

**Sylvania City Council**  
January 6, 2020

**7:00 p.m. Public Hearing**  
PD-1-2019 – Sylvania Place Apartments

**7:30 p.m. Council Meeting**  
Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mr. McCann, Mr. Richardson, Ms. Stough, Mrs. Westphal
2. Pledge of Allegiance to the United States of America led by Mr. Richardson.
3. Additions to the agenda.
4. Approval of the council meeting minutes:
  - a. Regular meeting of 12/16/19.
  - b. Organizational Meeting of 1/2/20.
5. Report from Public Hearing on PD-1-2019 from this date.
  - a. Certificate of Notice.
6. Downtown Sylvania Association Parklet – License Agreement.
  - a. Service Director’s report on Agreement.
  - b. Proposed Ordinance No. 1-2020, Granting a License to the Downtown Sylvania Association to enter a portion of city owned right-of-way to install and maintain two parklets.
7. Harroun Park Bioretention and Stream Restoration project.
  - a. Service Director’s report on project.
  - b. Request that the Clerk of Council be authorizing to advertise for Request for Qualifications for Design-Build Service.
8. Proposed Resolution No. 1-2020, Designating the Clerk of Council as the Mayor and City Council’s designee to attend training programs about Public Records Law.
9. Liquor Permit Notice of a D1, beer for on premises consumption until 1:00 a.m., D2, wine and certain prepackages mixed drinks until 1:00 a.m., and D3, Spirituous liquor for on premises consumption only until 1:00 a.m. from Element 112, LLC d/b/a Element 112, 5737 N. Main St., Sylvania, OH.
10. Confirmation of Mayor Stough’s appointments, Carol Lindhuber and Kathleen Fisher to the Municipal Planning Commission of Sylvania.

11. Proposed Resolution No. 2-2020, Re-appointing Katie Cappellini to the Board of Trustees of Sylvania Area Joint Recreation District (SAJRD), she being a member of the Council of this appointing Political Subdivision, for the full calendar year of 2020; and declaring an emergency.
12. Committee reports.
13. Committee referrals.
  - a. Review and update of Downtown Banner & Decorations Policy.

### **INFORMATION**

- A. December 2019 Income Tax Report.

Minutes of the Meeting of Council  
December 16, 2019

The Council of the City of Sylvania, Ohio met in regular session on December 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, Mary Westphal; (6) present; Patrick Richardson, (1) 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. Funigan's Paintball report.

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

Agenda  
approval.

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

Mr. Luetke presented the December 2, 2019 meeting minutes. Mr. Luetke moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of December 2, 2019 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the  
December 2  
meeting  
minutes.

Mayor Stough stated progress is being made for a positive settlement for the Funigan's paintball legal action.

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

Mayor Stough presented proclamations to Council members Mark Luetke and Sandy Husman for their years of service to the City of Sylvania, and Sister City Commission member, John Bolster.

Proclamations:  
Luetke,  
Husman,  
Bolster.

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

Service Director's report on Engineering Services Agreement-Norfolk Southern Railway Company regarding the Monroe & Silica Improvement project was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 99-2019, 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 agreement for preliminary engineering services with Norfolk Southern Railway Company relative to the Monroe & Silica Improvement project; appropriating fund therefore in the amount of \$38,142; and declaring an emergency." Mr. Frye moved, Mrs. Husman seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call

Ordinance No.  
99-2019,  
"..engineering  
services with  
Norfolk  
Southern...  
Monroe & Silica  
Improvement  
project...:

Minutes of the Meeting of Council  
December 16, 2019

vote being: Haynam, Husman, Luetke, Westphal, Cappellini, Frye, (6) yeas; (0) nays.  
The motion carried.

Mr. Frye moved, Mr. Luetke seconded, that Ordinance No. 99-2019 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

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

Service Director Service Director's report on the River Trail Phase 2 Change Order No. 4 (Final) was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 100-2019, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve Change Order No. 4 (Final) to this City's agreement with Miller Brothers Construction, Inc. for the River Trail Phase 2 Project which reflects the final installed quantity and contingency quantity adjustments; decreasing the contract amount by \$16,744.14; and declaring an emergency." Mrs. Cappellini moved, Mr. Hayman seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Husman, Luetke, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

Ordinance No. 100-2019, Authorizing CO No. 4 (Final)...River Trail Phase 2 Project...."

Mrs. Cappellini moved, Mrs. Westphal seconded, that Ordinance No. 100-2019 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

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

Service Director's report on the Harroun Park Invasive Species Treatment project was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 101-2019, 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 the Nature Conservancy to provide invasive species treatments in Harroun Park; appropriating funds therefore in an amount not to exceed \$41,000; 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: Westphal, Cappellini, Frye, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Ordinance No. 101-2019, "Accept Nature Conservancy... Invasive species treatments... Harroun Park..."

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 101-2019 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Westphal, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, the proposed Ordinance No. 102-2019, 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 agreement, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of Public Defender Services to the Sylvania Municipal Court for the year 2020; 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: Frye, Haynam, Husman, Luetke, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Ordinance No.  
102-2019;  
"...2020  
Public Defender  
Services...."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 102-2019 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

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

Mrs. Husman presented and read aloud by title only, the proposed Ordinance No. 103-2019, 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 agreement on behalf of the City of Sylvania between the City of Sylvania and the Board of Lucas County Commissioners, for the Suburban Court Services Program: agreeing to participate in funding a portion of the local share for suburban courts' services; appropriating \$25,000 therefore; and declaring an emergency." Mrs. Husman moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Husman, Luetke, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

Ordinance No.  
103-2019,  
".....Suburban  
Court Services  
for 2020...."

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance No. 103-2019 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, the proposed Ordinance No. 104-2019, a written copy of same having been previously furnished to each member of Council, "To make certain adjustments to account allocations within the Fund Appropriations for the Fiscal year ending December 31, 2019; and declaring an emergency." Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Westphal,

Ordinance No.  
104-2019;  
"...adjustments  
to Fund  
Appropriations  
for FY ending

Minutes of the Meeting of Council  
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Cappellini, Frye, Haynam, Husman, Luetke, (6) yeas; (0) nays. The motion carried. 12/31/19.....”

Mrs. Westphal moved, Mr. Frye seconded, that Ordinance No. 104-2019 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Westphal, (6) yeas; (0) nays. The motion carried.

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

Mr. Luetke presented and read aloud by title only, the proposed Ordinance No. 105-2019, a written copy of same having been previously furnished to each member of Council, “Making certain position and compensation pay plan changes making certain salary, wage and other service compensation adjustments to the Codified Ordinances of Sylvania, 1979, as amended, and other ordinances; by granting pay increases to the appointed officials whose titles are listing in Section 139.03(e)(3), by granting a tow and one-half percent (2.50%) pay increase to all non-union city employees and court employees whose positions are included in the list of occupational titles of Section 139.02(a) of the Codified Ordinance of Sylvania which increase is reflected in the annual wage rate Schedule 4 of Section 139,10(D) of the Sylvania Codified Ordinances; by granting pay increases for some of the employees in the labor and trades supervision group; and declaring an emergency. .” Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried. Ordinance No. 105-2019; “making certain pay plan changes...”

Mr. Luetke moved, Mrs. Westphal seconded, that Ordinance No. 105-2019 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

Mr. Luetke introduced the new Sister City Commission Chair, Dan Marsalek and Vice Chair, Austin Serna. Sister City Introductions.

Mr. Luetke moved, Mrs. Husman seconded to adjourn at 8:20 p.m. Roll call vote being: Haynam, Husman, Luetke, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried. Adjournment.

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Clerk of Council

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Mayor

Minutes of the Meeting of Council  
Organizational Meeting  
January 2, 2020

Mayor Craig A. Stough called the Organizational Meeting of Council for the 2020 – 2021 term to order on Thursday, January 2, 2020 at 12:00 p.m. Present were: Katie Cappellini, Mark Frye, Doug Haynam, Brian McCann, Patrick Richardson, Lyndsey Stough, Mary Westphal.

Call to Order.

Judge Michael A. Bonfiglio administered the Oath of Office to the Council Members-Elect who were duly elected at the General Election on November 5, 2019, and not previously sworn-in: Mark Frye, Douglas Haynam, Brian McCann and Lyndsey Stough. Immediately thereafter the members signed written Oaths of Office for filing with the Director of Finance.

Council members sworn in.

Mrs. Westphal moved, Mr. Haynam seconded that Council hereby determines it is duly constituted of elected and qualified members consisting of Katie Cappellini, Mark Frye, Douglas Haynam, Brian McCann, Patrick Richardson, Lyndsey Stough, and Mary J. Westphal; roll call vote being, Cappellini, Frye, Haynam, McCann, Richardson, Stough, Westphal (7) yeas; (0) nays. The motion carried.

Council duly constituted of elected and qualified members.

Mayor Stough stated that Council will now consider the selecting of the Office of President of Council for the 2020-2021 term. Mr. Haynam moved, Mr. Frye seconded, to nominate Mary Westphal as President of Council; roll call vote being: Cappellini, Frye, Haynam, McCann, Richardson, Stough, Westphal (7) yeas; (0) nays. The motion carried.

Westphal elected President of Council for the 2020-2021 term.

Mrs. Westphal presented the List of Committee assignments for 2020-2021.

2020-2021 Committee Assignments.

**ANNEXATION & ZONING**

Doug Haynam, Chair  
Katie Cappellini  
Lyndsey Stough  
Mary Westphal

**BUILDINGS & GROUNDS**

Lyndsey Stough, Chair  
Katie Cappellini  
Patrick Richardson  
Mark Frye

**EMPLOYEE & COMM. RELATIONS**

Patrick Richardson, Chair  
Katie Cappellini  
Doug Haynam  
Brian McCann

**FINANCE**

Mary Westphal, Chair  
Mark Frye  
Doug Haynam  
Patrick Richardson

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**PARKS & FORESTRY**

Katie Cappellini, Chair  
Doug Haynam  
Lyndsey Stough  
Brian McCann

**STREETS**

Mary Frye, Chair  
Patrick Richardson  
Doug Haynam  
Mary Westphal

**SAFETY**

Mary Westphal, Chair  
Mark Frye  
Brian McCann  
Lyndsey Stough

**UTILITIES &  
ENVIRONMENT**

Brian McCann, Chair  
Katie Cappellini  
Mark Frye  
Patrick Richardson

Mr. Haynam moved, Mr. McCann seconded to confirm the Council Committee Assignments as presented by Mrs. Westphal; roll call vote being, Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that this concludes the Organizational Meeting of Council for the 2020-2021 term. Mrs. Westphal moved, Mr. Haynam seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 12:09 p.m.

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Clerk of Council

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Mayor



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# City Of Sylvania

SYLVANIA CITY COUNCIL  
SHARON M. BUCHER, CLERK

To: Mayor Craig A. Stough and Members of City Council

From: Sharon Bucher, Clerk of Council

### Certificate of Notice

PD-1-2019  
Zoning Change from B-2 to R-4  
3921 & 3859 Sylvan Lakes Blvd.  
Sylvania, Ohio 43560

The undersigned Clerk of Council hereby certifies as follows:

- A. Thirty (30) days of time and place of public hearing was published in the The Blade on November 27, 2019.
- B. Written notice of hearings were mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed as follows:

<u>Owner</u>	<u>Property Address</u>	<u>Owner Address</u>
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See attached List.

<i>Sharon Bucher</i>	<i>11/27/19</i>
Clerk of Council	Date

PD-1-2019  
 3921, 3859 Sylvan Lakes Blvd.

Owner	Property Address	Mailing Address
SYCAMORE INVESTMENTS LLC	7755 W SYLVANIA AVE	43560 7755 W SYLVANIA AVE
SYLVAN KING INVESTORS LTDAN OHIO LIMITED	3860 SYLVAN LAKES BLV	43560 5800 MONROE ST BLDG F
BROOKS HOLDING LLC	7561 SYLVANIA AVE	43560 1656 HENTHORNE DR STE 200
PAULSEN MICHAEL B & BRENDA S TRUSTEES	7575 SYLVAN TOWNE D	43560 7575 SYLVAN TOWNE DR
MARKSCH KEITH L	7651 W SYLVANIA AVE	43560 7651 W SYLVANIA AVE
BOARD OF LUCAS COUNTY COMMISSIONERS	3750 SILICA RD	43560 ONE GOVERNMENT CTR #800
SYLVAN LAKES APARTMENTS LLC AN OHIO LLC	0 SYLVAN LAKES BLVD	43560 1090 W SOUTH BOUNDARY 100
HUNTZINGER PROPERTIES LIMITED	3924 SYLVAN LAKES BLV	43560 3924 SYLVAN LAKES BLVD
EVENT METAL DETECTORS LLCAN OHIO LIMITEI	3842 SILICA RD	43560 6626 MONROE ST
CLEMENS PROPERTY INVESTMENTS LLC	3836 SILICA RD	43560 3844 SILICA RD
NOVENOGA LLC AN OHIO LIMITED LIABILITY C	7616 KINGS POINTE RD	43617 28500 LEMOYNE RD
BUCKEYE 7 LLC AN OHIO LLC	7558 KINGS POINTE RD	43617 P O BOX 351176
INTEGRITY PLACE PROPERTIES,LLC AN OHIO L	7668 KINGS POINTE RD	43617 7668 KING'S POINTE RD
TIDEWATER CAPITAL LLC AN OHIO LIMITED LI	7644 KINGS POINTE RD	43617 7659 KINGS POINTE RD
CONDON & LUTTON PROPERTIES LLC	7558 KINGS POINTE RD	43617 7558 KINGS POINT RD
KREGER JAMES C	7584 KINGS POINTE RD	43617 7584 KINGS POINTE RD
		SYLVANIA OH 43560
		SYLVANIA OH 43560
		MAUMEE OH 43537
		SYLVANIA OH 43560
		SYLVANIA OH 43560
		TOLEDO OH 43604
		PERRYSBURG OH 43551
		SYLVANIA OH 43560
		SYLVANIA OH 43560
		SYLVANIA OH 43560 9520
		MILLBURY OH 43447 9431
		TOLEDO OH 43635
		TOLEDO OH 43617
		TOLEDO OH 43617 1514
		TOLEDO OH 43617
		TOLEDO OH 43617 1557

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DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

January 6, 2020

To: The Mayor and Members of City Council

Re: License Agreement – Downtown Sylvania Association Parklet

Dear Mr. Mayor and Council Members:

We have reviewed the above proposed parklet and would recommend its approval subject to the following conditions:

1. Applicant will be required to provide snow and ice control in the area around the parklet. This is required due to the need for City crews to avoid the parklet while in position during the winter months.
2. Year-round installation can be revoked at the sole discretion of the Director of Public Service. Install dates will then revert to the requirements in the City's Parklet Permit General Provisions.
3. Wheel stops and bollards will be installed by City crews and paid for by the applicant.

Please call if you have any questions.

Sincerely,

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



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**ORDINANCE NO. 1 -2020**

**GRANTING A LICENSE TO THE DOWNTOWN SYLVANIA ASSOCIATION TO ENTER A PORTION OF CITY OWNED RIGHT-OF-WAY TO INSTALL AND MAINTAIN TWO PARKLETS ON MAIN STREET; AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO SIGN THE LICENSE AGREEMENT; AND DECLARING AN EMERGENCY.**

WHEREAS, Downtown Sylvania Association has requested a license over two parking spaces along Main Street to install and maintain two parklets; and,

WHEREAS, the granting of said License Agreement as set forth in "Exhibit A" will permit the Downtown Sylvania Association to properly install and maintain two parklets along Main Street.

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 the Downtown Sylvania Association to install and maintain two parklets along Main Street 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, \_\_\_\_\_, 2020, 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 the Downtown Sylvania Association (hereafter "DSA"), 5651 Main St., Sylvania, OH 43560 and the City of Sylvania (hereafter "City"), 6730 Monroe Street, Sylvania, OH 43560. The purpose of this License Agreement is to permit the DSA to install two parklets in two parking spaces on either side of the crosswalk on Main Street in downtown Sylvania. The License Agreement is made subject to the conditions set forth below.

### I. ACCESS

The DSA shall have access to the two parking spaces on the west side of Main Street, one to the North and one to the South of the mid-block crosswalk as shown on the attached "Exhibit A."

### II. SCOPE OF LICENSE

This License Agreement gives the DSA the right to enter onto the property for the purpose of installing and maintaining two parklets as represented on "Exhibit B – the Parklet Permit Application." This License is non-exclusive and the City expressly reserves the right to access the area as may be necessary.

#### I. MAINTENANCE

That except as otherwise stated herein, the DSA shall maintain the parklets as reflected in "Exhibit B – Parklet Permit Application" during the term of this Agreement or any renewals or extensions thereof including as set forth on the Private Parklet Support and Maintenance Agreement included in the application.

#### II. SITE CONDITION

The DSA shall conduct its activities in a manner so as to minimize the disturbance to existing site conditions. Any disturbance to the property resulting from the DSA's activities shall be repaired or corrected promptly.

#### III. INDEMNITY

1. The DSA 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 the DSA, or anyone acting on behalf of the DSA, in the exercise of its rights under this License Agreement.
2. In the performance of its obligation hereunder, the DSA will observe any and all local, state, and federal safety, health and environmental regulations which may be applicable. The DSA shall indemnify the City of Sylvania from any losses, damages, claims or demands of whatever nature which might arise as a result of the DSA's failure to observe any

applicable safety, health, and environmental regulations.

IV. 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.

V. TERM OF LICENSE AGREEMENT

This License Agreement shall be effective on January \_\_\_\_, 2020 and shall continue in effect for a period of twelve months until January \_\_\_\_, 2021.

VI. 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.

VII. ASSIGNABILITY

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

DOWNTOWN SYLVANIA ASSOCIATION

CITY OF SYLVANIA

By \_\_\_\_\_

By \_\_\_\_\_  
Craig A. Stough, Mayor

By \_\_\_\_\_

By \_\_\_\_\_  
Toby A. Schroyer, Director of Finance

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 \_\_\_\_\_, 2020.

\_\_\_\_\_



Notary Public

STATE OF OHIO, COUNTY OF LUCAS, ss:

Before me appeared \_\_\_\_\_ and \_\_\_\_\_  
as \_\_\_\_\_ and \_\_\_\_\_ of the Downtown Sylvania  
Association, who acknowledged that the execution of this License Agreement was their free and  
deed, and the free act and deed of said School District this \_\_\_\_\_ day of  
\_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

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

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# City Of Sylvania

DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

January 6, 2020

To: The Mayor and Members of City Council

Re: Harroun Park Bioretention and Stream Restoration

Dear Mr. Mayor and Council Members:

The City has been awarded a Great Lakes Restoration Initiative Sub-Grant for this project at Harroun Park, previously authorized by City Council on March 4, 2019, via Ordinance 4-2019. The plan includes the conversion of the 0.4 acre depression in the interior of the parking lot behind Root Inc. to a bioretention cell to intercept stormwater draining directly to Ten Mile Creek. It also includes a complementary stream restoration component that installs three (3) cross vane and rock riffle structures and riparian plantings along a 350 linear foot stretch of Ten Mile Creek within Harroun Park.

We would like to move forward in obtaining the services of a design-build team to provide professional design construction services for this project. The Project will improve water quality within Ten Mile Creek by 1) detaining and filtering stormwater that currently flows directly to Ten Mile Creek, 2) reducing excess stress and subsequent erosion from streambanks, 3) increasing in-stream habitat for aquatic communities and 4) removing rip-rap and replanting riparian floodplain for additional nutrient and sediment attenuation.

We are requesting that the Clerk of Council be authorized to advertise for Request for Qualifications for Design-Build Service for this project.

Please call if you have any questions.

Sincerely,

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

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**RESOLUTION NO. 1 -2020**

**A RESOLUTION DESIGNATING THE CLERK OF COUNCIL AS THE MAYOR AND CITY COUNCIL'S DESIGNEE TO ATTEND TRAINING PROGRAMS AND SEMINARS ABOUT THE PUBLIC RECORDS LAW AS REQUIRED BY OHIO REVISED CODE SECTION 109.43; AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code Section 109.43 requires that all elected officials, except Judges, attend three hours of training per term of office about the Public Records Law; and,

WHEREAS, the Mayor and all members of Sylvania City Council wish to appoint the Clerk of Council as their designee for the purposes of attending all required training seminars and programs about the Public Records Law as required by Ohio Revised Code 109.43.

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

SECTION 1. That the Clerk of Council is hereby designated as the Mayor and all members of Sylvania City Council's designee for the purposes of attending all training programs and seminars as required by Ohio Revised Code 109.43.

SECTION 2. 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 3. That the Clerk of Council is hereby directed to post a copy of this Resolution in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Clerk of Council should be designated as the Mayor and all members of Sylvania City Council's designee for the purpose of attending all seminars and training programs required by Ohio Revised Code 109.43 at the earliest possible time. 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, \_\_\_\_\_, 2020, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Director of Law

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

9

**NOTICE TO LEGISLATIVE  
AUTHORITY**

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

TO

<b>2485375</b>		<b>STCK</b>	<b>ELEMENT 112 LLC</b>
PERMIT NUMBER		TYPE	<b>DBA ELEMENT 112</b>
ISSUE DATE		<b>5737 N MAIN ST &amp; PATIO</b>	
<b>05 17 2017</b>		<b>SYLVANIA OH 43560</b>	
FILING DATE			
<b>D1 D2 D3</b>			
PERMIT CLASSES			
<b>48</b>	<b>077</b>	<b>A</b>	<b>F23485</b>
TAX DISTRICT			RECEIPT NO.

FROM **12/20/2019**

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



MAILED **12/20/2019**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **01/21/2020**

**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 STCK 2485375**

(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**

//

**RESOLUTION NO.   2   - 2020**

**RE-APPOINTING KATIE CAPPELLINI TO THE BOARD OF TRUSTEES OF SYLVANIA AREA JOINT RECREATION DISTRICT (SAJRD), SHE BEING A MEMBER OF THE COUNCIL OF THIS APPOINTING POLITICAL SUBDIVISION, FOR THE FULL CALENDAR YEAR OF 2020; AND DECLARING AN EMERGENCY.**

WHEREAS, Sylvania City Council appoints a member to the Board of Trustees of the Sylvania Area Joint Recreation District each year; and,

WHEREAS, the City of Sylvania should appoint a member of its Council to the Board of Trustees of the Sylvania Area Joint Recreation District for the 2020 calendar year.

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

SECTION 1. That Katie Cappellini, a member of the Council of this appointing political subdivision, is hereby re-appointed to the Board of Trustees of Sylvania Area Joint Recreation District for the calendar year 2020.

SECTION 2. That the Clerk of Council be, and she hereby is, directed to certify a copy of this Resolution to Sylvania Area Joint Recreation District.

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 reason that the re-appointment to the SAJRD Board of Trustees of a member of this appointing political subdivision should be made immediately so that the appointed Councilperson will be duly authorized for the full calendar year of 2020. 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.

Passed, \_\_\_\_\_, 2020, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law



# City Of Sylvania

OFFICE OF THE MAYOR  
CRAIG A. STOUGH, MAYOR

January 6, 2020

**TO THE MEMBERS OF SYLVANIA CITY COUNCIL:**

RE: Appointments to the Municipal Planning Commission of Sylvania, Ohio

Dear Council Members:

Mrs. Carol Lindhuber has expressed her interest in serving on the Municipal Planning Commission of Sylvania, Ohio. Mrs. Lindhuber is being appointed to the Municipal Planning Commission to fill the unexpired term of Mr. Brian McCann who was recently elected to Sylvania City Council. Mrs. Lindhuber's term will expire December 31, 2022.

Mrs. Lindhuber has been an active resident of the City of Sylvania and has served on the City of Sylvania's Board of Zoning Appeals.

Mrs. Kathleen L. Fischer has also expressed her interest in serving on the Municipal Planning Commission. Ms. Fischer is being appointed to fill the unexpired term of Mr. Daniel Arnold, who was recently hired as the City of Sylvania Prosecutor. Mrs. Fischer's term will expire December 31, 2021.

Mrs. Fisher is a resident of the City of Sylvania and has served the community as a past board member of the Sylvania Area Chamber of Commerce and as a former board member/Trustee of ProMedica/Flower Hospital. Mrs. Fischer is also the President and Chief Executive Officer of The Metamora State Bank.

Therefore, I am pleased to announce the appointments of Mrs. Carol Lindhuber and Mrs. Kathleen Fischer to the Municipal Planning Commission of Sylvania, Ohio and request that you confirm these appointments.

Respectfully submitted,

Craig A. Stough  
Mayor



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# City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

January 2, 2020

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
December 31, 2019	\$898,810.33	\$2,207.00	\$896,603.33
December 31, 2018	\$840,697.85	\$20,381.00	\$820,316.85
Monthly Difference	\$58,112.48	-\$18,174.00	\$76,286.48
Year to Date 2019	\$11,455,921.17	\$273,594.09	\$11,182,327.08
Year to Date 2018	\$10,717,752.62	\$303,752.38	\$10,414,000.24
Yearly Difference	\$738,168.55	-\$30,158.29	\$768,326.84

7%

Respectfully submitted,

Christy M. Golis  
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director