 161,635.99

Checks written this month	1,822,864.93
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Voided check #74663 dtd 8/26/19	(60.00)
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Subtotal	\$ 1,984,440.92
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Checks Cleared this month	<u>(1,131,131.07)</u>
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September Outstanding Checks	\$ 853,309.85
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Toby Schroyer

Toby Schroyer
Director of Finance, City of Sylvania

MASTER PLAN

SYLVANIA AREA JOINT RECREATION DISTRICT



EXECUTIVE SUMMARY



JULY 2019

INTRODUCTION



Sylvania Area Joint Recreation District (SAJRD) desired to develop a master plan to lead the District forward. The plan, which will provide a 10-year vision for SAJRD, includes research, public involvement, and the development of recommendations with a focus on capital improvements of facilities.

SAJRD is one of six recreation districts in the state of Ohio and in its 31st year of operation. The organization is funded through a special recreation tax levy and user fees. The board and staff provide great leadership to the organization driven by the desire to be the best in the region when delivering recreation facilities and services to the community.



GOALS

Key goals of the Master Plan include:

1

Engage the community, leadership, and stakeholders through innovative public input to build a shared vision for parks, recreation programs, and facilities in Sylvania.

2

Utilize a wide variety of data sources and best practices, including a statistically valid survey, to project trends and patterns of use and determine how to address unmet needs.

3

Develop unique Level of Service Standards to guide appropriate future actions regarding parks, recreation programs, and facilities that reflect SAJRD's strong commitment when providing high quality recreation activities for the community.

4

Shape financial and operational preparedness through **innovative "next" practices** to aid in the achievement of the recommended strategic objectives.

5

Develop a dynamic, achievable **strategic action plan that outlines a road map** to ensure long-term success and financial sustainability for the SAJRD's parks, recreation programs and facilities when completed.



PROCESS

The SAJRD Master Plan followed a process of data collection, public input, assessment of existing conditions, market research, and open dialogue with local leadership and key stakeholders. The project process followed a planning path, as illustrated below:



Where Are We **TODAY?**

- Site and facility assessments
- Programs and services assessments
- Levels of services standards
- GIS mapping



Where Are We Going **TOMORROW?**

- Community needs analysis
- Demographics & trends analysis
- Benchmarking & comparative analysis



How Do We Get **THERE?**

- Needs prioritization
- Capital improvement planning
- Maintenance & operations planning
- Funding and revenue planning
- Strategic action plan

COMMUNITY ENGAGEMENT

Understanding the Districts representatives', stakeholders' and citizens' goals and desires for parks, facilities, and programming created a clear vision for future planning. Over 1,400 community members participated in the Master Plan's community engagement process; representing a variety of interest, influence, and perspective within the District.



70+

Individuals participated in focus groups and stakeholder interviews

The feedback recieved from community members was critical to the discovery phase of the process and many themes emerged in these meetings that help influence recommendations



1,347

Residents participated in a statistically-valid survey, online survey and a youth survey

Results from the surveys help identify key issues and priorities for community members concerning parks, recreation facilities and programs

HIGH PRIORITIES FOR INVESTMENT

Recreation Facilities

- Indoor walking tracks
- All-inclusive aquatic facility
- Hike/bike paths
- Indoor fitness centers
- Indoor lap lanes for swimming

Recreation Programs

- Adult fitness and wellness programs
- Special events
- Outdoor recreation/adventure programs
- Adult enrichment programs
- Senior programs
- Family programs

KEY ISSUES

The following are key issues that the Master Plan addressed based on an assessment of the four key areas. These include Facilities and Amenities Issues, Program Issues, Marketing Issues, and Operations and Finance Issues that the Master Plan addressed.

These issues were identified from interviews with key stakeholders, the community, staff, and consultant observations from all the pieces of work that were completed as part of developing this Master Plan for the SAJRD.

FACILITIES AND AMENITIES

- Some major infrastructure improvements need to occur at key facilities to keep them fresh and marketable.
- An indoor pool that is not competition driven is needed in the system.
- Facility planning and relationship building need to take place between the school district, the recreation district, Olander Parks and Toledo Metroparks.
- Evaluate the cost benefit of making improvements before they are made should be addressed.
- Design facilities for revenue needs to be front and center on all improvements.
- Older facilities that are not meeting the community expectations need to be assessed to determine the value of repurposing those sites.
- There is a desire for a dog park in the system.
- The fieldhouse for basketball and volleyball could be expanded to accommodate more use.
- The financial feasibility of creating a multi-generational community center should be explored.
- Potential for increased ice time is necessary.

PROGRAMS

- Prioritize additional core programs that focus on activities for adults in fitness and wellness, community-wide special events, outdoor recreation and adventure, adult enrichment, seniors, and family related programs.
- Enhance data to understand how program participants are being served.
- Need good data for knowing the true cost of service provided.
- There is a lack of indoor space for wellness and fitness (cardio, free weights, group), aquatics, gym space, and sports beyond ice hockey and soccer.
- There is a lack of quality swim programs for people of all ages through indoor aquatic facilities.
- Need to track program outcomes to ensure programs are as efficient and effective as possible.

MARKETING

- Residents desire to hear about SAJRD from email, website, newspaper, direct mail, and Facebook.
- Forty-seven percent (47%) of residents don't know when, what, and where programs are offered in the District.
- More marketing of new programs for seniors and aquatics is desired.
- Thirty-one percent (31%) of residents see marketing of services as a major issue the District needs to address.
- Address re-positioning of the District brand.
- Address easier registration for programs based on public input.
- Update website navigation and information.
- Need to create a formalized marketing and budget plan.
- Address how to work with parent organizations and school systems to get information to parents.

OPERATIONS AND FINANCING

- There is a need for more earned income options for the District to consider helping offset operational costs.
- There is a need for a capital improvement levy to maintain what the District already owns and to build new indoor and outdoor aquatics spaces for wider age segment of users.
- The community doesn't know or understand the financial makeup of the District.
- An updated pricing policy needs to be addressed.
- Development of mini business plans for destination facilities needs to be considered to maximize revenue and use.
- Consideration for developing a business development strategy needs to be considered.
- There is no economic impact of sports facility users to use to demonstrate the economic values of those activities to the community and the District.
- A recreation and park foundation should be considered to help finance the system in the future.
- There is a lack of corporate partners in the system to help finance the elements of the system such as destination attractions and events.



IMPLEMENTATION

COMMUNITY VISION

Vision Statements specific to Parks, Facilities and Amenities, Programs, Marketing, and Operations and Finance are community ideals for the District to strive towards.



PARKS, FACILITIES AND AMENITIES

"Our vision for park facilities and amenities is to maximize use of existing recreation the facilities to accommodate a wider level of participants and/or to build new facilities that the community desires and will support financially."



PROGRAMS

"Our vision for Recreation Programs it to provide quality recreation experiences and be the leader in all core programs in the City and Township of Sylvania that reaches all age groups."



MARKETING

"Our vision for Marketing of Services is to be as customer friendly and to reach out to all age segments in the community to promote the services provided by the District."



OPERATIONS AND FINANCE

"Our vision for Operations and Finance is to be fiscally sustainable and to minimize the dependence on taxpayer support."

STRATEGIES

These strategies represent the major ideas or philosophies recommended by the consulting team that are required by the municipality to implement the Master Plan

FACILITIES AND AMENITIES

- Develop an updated facility use assessment study to evaluate how to increase participation and provide a wider level of age group users in existing facility spaces.
- Develop a feasibility study for a new indoor aquatic facility/ community center.
- Develop a mini business plan for the Centennial Terrace Event Center.
- Develop a business plan for the Centennial Quarry to maximize the site as an outdoor adventure facility.
- Consider the development of a pay to use dog park to draw new users to the park system and address a public need for the community.
- Consider the development of a multi-generational center that can support fitness and wellness, active seniors, a walking track with sports courts and an indoor pool to meet the community's desire for quality indoor space.

PROGRAMS

- Develop six additional core program areas over the next five years to include programs for adults in fitness and wellness, community-wide special events to unite the community, outdoor adventure, adult enrichment, seniors, and family related programs.
- Improve the collection of data to help the board and key leaders in the District to make sound decisions on what facilities to develop or enhance to maximize use and value.
- Develop a true cost of service assessment on all programs and facilities the District operates and price services based on a cost recovery goal once true costs are determined.
- Develop an updated aquatic swim program based on the results of the citizen surveys.
- Develop program outcomes and measures that are efficiency based on cost of service and quality of the experience.

STRATEGIES

MARKETING

- Develop a marketing plan to reach all segments of the residents in the city and township of the services and facilities provided by the District.
- Enhance operational dollars with a promotional piece at least one time a year to be distributed to every household in the District. This communication will focus on the services provided and include the District's annual report.
- Enhance the website to make it more user friendly and informative.
- Develop a marketing strategy to educate the community toward how the District operates and is financed to help the community understand this element of the organization.

OPERATIONS AND FINANCE

- Develop new earned income option for the District.
- Develop a financial campaign to update existing facilities and build a new aquatic center or multi-generational facility that includes a pool.
- Develop a Park and Recreation Foundation.
- Create a business development staff position to help with generating new earned income.
- Develop a cost of service program to track direct and indirect costs and then develop a pricing policy around cost recovery goals for programs and facilities.
- Develop an economic impact plan for the District to demonstrate to key leaders the financial value it brings to the community each year. Use the plan to promote the values of future investment in the District.
- Seek new corporate partners to help bring greater awareness to the District at the sports complexes, indoor spaces, and Centennial Terrace.



**Recreation
District**