

Sylvania City Council

May 18, 2020

**7:00 p.m. Committee of the Whole
Proposed Resolution No. 13-2020, TARTA presentation**

**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 Mrs. Westphal.
3. Additions to the agenda.
4. Approval of the regular council meeting minutes of May 4, 2020.
5. COVID-19 Update.
 - a. Mayor Craig Stough.
 - b. Police Division – Chief Schnoor.
 - c. Public Safety/Service Dept./Lucas County Emergency Liaison – Kevin Aller.
 - d. Finance/Budget – Toby Schroyer.
 - e. Economic Development/Businesses – Bill Sanford.
6. Council discussions.
 - a. 2020 Fireworks update.
 - b. Temporary street closures.
7. Special Assessments.
 - a. Proposed Ordinance No. 24-2020, “Providing for the controlling of blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along streets within public right-of-way of the City of Sylvania.”
 - b. Proposed Ordinance No. 25-2020, “Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania.”
 - c. Proposed Resolution No. 14-2020, “Declaring the necessity of lighting the streets in the City of Sylvania.”
8. Brookfield Estates Resurfacing project.
 - a. Service Director’s report on bids.
 - b. Proposed Ordinance No. 26-2020, Accepting the bid of Gerken Paving, Inc. and awarding the contract for the Brookfield Estates Resurfacing Project.

9. Maplewood Avenue Reconstruction project.
 - a. Service Director's report on engineering services contract.
 - b. Proposed Ordinance No. 27-2020, Accepting the proposal of CT Consultants to provide Engineering Services for the Maplewood Avenue Reconstruction Project.
10. Right-of-way Dedication by Warranty Deed from the City of Sylvania, 5576 Centennial Road.
 - a. Service Director's report on right-of-way dedication.
 - b. Proposed Ordinance No. 28-2020, Accepting from the City of Sylvania, a Warranty Deed of Right-of-Way.
11. Sylvania Schools Street Banner Application.
 - a. Proposed Ordinance No. 29-2020, Approving the Banner Application of Sylvania Schools.
12. Public Service Vehicle Purchase.
 - a. Service Director's report on purchase.
 - b. Proposed Ordinance No. 30-2020, Authorizing to accept the proposal of a Lift-a-Loft for the repair/replacement of the Sign Truck for the Department of Public Service.
13. Proposed Ordinance No. 31-2020, Amending Section 125.02 – Division of Police; amending Section 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended.
14. Proposed Ordinance No. 32-2020, Approving the Northwest Ohio Advanced Energy Improvement District Program - Residential Plan.
15. Proposed Ordinance No. 33-2020, Authorizing to enter into an agreement with the Board of Township Trustees of Sylvania to create a Joint Economic Development District (Oakleaf Village).
16. Planning Commissions' recommendation for Zoning Ordinance Amendment, ZA-1-2020, 5123 Main Street, Sylvania, OH from South Briar, LLC (David Schmitt).
 - a. Set public hearing for July 20th and authorizing the clerk to advertise for same.
17. Committee reports.
 - a. Committee of the Whole meetings.
 1. May 7th, discussion of the Downtown Plan.
 2. May 18th, discussion on proposed Ordinance No. 13-2020 & TARTA presentation.
 - a. Second reading of proposed Ordinance No. 13-2020, Resolution amending the resolutions previously adopted which created the TARTA.
 - b. Employee & Community Relations Committee meeting held on May 11th, discussion on 2021 City Calendar.

18. Committee referrals.

INFORMATION

- A. April 2020 Bank Reconciliation.
- B. Board of Architectural Review minutes from May 13, 2020.
- C. Municipal Planning Commission minutes from May 13, 2020.

Minutes of the Meeting of Council
May 4, 2020

The Council of the City of Sylvania, Ohio met in regular session on May 4, 2020 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, Brian McCann, Patrick Richardson, Lyndsey Stough, Mary Westphal; (7) present; (0) absent.

Roll call:
123 All present.

Pledge of Allegiance to the United States of America led by Ms. Stough.

Pledge of Allegiance.

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

The following items were added to the agenda:

- 14. Report of the Public Hearing held at 7:00 p.m. regarding Oakleaf Village JEDD.
- 15. Schedule a Committee of the Whole meeting to discuss Downtown Development Plan.
- 5c. Schedule a Committee of the Whole meeting to discuss TARTA sale tax issue.
- 12a. Schedule an Employee & Community Relations meeting to discuss 2021 calendar.

Mrs. Westphal moved, Mr. McCann seconded to approve the agenda as amended; roll call vote being: Cappellini, Frye, Haynam, McCann, Richardson, Stough, 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 April 20, 2020 meeting minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of April 20, 2020 be approved; roll call vote being: Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the April 20 meeting minutes.

Mayor Stough stated that agenda item 5 (TARTA) will be addressed later in meeting to accommodate the presenter.

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

Mayor Stough provided an update on the COVID-19 response to date, stating all city services are being provided. City employees will be returning to full strength on Monday, May 11, 2020.

Mayor Stough - COVID-19 Update.

Chief Schnoor reviewed the police department stated no officers are sick or in quarantine. They are continuing the alternative schedule as of now.

Chief Schnoor - COVID-19 Update.

Minutes of the Meeting of Council
May 4, 2020

Public Service Director Aller provided information on city services. All city employees will be returning back to work on Monday, May 11, 2020 with safety instructions, with the exception of the Police Department. City buildings are not opening to public until safety measures are completed.

Public Service Director Aller – COVID-19 Update.

Finance Director Schroyer provided information on the income tax collections, stating that collections are down due to the tax deadline being delayed until July 15th and two weeks of March shut down.

Finance Dir. Schroyer – COVID-19 Update.

Economic Development Director Bill Sanford provided information on local businesses and how it is affecting their operations. He stated the Chamber of Commerce is providing signs for business that are taking safety measures to be placed on doors.

Econ Dev. Dir. Bill Sanford – COVID-19 Update.

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

Danial Woodcock and Kimberly Dunham presented a review of TARTA's operations, grant applications, and the vision for funding via sales tax to be placed on the November 2020 ballot. Council discussed amendments to the proposed Resolution No. 13-2020. Mrs. Westphal presented and read aloud the first reading of Proposed Resolution No. 13-2020.

TARTA discussion; 1st reading Resolution No. 13-2020.

Mrs. Westphal moved, Mr. Richardson seconded to schedule a Committee of the Whole for May 18, 2020 at 7:00 p.m. to continue discussions of proposed Resolution No. 13-2020 and a presentation from TARTA. The public will be invited to receive input.

COW Meeting 5/18/20 @ 7:00 p.m. Re: TARTA.

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

Mayor Stough continued the COVID-19 discussion stating that Safety City and the Memorial Day parade will be cancelled for 2020.

Cancellations: Safety City, Memorial Day parade.

Mayor Stough stated the fireworks scheduled for July 3, 2020 is still in discussions due to the COVID-19 social distancing. Discussions will continue next meeting, May 18th.

Fireworks update.

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

Service Director Aller's report on right-of-way dedication by warranty deed from Gregory J. Fell and Amy L. Fell at 5015 Harroun Road was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 20-2020, a written copy of same having been previously furnished to each member of Council, "Accepting from Gregory J. Fell and Amy L. Fell, a warranty deed of right-of-way; dedicating the same for public purposes; and declaring an emergency." Mr. Frye moved, Mr. Richardson seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, McCann, Richardson, Stough, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No.
20-2020;
Gregory & Amy
Fell, warranty
deed of right-of-
way;5015
Harroun Rd.

Mr. Frye moved, Mrs. Westphal seconded, that Ordinance No. 20-2020 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the roof replacement - City Administration Building and Municipal Court House Change Order #1 (Final) was placed on file. Ms. Stough presented and read aloud by title only, proposed Ordinance No. 21-2020, 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. 1 (Final) to this City's agreement with Overhead Roofing and Sheet Metal, Inc. for the Administration Building and Sylvania Municipal Court Roof Replacement Project which reflects the actual work performed on this project; decreasing the contract amount by \$192.00; and declaring an emergency." Ms. Stough moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, McCann, Richardson, Stough, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No.
21-2020,
"...Roof
Replacements
Change Order #
1 (Final)...."

Ms. Stough moved, Mr. McCann seconded, that Ordinance No. 21-2020 be enacted as an emergency measure as declared therein; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
May 4, 2020

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 22-2020, a written copy of same having been previously furnished to each member of Council, "Approving the Banner Application of Lourdes University; authorizing the Zoning Administrator to indicate such approval on behalf of the City of Sylvania; and declaring an emergency." Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Richardson, Stough, Westphal, Cappellini, Frye, Haynam, McCann, (7) yeas; (0) nays. The motion carried.

Ordinance No. 22-2020, Approving banner app...Lourdes University..."

Mr. Haynam moved, Mrs. Westphal seconded, that Ordinance No. 22-2020 be enacted as an emergency measure as declared therein; roll call vote being: Stough, Westphal, Cappellini, Frye, Haynam, McCann, Richardson, (7) yeas; (0) nays. The motion carried.

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

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 23-2020, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance on behalf of the City of Sylvania, Ohio, to enter into an agreement with the County of Lucas, Ohio, to change the formula used in determining the City's share of the operating costs in the Sylvania/Lucas County Sanitary Sewer agreement of April 24, 1973; and declaring an emergency." Mr. McCann moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, McCann, Richardson, Stough, (7) yeas; (0) nays. The motion carried.

Ordinance No. 23-2020, ...agreement with Lu Co to change formula ...city's share of operating costs...Lu Co Sanitary Sewer Agreement...."

Mr. McCann moved, Mr. Haynam seconded, that Ordinance No. 23-2020 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, McCann, Richardson, Stough, Westphal, (7) yeas; (0) nays. The motion carried.

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

Mr. Richardson set a Employee & Community Relations Committee meeting for May 11, 2020 at 5:00 p.m. to discuss the 2021 City Calendar.

Emp & Com Relations Mtg 5/11/20 @ 5:00 p.m.- 2021 City Calendar.

Minutes of the Meeting of Council
May 4, 2020

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

Mrs. Westphal reported on the public hearing for the JEDD between the City of Sylvania and Sylvania Township for Oakleaf Village was conducted at 7:00 p.m. on this date. She stated no one provided testimony for or against this contract. Proposed Resolution No. 11-2020 will be advanced to Council for action on May 18, 2020.

Public Hearing
report: JEDD -
City/Twp re:
Oakleaf Village.

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

Mrs. Westphal moved, Mr. Richardson seconded to set a Committee of the Whole meeting for May 7, 2020 at 1:00 p.m. via Zoom to discuss the Downtown Development Plan with Michelle Johnson.

COW Mtg.
5/7/20 @
1:00 p.m.
Downtown Plan

Mayor Stough stated there is no other business to come before Council.

Mrs. Westphal moved, Mr. Richardson seconded to adjourn at 9:22 p.m. Roll call vote being: Richardson, Stough, Westphal, Cappellini, Frye, McCann, Haynam, (7) yeas; (0) nays. The motion carried.

Adjournment.

Clerk of Council

Mayor

ORDINANCE NO. 24 - 2020

PROVIDING FOR THE CONTROLLING BLIGHT AND DISEASE OF SHADE TREES AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHT-OF-WAY OF THE CITY OF SYLVANIA; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE, BY AND THROUGH THE PROPER OFFICERS OF SAID CITY TO DO SAID WORK DURING THE YEAR 2020; ESTABLISHING ONE DISTRICT FOR SAID PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 727.011 OF THE REVISED CODE OF OHIO; PROVIDING FOR THE ASSESSMENT OF THE COST AND EXPENSE THEREOF UPON ABUTTING PROPERTY; AND DECLARING AN EMERGENCY.

WHEREAS, it is immediately urgent and necessary that work is authorized for the purpose of controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2020;

WHEREAS, the City Forester, through the Director of Public Service has recommended to Council the removal or special treatment of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2020 in accordance with plans, estimates and schedules therefore heretofore prepared and now on file in the Office of the Clerk of Council.

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

SECTION 1. That it is hereby declared necessary and conducive to public health, convenience and welfare to remove and provide special treatment for shade trees for the purpose of controlling blight and disease of same, and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2020. That for said purpose there is hereby established one (1) district which shall include all territory within and coextensive with the boundaries of the City of Sylvania, pursuant to the provisions of Section 727.011 of the Revised Code of Ohio.

SECTION 2. That the work of such removal or special treatment of shade trees for the purpose of controlling blight and disease of same and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania shall be done within said district, as herein set forth, and through the proper officers of

the City of Sylvania; and such officers be, and they hereby are, authorized and directed to purchase required materials; to purchase or rent the necessary tools, machinery and appliances; to employ the necessary labor to do said work all in accordance with the plans, estimates and schedules therefore heretofore prepared and now on file in the Office of the Clerk of Council for inspection of all persons interested, which said plans, estimates and schedules, including approximate present estimates of the cost of said work, is in the aggregate sum of Two Hundred Forty-Four Thousand, Four Hundred Twenty-Two Dollars and 78/100 (\$244,422.78).

SECTION 3. That said cost and expense of removal or special treatment of shade trees for the purpose of controlling blight and disease of same and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania in the amount of Two Hundred Forty-Six Thousand, Two Hundred Fifty-Three Dollars and 18/100 (\$246,253.18) shall be specially assessed by the front foot upon all of the lots and lands abutting and bounding upon each of said streets and public right-of-way in said district in the amount of thirty-five cents (35¢) per front foot as provided in Section 727.011 of the Ohio Revised Code, which said lots and lands are hereby determined to be specially benefitted by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include acquisition of the necessary materials, tools, machinery and appliances, the wages for the necessary labor, the cost of said plans, estimates and schedules, cost of publication and mailing of notices, and cost of this Ordinance, costs of the preparation, levy and collection of special assessments and interest on notes issued in anticipation of the levy and collection of the special assessments together with all other necessary expenditures.

SECTION 4. That the special assessment so to be levied on said lots and lands shall be paid in one (1) installment in the manner provided in the case of special assessments pursuant to Section 727.01 of the Ohio Revised Code.

SECTION 5. That to provide a fund out of which shall be paid the assessed cost and expense of said work, bonds or notes or certificate of indebtedness of the City of Sylvania are hereby authorized to be issued and sold in anticipation of the levy and collection of said assessments.

SECTION 6. That the Director of Finance has prepared and filed in the Office of the Clerk of Council a list of the special assessments, pursuant to this Ordinance, and this Council finds and determines that such special assessments are in proportion to the special benefit derived by each property against which such assessments are to be levied and are not in excess of any statutory limitation.

SECTION 7. That, pursuant to Ohio Revised Code Section 727.14, the Clerk of Council is hereby directed to give notice of the passage of this Ordinance by publication of such notice once a week for two (2) consecutive weeks, and as to an owner of any lot or parcel of land the assessment upon which is estimated to exceed Two Hundred Fifty Dollars (\$250.00), the Clerk of Council is hereby directed to serve such notice in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. Objections to estimated assessments must be filed, in writing with the Clerk of Council within two (2) weeks after completion of the notice hereby required. An owner who fails to file an objection shall be deemed to have waived any objection. Any and all properly filed objections to estimated assessments shall be considered by Council at its first regular Council meeting held more than two (2) weeks after the completion of the notice hereby required and the estimated assessments so objected to shall at such meeting, be adjusted by Council by motion or other action reflected in the journal of the minutes of Council. Council, after adjusting such estimated assessments or,

after the time for filing objections without any properly filed objections having been timely filed, may, by Ordinance, levy such estimated assessments and adjusted estimated assessments, as the case may be. No notice shall be required other than as herein required.

SECTION 8. That the method, manner, consideration and procedure for such shade tree work is hereby approved and this Council hereby determines the method, manner and procedure for levying assessments for such shade tree work to be as set forth in this Ordinance.

SECTION 9. 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 10. 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 11. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that provision should be made immediately to provide for tree maintenance and therefore this Ordinance should be effective forthwith. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2020 as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

7b

ORDINANCE NO. 25 -2020

PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, CLEANING AND ENCLOSING OPEN DRAINAGE DITCHES LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SYLVANIA; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE, BY AND THROUGH THE PROPER OFFICERS OF SAID CITY TO DO SAID WORK DURING THE YEAR 2020; ESTABLISHING ONE DISTRICT FOR SAID PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 727.012 OF THE REVISED CODE OF OHIO; PROVIDING FOR THE ASSESSMENT OF THE COST AND EXPENSE THEREOF UPON ABUTTING PROPERTY; AND DECLARING AN EMERGENCY.

WHEREAS, it is immediately urgent and necessary that work is authorized for the purpose of constructing, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania during the year 2020;

WHEREAS, the Director of Public Service has recommended to Council the construction, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania during the year 2020 in accordance with plans, estimates and schedules therefore heretofore prepared and now on file in the Office of the Clerk of Council.

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

SECTION 1. That it is hereby declared necessary and conducive to public health, convenience and welfare to construct, maintain, repair, clean and enclose open drainage ditches located within the corporate limits of the City of Sylvania during the year 2020. That for said purpose there is hereby established one (1) district which shall include all territory within and coextensive with the boundaries of the City of Sylvania, pursuant to the provisions of Section 727.012 of the Revised Code of Ohio.

SECTION 2. That the work of such construction, maintaining, repairing, cleaning and enclosing open drainage ditches located within the district of the City shall be done within said district, as herein set forth, and through the proper officers of the City of Sylvania; and such officers be, and they hereby are, authorized and directed to purchase required materials; to purchase or rent the necessary tools, machinery and appliances; to employ the necessary labor to do said work all in accordance with the plans, estimates and schedules therefore heretofore

prepared and now on file in the Office of the Clerk of Council for inspection of all persons interested, which said plans, estimates and schedules, including approximate present estimates of the cost of said work, is in the aggregate sum of Three Hundred Twelve Thousand, Three Hundred Two Dollars and 00/100 (\$312,302.00).

SECTION 3. That said cost and expense of construction, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City in the amount of Three Hundred Twelve Thousand, Three Hundred Two Dollars and 00/100 (\$312,302.00) shall be specially assessed by impervious area upon all of the lots and lands abutting and bounding upon each of said streets and public right-of-way in said district as follows:

- a. Small Lot Residential (lot size less than 9,900 square feet) = \$15.00 per year;
- b. Large Lot Residential (lot size greater than 9,900 square feet) = \$30.00 per year;
- c. Non-Single Family Residential = \$30.00 per year per 5,000 square feet of impervious area;

as provided in Section 727.012 of the Ohio Revised Code, which said lots and lands are hereby determined to be specially benefitted by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include acquisition of the necessary materials, tools, machinery and appliances, the wages for the necessary labor, the cost of said plans, estimates and schedules, cost of publication and mailing of notices, and cost of this Ordinance, costs of the preparation, levy and collection of special assessments and interest on notes issued in anticipation of the levy and collection of the special assessments together with all necessary expenditures.

SECTION 4. That the special assessment so to be levied on said lots and lands shall be paid in one (1) installment in the manner provided in the case of special assessments pursuant to Section 727.01 of the Ohio Revised Code.

SECTION 5. That to provide a fund out of which shall be paid the assessed cost and expense of said work, bonds or notes or certificate of indebtedness of the City of Sylvania are hereby authorized to be issued and sold in anticipation of the levy and collection of said assessments.

SECTION 6. That the Director of Finance has prepared and filed in the Office of the Clerk of Council a list of the special assessments, pursuant to this Ordinance, and this Council finds and determines that such special assessments are in proportion to the special benefit derived by each property against which such assessments are to be levied and are not in excess of any statutory limitation.

SECTION 7. That, pursuant to Ohio Revised Code Section 727.14, the Clerk of Council is hereby directed to give notice of the passage of this Ordinance by publication of such notice once a week for two (2) consecutive weeks, and as to an owner of any lot or parcel of land the assessment upon which is estimated to exceed Two Hundred Fifty Dollars (\$250.00), the Clerk of Council is hereby directed to serve such notice in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. Objections to estimated assessments must be filed, in writing with the Clerk of Council within two (2) weeks after completion of the notice hereby required. An owner who fails to file an objection shall be deemed to have waived any objection. Any and all properly filed objections to estimated assessments shall be considered by Council at its first regular Council meeting held more than two (2) weeks after the completion of the notice hereby required and the estimated assessments so objected to shall at such meeting, be adjusted by Council by motion or other action reflected in the journal of the minutes of Council. Council, after adjusting such estimated assessments or, after the time for filing objections without any properly filed objections having been timely filed,

may, by Ordinance, levy such estimated assessments and adjusted estimated assessments, as the case may be. No notice shall be required other than as herein required.

SECTION 8. That the method, manner, consideration and procedure for such drainage ditch work is hereby approved and this Council hereby determines the method, manner and procedure for levying assessments for such drainage ditch work to be as set forth in this Ordinance.

SECTION 9. 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 10. 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 11. 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 repair, cleaning, construction and maintenance of drainage ditches should be provided for immediately and therefore this Ordinance should be effective forthwith. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2020, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

7c

RESOLUTION NO. 14 -2020

**DECLARING THE NECESSITY OF LIGHTING THE STREETS
IN THE CITY OF SYLVANIA, OHIO; DETERMINING THE
MANNER OF PROVIDING STREET LIGHTING AND THE BASIS
FOR THE PROPERTY OWNER'S SHARE OF THE COST AND
ANNUAL ASSESSMENT; AND DECLARING AN EMERGENCY.**

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

members elected thereto concurring:

SECTION 1. That is hereby determined to be necessary to continue to improve the streets in the City of Sylvania, Ohio, by lighting the same pursuant to a contract therefore which this City now has with the Toledo Edison Company and necessary to provide funds in 2020 for such street lighting.

SECTION 2. That for the tax year 2020 the basis for determining and allocating annual assessments on lots and lands in said City for street lighting in the City of Sylvania, Ohio, shall be as follows, which basis is hereby determined to be according to the benefits which may result from the improvements to the several parcels and lots of land in said City:

A. Each taxable parcel, outside of the Whiteway Business District, having no building or buildings thereon, not served by lamps on steel poles with overhead circuits or by lamps on poles with underground circuits, shall be assessed a base charge of \$8.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

B. Each taxable parcel, outside of the Whiteway Business District, having any building or buildings thereon, not served by lamps on steel poles with overhead circuits or by lamps on poles with underground circuits, shall be assessed a base charge of \$12.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

C. Each taxable parcel, outside of the Whiteway Business District, having no building or buildings thereon, served by lamps on steel poles with overhead circuits, shall be assessed a base charge of \$11.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

D. Each taxable parcel, outside of the Whiteway Business District, having any building or buildings thereon, served by lamps on steel poles with overhead circuits, shall be assessed a base charge of \$14.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

E. Each taxable parcel, within the Whiteway Business District, fronting on Main Street, Maplewood Avenue, or Monroe Street, being served by lamps on either steel or wood poles with overhead or underground circuits, shall be assessed at a rate of \$1.10 per front foot of the parcel;

F. Each taxable parcel, outside of the Whiteway Business District, having no building or buildings thereon, served by lamps on poles with underground circuits, shall be assessed a base charge of \$20.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

G. Each taxable parcel, outside of the Whiteway Business District, having any building or buildings thereon, served by lamps on poles with underground circuits, shall be assessed a base charge of \$27.00 and, in addition thereto, a further charge of 90¢ for each \$1,000.00 tax valuation or part thereof;

H. In cases under A, B, C, D, F and G above, the maximum amount of assessment for any parcel based on the charge of 90¢ for each \$1,000.00 tax valuation or part thereof shall not exceed the equivalent of \$2.00 per front foot of said parcel fronting on a cul-de-sac or \$1.00 per front foot on all other said parcels;

SECTION 3. That the contract with the Toledo Edison company and the costs to this City required thereby, now on file with the Clerk of Council, are hereby deemed to be the plans and specifications and estimate of cost required to be on file with the Clerk of Council before the passage of the Resolution of necessity.

SECTION 4. That the Clerk of Council has prepared and filed in the Office of the Clerk of Council a list of the estimated special assessments for the cost and expense of street lighting in the City of Sylvania, which list shows the amounts of the estimated assessment against each taxable parcel in the City of Sylvania, pursuant to Section 2 of this Resolution, and the amount of such assessments in the aggregate, and this Council finds and determines that such estimated assessments are in proportion to the special benefit derived by each property against which such assessments are to be levied and are not in excess of any statutory limitation.

SECTION 5. That, pursuant to Ohio Revised Code Section 727.14, the Clerk of Council is hereby directed to give notice of the passage of this Resolution by publication of such notice once a week for two (2) consecutive weeks, and as to an owner of any lot or parcel of land the assessment upon which is estimated to exceed Two Hundred Fifty Dollars (\$250.00), the clerk of Council is hereby directed to serve such notice in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. Objections to estimated assessments must be filed, in writing, with the Clerk of Council, within two (2) weeks after completion of the notice hereby required. An owner who fails to file an objection shall be deemed to have waived any objection. Any and all properly filed objections to estimated assessments shall be considered by Council at its first regular meeting held more than two (2) weeks after the completion of the notice hereby required and the estimated assessments so objected to shall, at such meeting, be adjusted by Council by motion or other action, reflected in the journal of the minutes of Council. Council, after adjusting such estimated assessments or after the time for filing objections without any properly filed objections having been timely filed, may, by Ordinance, levy such estimated assessments and adjusted estimated assessments, as the case may be. No notice shall be required other than as herein required.

SECTION 6. That the Clerk of Council is hereby directed to give notice to the Auditor of Lucas County, Ohio, on the levying of such assessments and to do so within twenty (20) days

after the levying of same and prior to October 1, 2020.

SECTION 7. That the method, manner and procedure for providing street lighting by contract with the Toledo Edison Company is hereby approved and this Council hereby determines the method, manner and procedure for levying assessments for such street lighting to be as set forth in this Resolution.

SECTION 8. That this Resolution shall be published by posting a copy thereof in a conspicuous place in the Sylvania Municipal Building for a period of not less than fifteen (15) days as provided in ARTICLE III, Section 12.0 of the Charter of said City.

SECTION 9. 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 10. 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 proceedings for assessing the cost of the improvement referred to herein are required without delay in order to timely place said assessment upon the tax duplicate for the year. 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

8a



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 18, 2020

To: The Mayor and Members of Sylvania City Council

Re: **BROOKFIELD ESTATES RESURFACING**

Dear Mr. Mayor and Council Members:

We received bids on April 29, 2020 for the above referenced project. There was a total of five (5) bids received.

The lowest bid was submitted by Gerken Paving, Inc. of Napoleon, Ohio. Their bid of \$255,108.27 was approximately 13.2% under the Engineer's Estimate of \$293,854.

Gerken Paving, Inc. has performed multiple paving projects for the City both as a prime contractor and subcontractor. Their most recent projects in the City include Holland-Sylvania Road Resurfacing (2020), Brint Road/Centennial Road/Erie Street/King Road/Sylvania-Metamora Road Resurfacing (2020), Woodstream Farms Resurfacing Phase 1 (2019), River Crossing Improvements (2018), Hedingham and Tantallon Resurfacing (2018), Municipal Court Parking Lot Expansion & Resurfacing (2016) and King Road Widening & Resurfacing (2016).

Therefore, it is our recommendation that the contract be awarded to Gerken Paving, Inc. in the amount of \$255,108.27.

Please call if you have any questions.

Sincerely,

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

8b

ORDINANCE NO. 26 -2020

ACCEPTING THE BID OF GERKEN PAVING, INC. AND AWARDING THE CONTRACT FOR THE BROOKFIELD ESTATES RESURFACING PROJECT TO SAME; AUTHORIZING THE EXPENDITURE FOR THE IMPROVEMENTS IN THE AMOUNT OF \$255,108.27; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

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

WHEREAS, the Clerk of Council was authorized to advertise for bids at the April 6, 2020 Sylvania City Council meeting and thereafter the Clerk advertised for bids, and the bids were opened on April 29, 2020, and thereafter, the Director of Public Service, by report dated May 18, 2020, stated that the total engineer's estimate for the Brookfield Estates Resurfacing Project was \$293,854 and the following bids were received:

<u>BIDDERS</u>	<u>BID PRICE</u>
Gerken Paving	\$ 255,108.27
Crestline Paving	256,399.42
Bowers Asphalt & Paving	262,419.67
Henry W. Bergman	267,092.20
Precision Paving	283,135.58

WHEREAS, the five (5) bids offered by the above bidders meet all of the City's specifications and the Director of Public Service, by report dated May 18, 2020, has recommended acceptance of the lowest and best bid of Gerken Paving and that the contract for the Brookfield Estates Resurfacing Project be awarded to same.

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

SECTION 1. That the bid of Gerken Paving, Inc. of Napoleon, Ohio for said Brookfield Estates Resurfacing Project, in the amount of Two Hundred Fifty-Five Thousand One Hundred Eight and 27/100 Dollars (\$255,108.27), is hereby determined to be the lowest and best bid

received and the same is hereby accepted.

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

SECTION 3. That to provide funds for said improvements hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements**, the total sum of Two Hundred Fifty-Five Thousand One Hundred Eight and 27/100 Dollars (\$255,108.27).

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

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

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

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

Passed, _____, 2020, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9a



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 18, 2020

To: The Mayor and Members of Sylvania City Council

Re: **Engineering Services Contract
Maplewood Avenue Reconstruction**

Dear Mr. Mayor and Council Members:

The Service Department is ready to commence engineering design work for the Maplewood Avenue Reconstruction Project. This project will reconstruct the existing composite pavement full-depth with new asphalt pavement from the railroad tracks to Main Street. In addition, the existing 8" waterline will be replaced between the railroad tracks and Richard Becker Place. Other items include new storm sewer, sidewalks meeting with current ADA guidelines, decorative street light replacements, and streetscape elements. Construction is scheduled for 2022 with 47% of the project funded by OPWC.

We solicited proposals from three (3) local engineering firms. The lowest proposal received was from CT Consultants, Inc. from Toledo, Ohio in the amount of \$36,500. Engineering services for this project was an anticipated capital expense in the 2020 budget with funds being used from account number 401-7610-53503.

The Service Department does not have experience with CT Consultants on past engineering projects. However, they have work on several downtown streetscape projects in Ohio including Euclid Avenue in Cleveland and Main Street in Reynoldsburg. They also have performed numerous other streetscape improvements in Indiana, Pennsylvania, and Tennessee.

We would recommend approval with the engineering services proposal with CT Consultants, Inc. in the amount of \$36,500. Please call with any questions.

Sincerely,

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

May 6, 2020

Mr. Joseph E. Shaw, P.E., P.S.
Deputy Director
Division of Engineering
City of Sylvania
6730 Monroe St., Ste. 101
Sylvania, OH 43560

Re: Proposal for Maplewood Avenue Reconstruction Project

Dear Mr. Shaw:

CT Consultants (CT) is pleased to submit this proposal for professional design services for the Maplewood Avenue Reconstruction Project. The project will include the reconstruction of approximately 425 feet of Maplewood Avenue, from the Norfolk Southern railroad tracks to Main Street and will include full-depth pavement replacement, as well as walk, waterline, storm sewer and lighting replacement. The project may also include additional streetscape items such as decorative stamped and colored concrete, planters, hanging baskets with drip irrigation and street trees. Our fee proposal is based on the scope of work outlined in the Request for Professional Engineering Services Exhibit "A" Scope of Services issued by the City.

Project Understanding and Technical Approach

With our review of the project, we see a highly visible, well cared for area of the City's downtown located within the Pedestrian Oriented Downtown Core and partially within the Art, History and Culture District, as outlined in The Sylvania Downtown Plan. The improvements made should enhance and serve the surrounding environment and future plans outlined for the City.

As the City will likely agree, there are NO small projects. Every project requires attention to detail. Every project requires a thorough design. Every project requires multiple site visits and field verification throughout the design process. So many issues during construction can be alleviated by the collection of adequate data up front and a thoughtful, thorough design that utilizes the existing data collected.





The reconstruction of Maplewood Avenue will be no exception to this. Downtown street reconstruction projects provide challenges during design, especially within areas where the entire right-of-way is comprised of pavement, either asphalt within the street or concrete curb and walks. Maplewood Avenue appears relatively flat from east to west, with some elevation difference from north to south. The pavement doesn't appear to be crowned, likely all draining to the south curb line.



A detailed design is necessary with all hard tie in points individually evaluated and addressed. To the City, this means reducing the potential for trapped water/ponding, resulting in proper drainage (happy residents & property/business owners, reducing risk of falls on ice in winter months,

reducing rate of deterioration in pavement). It helps to ensure that ADA requirements are met during construction (no duplicate efforts or rework). It also greatly reduces the opportunities for change orders during construction (saving the City money).

Our approach to these reconstruction projects involves customizing an Excel spreadsheet input first with existing critical elevations at tie in points. Once these are established, and depending on project scope, new elevations can be set for everything in between (elevations at the centerline, face of curb, top of curb and walk elevations) can be set based on design requirements, design guidance and good engineering practice. See attached spreadsheet and graph for a sample of this work. In this example, looking at the graph, it can clearly be seen that the elevations at the left tie in points (ex. elev. @ 50' left) and the elevations at the right tie in points (ex. elev. @ 50' right) are inconsistent at best and the vertical placement of the proposed work must account for both sides of the project. Anything short of this will create issues for the City to deal with in construction. Despite these hurdles, we can and have achieved successful designs by varying slopes where feasible (tree lawns, parking lanes, walk frontage zones and furniture zones) and by varying curb reveal as a last resort.

With Frontier Communications located within the project area at the corner of Richard Becker Place and Maplewood Avenue, there is a potential for large communications duct banks requiring upfront coordination and consideration during design. On the north side of Maplewood, renovations to the brick



building fronting Main Street have eliminated vehicle access and the need for curb cuts at three different locations. This will aid the City in the goal to achieve ADA compliant walks within the project area.

In the end, the success of a project will come down to time, money and trouble and how the proper design can save the City all of these. CT Consultants will work to provide you a thorough, thoughtful design so expensive, last minute on-site re-design



brainstorming sessions during construction are not necessary. We will work to address coordination issues up front, either with utilities, property owners or other stakeholders, so that our phone is ringing instead of yours. And understanding that a set of plans is not complete

without a set of "fresh eyes" and a thorough review, we have built time into the design process for QA/QC and constructability reviews. Our scope and fee includes and addresses all of these items. Upon project completion, success will not be measured by the by initial costs, but by the complaints, the change orders and the unnecessary emails, meetings and phone calls.

Scope of Services

The following is our understanding of the anticipated tasks for the project. Should additional tasks or efforts be required to fulfill your needs, we reserve the right to mutually amend this agreement and costs as needed.

1. Review available City of Sylvania data, public records and information pertaining to existing water line and roadway including applicable standards, codes and specifications.
2. Contact and coordination with public utilities and private utility companies serving the area to secure available plans and maps and coordinate future project improvements. The City will be provided electronic copies of all utility plans generated during this process.
3. Perform topographic survey and base mapping of area indicated in RFP Exhibit B with cross sections at 25 foot intervals or less. Establish centerline of right-of-way and property lines.
4. Develop a structure inventory of all sanitary, storm and water related facilities within the project limits to include: depth, size, direction, material, condition (of lid, casting & walls).



5. Project management, coordination and attendance at meetings with the City to discuss and coordinate the proposed improvements. Meetings will include one kick-off meeting and one coordination meeting following the 30% complete (line, grade & typical) plan submittal.
6. Perform preliminary and final design and prepare construction drawings, specifications and cost estimates for the proposed improvements. Construction plans will be designed and adhere to City of Sylvania and ODOT Location and Design Manual requirements.
7. All work and improvements will be within the existing roadway right-of-way. No new right-of-way or easements are anticipated.
8. No attendance or presentations at public meetings are anticipated.
9. Submittals to include:
 - a. 30% complete (line, grade & typical) plans to City and utility companies with preliminary estimate submitted to City.
 - b. 95% complete plans to City and utility companies with updated cost estimate submitted to City.
 - c. Final plans to City and utility companies with estimate submitted to City. Final submittal to City shall include:
 - i. AutoCAD files
 - ii. 11x17 PDF set
 - iii. 24x36 PDF set
10. No Ohio EPA or other governmental agency coordination or permits are anticipated.
11. No railroad coordination is anticipated.

City Assistance

It is our understanding the City will be responsible for the following tasks:

1. Provide available records of City maintained utilities (sanitary, storm and water).
2. Right-of-way/easements as needed. None are anticipated at this time.
3. Additional information and design support as needed.
4. Bid documents and bidding assistance.
5. Construction administration and inspection.

Schedule

The following schedule is anticipated for the project and shall be met in accordance with the project goals for the City:



Authorization to Proceed	May 26, 2020
30% Submission	July 31, 2020
95% Submission	November 30, 2020
100% Complete Plans & Cost Estimate	January 31, 2021

Fee and Billing

CT shall perform the services outlined herein for the not-to-exceed fee of \$36,500.00. This includes 300 man hours for CT's services in addition to the services provided by Garcia Surveyors for the topographic survey. This fee is subject to adjustment for City requested changes and is not to be exceeded without further authorizations. Any change from the proposed Scope of Services will require a change in authorized fee, whether such change increases or decreases the total proposed fee.

Closure

If you concur with these terms and conditions and wish us to proceed with the aforementioned work, please sign and return one (1) copy of this Agreement and initial a copy of the Standard Terms and Conditions. Upon receipt of this Agreement, CT can proceed with the work.

Please contact us if you have any questions. We are very excited to get started on this project and look forward to the opportunity to provide professional services to you and the City of Sylvania.

Respectfully,

Accepted

CT Consultants, Inc.

City of Sylvania


Julie Thomas, P.E.
Senior Project Manager

By _____
Mr. Craig A. Stough, Mayor

Attachment: Terms & Conditions

Date _____

By _____
Mr. Troy Schroyer, Finance Director/Treasurer

Date _____

9b

ORDINANCE NO. 27 -2020

ACCEPTING THE PROPOSAL OF CT CONSULTANTS TO PROVIDE ENGINEERING SERVICES FOR THE MAPLEWOOD AVENUE RECONSTRUCTION PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$36,500; AND DECLARING AN EMERGENCY.

WHEREAS, the Service Department has recommended that Maplewood Avenue be improved between the railroad tracks and Main Street; and,

WHEREAS, the proposed improvements include reconstructing the existing composite pavement full-depth with new asphalt pavement from the railroad tracks to Monroe Street as well as replacing the 8" waterline between the railroad tracks and Richard Becker Place; and,

WHEREAS, storm sewers, sidewalks, decorative street lights and streetscape elements will also be replaced as part of the project; and,

WHEREAS, the Director of Public Service, by report dated May 18, 2020, solicited proposals from three engineering firms, with CT Consultants and Fishbeck responding in the amount of \$36,500 and \$47,414, respectively, and has recommended that the low proposal of CT Consultants, Inc. be approved; and,

WHEREAS, the Director of Public Service, by report dated May 18, 2020, has recommended that the proposal of CT Consultants, Inc. to provide engineering design work for the Maplewood Avenue Reconstruction Project at a cost of Thirty-Six Thousand Five Hundred Dollars (\$36,500.00), 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 CT Consultants in the amount Thirty-Six Thousand Five Hundred Dollars (\$36,500.00) for providing engineering design work for the Maplewood Avenue Reconstruction Project, is hereby approved and accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to said consultant 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. 401-7610-53505, Street Improvements**, the amount of thirty-six thousand five hundred Dollars (\$36,500.00).

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 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

10a



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 18, 2020

To: The Mayor and Members of Sylvania City Council

Re: **Right-of-Way Dedication by Warranty Deed from City of Sylvania
5576 Centennial Road**

Dear Mr. Mayor and Council Members:

The City acquired an irregular strip of land from Louisville Title Agency on June 29, 1994 as recorded in Microfiche 94 294B10. The strip runs in a north/south direction along the west plat lines of the Eagle Trace Subdivision from the centerline of right-of-way of Erie Street to the centerline of right-of-way of Little Road. This strip of land was old railroad right-of-way from the Toledo, Angola & Western Railway Company which linked the France Stone Quarries to Toledo.

On September 14, 2005 the Sylvania Municipal Planning Commission approved Lot Split 7-2015 which dedicated this irregular strip of land to the adjacent individual property owners along Eagle Trace. The property owners petitioned the City to acquire the strip to be used as a buffer to development occurring to the west. The strip contained mostly trees and vegetation.

In January 2020, the Service Department was made aware that a remnant parcel of the strip still existed in the Erie Street right-of-way according to the Lucas County Auditor's Office. This parcel is identified as Tax District Parcel Number 82-00188 with an address of 5576 Centennial Road. Although this parcel was granted tax exempt status in 1995, the County advised the Service Department that the proper way to eliminate the parcel was to formally dedicate it for right-of-way purposes.

The Service Department has prepared a warranty deed for the 0.018-acre parcel inclusive of a legal description and drawing. We would request Council acceptance of this parcel for right-of-way dedication purposes. Please call with any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

EXHIBIT A

**RIGHT-OF-WAY DEDICATION IN THE NAME AND
FOR THE USE OF THE CITY OF SYLVANIA**

Situated in the State of Ohio, County of Lucas, City of Sylvania, Northwest Quarter of Section 8, Town 9 South, Range 6 East, and being part of a 1.8367-acre tract of land conveyed to the City of Sylvania, by deed recorded in Microfiche 94 292B10 in the Deed Records of the Lucas County Recorder's Office, and being more particularly described as follows:

Commencing at a brass plate in a concrete monument in a monument box found at the Northwest corner of Section 8, said monument also being on the centerline of right-of-way of Erie Street;

Thence on the said North line of Section 8 and centerline of right-of-way of Erie Street North $87^{\circ}13'03''$ East a distance of 1354.35' to a point, said point also being the Northwest corner of a parcel of land conveyed to the City of Sylvania, by deed recorded in Microfiche 94 292B10 in the Deed Records of the Lucas County Recorder's Office and being the **TRUE POINT OF BEGINNING**;

Thence continuing on the said North line of Section 8 and centerline of right-of-way of Erie Street North $87^{\circ}13'03''$ East a distance of 15.00' to a point, said point also being the Northwest corner of Eagle Trace Plat One as recorded in Volume 121, Page 98 in the Deed Records of the Lucas County Recorder's Office, said point also being on the West line of the East half of the Northwest quarter of Section 8;

Thence on the West line of Eagle Trace Plat One and the West line of the East half of the Northwest quarter of Section 8 South $01^{\circ}18'57''$ East a distance of 53.52' to a point on the South right-of-way line of Erie Street, said point also being at the Northwest corner of Lot 1 of Eagle Trace Plat One as recorded in Volume 121, Page 98 in the Deed Records of the Lucas County Recorder's Office;

Thence on the South right-of-way line of Erie Street South $87^{\circ}13'03''$ West a distance of 15.00' to a point on the East line of Hidden Park as recorded in Volume 133, Page 51 in the Deed Records of the Lucas County Recorder's Office;

Thence on the East line of Hidden Park Subdivision North $01^{\circ}18'57''$ West a distance of 53.52' to the **TRUE POINT OF BEGINNING**.

Said parcel contains 0.018 acres of land, more or less, and is subject to all legal highways and easements of record. Bearings used herein are based on an assumed meridian and are for the express purpose of showing angular measurement. The above described area is contained within Lucas County Auditor's tax district parcel number 82-00188.

This description was prepared by Joseph E. Shaw, Registered Surveyor 8491 of the State of Ohio.

 9.  Date 4/30/20
Joseph E. Shaw
Registered Surveyor of Ohio, No. 8491

1

LOUISVILLE TITLE AGENCY
8107 ERIE STREET
82-00065
HIDDEN PARK, LOT B (PRIVATE DRIVE)
VOL. 133, PG. 51-52
0.154 ACRES

**T9S, R6E
NW QTR. SEC. 8
CITY OF SYLVANIA
LUCAS COUNTY, OHIO**

2

CITY OF SYLVANIA
5576 CENTENNIAL ROAD
82-00188
0.018 ACRES

N87°13'03"E, 15.00'

P.O.B.

☉ R/W

SEE DETAIL "A" N87°13'03"E

W. LINE, E. 1/2, NW 1/4, SEC. 8

S01°18'57"E, 53.52'

53.50'
(ROW)

2

ERIE STREET

60'
(ROW)

N01°18'57"W, 53.52'

S87°13'03"W, 15.00'

R/W ESMT ESMT ESMT

2' ANTI-VEHICULAR
ACCESS EASEMENT

BENJAMIN J. &
ELIZABETH E. HAYNAM
5785 EAGLE TRACE DRIVE
82-92201
EAGLE TRACE PLAT ONE, LOT 1
VOL. 121, PG. 98-101
0.528 ACRES

2' ANTI-VEHICULAR
ACCESS EASEMENT

STEVEN & DANA BAIRD
8113 ERIE STREET
82-00058
HIDDEN PARK, LOT 7
VOL. 133, PG. 51-52
0.249 ACRES

1

15'

50'
DRAINAGE, UTILITY & TE ESMT.



BASIS OF BEARINGS:
THE BASIS OF BEARINGS USED HEREON ARE BASED ON AN ASSUMED MERIDIAN AND ARE FOR THE EXPRESS PURPOSE OF SHOWING ANGULAR MEASUREMENT.

CERTIFICATION:
I HEREBY CERTIFY THAT THE FOREGOING WAS PREPARED FROM AN ACTUAL SURVEY OF THE PREMISES, THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, CORRECTLY SHOWS THE LOCATION OF THE BOUNDARIES. I ALSO CERTIFY THAT THE MONUMENTS HAVE BEEN LOCATED AND ARE SET AS INDICATED. ONLY THOSE EASEMENTS SPECIFICALLY BROUGHT TO MY ATTENTION SHALL BE SHOWN HEREIN.

JOSEPH E. SHAW, P.E., P.S.
STATE OF OHIO REGISTERED LAND SURVEYOR #8491

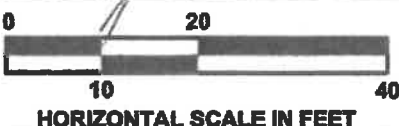
P.O.C., MON. BOX FND.
NW COR. SEC. 8

N87°13'03"E
1354.35'

DETAIL "A"

PARCEL TO BE DEDICATED
FOR RIGHT-OF-WAY PURPOSES

EXHIBIT: B
DRAWN BY: JES
DATE: 4/30/2020



NORTH



DEPARTMENT OF PUBLIC SERVICE

RIGHT-OF-WAY DEDICATION
5576 CENTENNIAL ROAD

ORDINANCE NO. 28 -2020

ACCEPTING FROM THE CITY OF SYLVANIA, A WARRANTY DEED OF RIGHT-OF-WAY; DEDICATING THE SAME FOR PUBLIC PURPOSES; PROVIDING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service was recently made aware that a remnant parcel exists in the Erie Street right-of-way; and,

WHEREAS, the Lucas County Auditor has recommended that the City dedicate the remnant parcel, identified as parcel number 82-00188, 5576 Centennial Road, Sylvania, Ohio, as right-of-way; and,

WHEREAS, the Director of Public Service, by report dated May 18, 2020, has recommended that Council accept the property and dedicate same for right-of-way purposes.

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

SECTION 1. That the Warranty Deed of right-of-way as so executed, tendered and delivered, as described on "Exhibit A" be, and the same hereby is, accepted from the City of Sylvania, the grantor of said deed.

SECTION 2. That the real estate conveyed by said Warranty Deed, identified herein as "Exhibit A" be, and the same hereby is, dedicated as right-of-way.

SECTION 3. That the Director of Law shall cause said Deed to be recorded and thereafter to be filed with the Director of Finance, and to be maintained by him as a part of the records of this City.

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 Deed tendered should be accepted forthwith so that other matters relative to clearing title to the acquired property and the overall project will not be delayed. 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

**CORPORATION
WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: That the City of Sylvania, an Ohio municipal corporation, the grantor, in consideration of One Dollar (\$1.00) and other good and valuable consideration to it paid by the City of Sylvania, an Ohio Municipal Corporation, grantee, whose present mailing address is 6730 Monroe Street, Sylvania, Ohio 43560, the receipt whereof is hereby acknowledged, does, hereby BARGAIN, SELL and CONVEY to said Grantee and its successors and assigns forever, the real estate described as follows:

Please see "Exhibit A" attached hereto.

This conveyance is expressly made to dedicate the property described on the attached "Exhibit A" as right-of-way.

Dated this ____ day of May, 2020.

CITY OF SYLVANIA

By _____
Craig A. Stough, Mayor

By _____
Toby A. Schroyer, Director of Finance

THE STATE OF OHIO, LUCAS COUNTY, SS.

The foregoing instrument was acknowledged before me this ____ day of May, 2020 by Craig A. Stough, Mayor and Toby A. Schroyer, Director of Finance, on behalf of the City of Sylvania, an Ohio municipal corporation.

Notary Public

This Instrument Prepared by:
Leslie B. Brinning, Director of Law
for the City of Sylvania
6730 Monroe St.
Sylvania, OH 43560

11

City of Sylvania

STREET BANNER APPLICATION/PERMIT

Name of Organization: Sylvania Schools

Contact Person: Amy Addington

E-mail: aaddington@sylvaniaschools.org Phone: 419-346-5010

Explanation of the Qualifying Event*: High school graduation

Dates of Event: Week of May 25

Installation & Removal Dates of Banner: May 20 (for 2 weeks)
[maximum four (4) weeks]

Banner Location: Monroe Street Fee: \$100.00 (Installation by Applicant)
 Main Street Fee: \$700.00 (Installation by City of Sylvania)

Text of Banner: Congratulations Sylvania Graduates!

Company Installing Banner (Monroe Street Only): city

Address: _____

Email: _____ Phone: _____

Fax: _____

Insurance on File: _____

Edison Approval: _____

City Approval: _____

The banner and installation shall meet the attached specifications.

- * The purpose of the banner installation shall be one of the following reasons:
 - a. A Sylvania charitable or civic event.
 - b. Banners may not be installed for private commercial or political gain.



CONGRATULATIONS SYLVANIA GRADUATES!



119

ORDINANCE NO. 29 -2020

APPROVING THE BANNER APPLICATION OF THE SYLVANIA SCHOOLS; AUTHORIZING THE ZONING ADMINISTRATOR TO INDICATE SUCH APPROVAL ON BEHALF OF THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 19-2000, passed June 5, 2000, granted permission to install banners in the public right-of-way on the Toledo Edison poles located on Monroe Street by Wendy's across to the area in front of Country Squire Plaza (near the intersection of Corey Road and Monroe Street); and,

WHEREAS, Resolution No. 19-2000 provided that the applications were to be reviewed on an application-by-application basis and set forth the criterion on which the applications were to be considered; and,

WHEREAS, Ordinance No. 20-2018, passed May 21, 2018, amended Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1166.07 – Standards for Permitted Signs to permit banners to be installed in the downtown; and,

WHEREAS, Sylvania Schools have submitted a request to hang a banner within said public right-of-way to congratulate the Sylvania Northview High School and Southview High School graduates; and,

WHEREAS, the banner will hang from May 20, 2020 –June 3, 2020 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000 and Ordinance No. 20-2018.

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

SECTION 1. That the application of the Sylvania School District to hang a banner across the downtown block of Main Street between Maplewood Avenue and Monroe Street is found to comply with Section 1166.07(h)(2)(A)(1) and is hereby approved.

SECTION 2. That the Zoning Administrator is authorized to sign said permit granting permission to proceed under the application hereby approved.

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 permission should be granted immediately to provide for the installation of the banner. 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

102a



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

March 18, 2020

To: The Mayor and Members of Sylvania City Council

Re: **Vehicle Purchase**

Dear Mr. Mayor and Council Members:

The City's current sign truck is approximately 12 years old. The truck frame and body are in very good condition yet. However, the chassis and lift assembly is in need of replacement due to heavy corrosion of the chassis and floor board. There are also several other systems on the lift that are beyond serviceability.

We have reached out to Lift-A-Loft, of Muncie, Indiana to provide a quote for repairs. Their quote to perform all of the necessary work is \$49,750.

This repair/replacement was included in the 2020 Capital Improvement Plan and we recommend approval to move forward with the repairs.

Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

KGA/dsw

LIFT-A-LOFT

ENGINEERED AERIAL SOLUTIONS

9501 South Center Road • Muncie, IN 47302-9443 • ☎ (765) 288-3691 • 📍 (765) 284-1023

QUOTATION #17-08059-R1

TO: City of Sylvania

DATE: September 24, 2019

EXPIRATION: October 24, 2019

ATTN: Jim Campbell
Email: jcampbell@cityofsylvania.com

PHONE: 419-885-8973

SERIES – TMP

MODEL – TMP22 Sign

TRUCK REQUIREMENTS: Unit to mount on Chassis with
GVW: 14,000 or more
Flat Bed: 14' to 16' Bed to mount behind the cab (Flatbed not provided in Quote)

LIFT SPECIFICATIONS:

MAXIMUM PLATFORM HEIGHT: 22' (Based on a 42" mounting height)

MAXIMUM WORKING HEIGHT: 28'

TRAVEL HEIGHT: 115" to top of Lift Guardrail when fully shut (Approximately) Based on a 42" Mounting height.

MINIMUM PLATFORM HEIGHT: 73" From ground level (Estimate based on truck mounting height of 42")

PLATFORM DIMENSIONS: 32" wide x 102" long

PLATFORM: Aluminum Platform

FLOORING: Non-slip Diamond Plate

GUARDRAILS: 39" high guardrails with 4" (0.1m) toe boards surrounding the platform.

SIDE EXTENSION: Unit will traverse a minimum of 9' curbside/passenger side.

PLATFORM CAPACITY: 600 lbs.

GATE: Platform access through self-closing, self-latching in swinging gate centered on the platform facing the flat bed

ELECTRICAL SYSTEM: 12 volt DC

POWER: Self-Contained power pack provided that will recharge from trucks electrical system.

SCISSOR: 3 Stack Long Style Scissor that mounts directly to the Truck Frame.

QUOTATION #17-08059-R1
City of Sylvania
ATTN: Jim Campbell
DATE: September 24, 2019
Page Two

SAFETY: Emergency stop push buttons, lanyard attachment points, and transmission neutral/emergency brake interlock are standard.

PAINT: Lift and outriggers will be safety Yellow – Or other per customer requirements

STABILIZERS: 2 Hydraulic stabilizers will deploy in order to maintain a stable working environment at elevation. Stabilizers will be mounted with one per side of the truck.

CONTROL CENTER: Attached to guard rails. Momentary directional control switches in conjunction with a dead man switch for lift and lower and traverse functions. An emergency stop button is also located at the platform. Emergency stop, stabilizer controls raise/lower and traverse controls are also located at the base.

STANDARD EQUIPMENT:

- 2 operations, Parts and Service Manuals
- Scissors Spreader – For Maintenance Safety
- Holding Valves on All Cylinders
- Self-Closing Self-Latching Gate

INSTALLATION: Unit can be installed in a 36" space behind the cab.

NOTE: *Dimensions quoted are taken from standard units and may vary slightly with each individual unit. Should any dimension be critical to your application, please advise. Lift-A-Loft products are continuously being evaluated for improvements; specifications are subject to change without prior notification.*

WARRANTY: 1-year parts and service, 5 years structural.

NOTE: *Customer requested scope of work changes are subject to price increase*

SHIPMENT: 30 to 32 Weeks after receipt of order.

F.O.B. – Muncie, Indiana

TERMS: 50% payment due with receipt of order, 50% due prior to shipment.

QUOTED PRICE – TMP22 Sign Truck – \$49,750.00 Net
(Includes Removal of Customers current lift and Installation of New Lift)
(Price does not include Chassis)

OPTIONS: 8'6" Steel Flatbed With Single Step Bumper and Foot Holds \$4,950.00
Easy Egress Stair Bumper with Handrails \$1,680.42

LIFT-A-LOFT CORPORATION



Kenny O'Brien
Sales Representative – Truck Mount Program

12b

ORDINANCE NO. 30 -2020

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF LIFT-A-LOFT FOR THE REPAIR/REPLACEMENT OF THE SIGN TRUCK FOR THE DEPARTMENT OF PUBLIC SERVICE; APPROPRIATING \$49,750 THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, the Department of Public Service’s sign truck chassis and lift assembly has heavy corrosion of the chassis and floor board and is in need of replacement; and,

WHEREAS, the Director of Public Service has received a proposal from Lift-A-Loft of Muncie, Indiana to perform the necessary repairs to the chassis, lift assembly and other required repairs at a total cost of \$49,750; and,

WHEREAS, the Director of Public Service, by report dated May 18, 2020, has recommended acceptance of the proposal of Lift-A-Loft to complete the repairs to the City’s sign truck for the Department of Public Service.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the proposal of Lift-A-Loft of Muncie, Indiana on behalf of this City, thereby indicating such approval and acceptance for the repairs of the City’s sign truck for the Department of Public Service.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to sign any and all instruments and to do any and all things necessary to complete said purchase.

SECTION 3. That, upon receipt of delivery of said sign truck by the City of Sylvania, the Director of Finance is hereby authorized to issue his warrant or warrants in payment therefore from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53401 – Vehicles**, the total sum of Forty-Nine Thousand Seven Hundred Fifty Dollars (\$49,750.00).

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 proposal for said sign truck repairs should be approved immediately so that the repairs can be made at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2020, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 31 -2020

AMENDING SECTION 125.02 – DIVISION OF POLICE; AMENDING SECTION 139.03(e)(3) OF THE CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED; AND DECLARING AN EMERGENCY.

WHEREAS, the Chief of Police and Director of Public Safety have recommended that the Division of Police.

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

SECTION 1. That Section 125.02 of the Codified Ordinances of the City of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

SECTION 2. That Section 139.03(e)(3) of the Codified Ordinances of the City of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on “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 adjustments to the Division of Police personnel structure should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, _____, 2020, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

125.02 DIVISION OF POLICE.

The Chief of the Division of Police, to be called the Chief of Police, shall, under the Director of Public Safety, have exclusive control of the stationing and transfer of all police officers and other officers and employees constituting the police force, under such rules and regulations as the Director may promulgate from time to time. The Chief of Police shall have a police secretary whose duties he shall assign within the Division. The police force shall be composed of a Chief of the Division of Police; two captains, who shall be directed by and answerable to the Chief; six sergeants, who shall be answerable to and assigned by the Chief; twenty-six police officers/CADETS, who shall be answerable to and assigned duties by the Chief of Police; a chief telecommunicator and five regular full-time telecommunicators in the Communications Section, all of whom shall be answerable to and assigned duties by the Chief of Police; and such additional personnel, both full-time and part-time as Council shall hereafter authorize. The Chief of Police may set up, combine and/or abolish and assign or reassign any member of the police force to, or withdraw therefrom, any of the following sections: Office of Community Affairs; Detective Bureau; Court Officer; Property and Evidence Room; Road Patrol. In the event of an emergency, the Mayor may appoint additional police officers and other officers for temporary service during the emergency.

(Ord. _____-2020. Passed _____-2020.)

“Exhibit A”

139.02

CONTENT AND COVERAGE OF THE COMPENSATION PLAN.

(a) Classes in the Plan. The Classification Plan shall consist of the classes listed in this section, with such changes from time to time as may be recommended by the Treasurer and approved by Council. All positions in each class shall be compensated in accordance with the class grade for each class as shown in this section and at the rates of pay for each class grade as set forth in Section 139.03. The salary rates as established for each class grade shall be the compensation for work of salaried employees on a normal full-time schedule not to exceed the number of hours per week shown in this section for the respective groups of classes.

<u>CLASS CODE</u>	<u>CLASS GRADE</u>	<u>CLASS TITLE</u>
*	*	*
	131	9
	Police Cadet	
*	*	*

(Ord. ____-2020. Passed ____-2020.)

“Exhibit B”

ORDINANCE NO. 32 -2020

AN ORDINANCE APPROVING THE NORTHWEST OHIO ADVANCED ENERGY IMPROVEMENT DISTRICT PROGRAM PLAN – RESIDENTIAL PLAN; AUTHORIZING AND APPROVING THE EXECUTION, DELIVERY, AND PERFORMANCE OF A CITY RESIDENTIAL PACE COOPERATIVE AGREEMENT WITH RESPECT TO PROPERTY ASSESSED CLEAN ENERGY TRANSACTIONS IN COOPERATION WITH THE NORTHWEST OHIO ADVANCED ENERGY IMPROVEMENT DISTRICT AND THE TOLEDO-LUCAS COUNTY PORT AUTHORITY; AUTHORIZING THE TOLEDO-LUCAS COUNTY PORT AUTHORITY TO APPROVE PETITIONS AND PLANS FOR PUBLIC IMPROVEMENTS OR PUBLIC SERVICES SUBMITTED BY THE OWNERS OF REAL PROPERTY WITHIN THE CITY REQUESTING THAT THEIR PROPERTY BE ADDED TO THE TERRITORY OF THE NORTHWEST OHIO ADVANCED ENERGY IMPROVEMENT DISTRICT AND ASSESSED FOR THE COSTS OF SUCH PLANS ON BEHALF OF THE COUNCIL OF THE CITY; AND DECLARING AN EMERGENCY.

WHEREAS, as set forth in Ohio Revised Code Chapter 1710, the Ohio General Assembly has authorized property owners to include their properties within energy special improvement districts (ESIDs) upon a petition to a municipal corporation or township; and,

WHEREAS, ESIDs are voluntary organizations of municipal corporations, townships, and property owners who undertake special energy improvement projects that benefit real property and finance those special energy improvement projects through voluntary special assessments; and,

WHEREAS, the Toledo, Oregon, Maumee, Northwood, Perrysburg, Sylvania, Whitehouse, Township of Monclova, Township of Springfield, Township of Swanton, Township of Sylvania, Ohio Advanced Energy Improvement Corporation, doing business under the registered trade name Northwest Ohio Advanced Energy Improvement District, (the District) was

created under Ohio Revised Code Chapters 1702 and 1710 as an ESID and established pursuant to Resolution No. 207-11 of the Council of the City of Toledo, Ohio approved on May 18, 2011; and,

WHEREAS, the City has determined to develop the *Northwest Ohio Advanced Energy Improvement District Program Plan – Residential Plan* as a proposed plan for public improvements and public services under Ohio Revised Code Chapter 1710, substantially in the form attached to and incorporated into this Ordinance as “Exhibit A” (the Residential PACE Plan), and any petitions by the owners of residential real property located within the boundaries of the City for special assessments to finance the costs of special energy improvement projects on their properties shall be considered, and, if approved, implemented, under and subject to the terms and conditions of the Residential PACE Plan; and,

WHEREAS, the Residential PACE Plan sets forth the terms and conditions under which the City and the District will facilitate the financing of special energy improvement projects on residential real property located within the City and the District; and,

WHEREAS, in order to provide for the efficient implementation of the Residential PACE Plan, the District and the Toledo-Lucas County Port Authority, a port authority and political subdivision of the State of Ohio (the Program Port Authority), have entered into an Ohio Residential PACE Cooperative Agreement to establish acceptable program parameters and consumer protections for residential PACE financing programs in Ohio; and,

WHEREAS, in order to provide for the efficient implementation of the Residential PACE Plan, the City has determined to enter into a City Residential PACE Cooperative Agreement as a cooperative agreement with the Program Port Authority (the Cooperative Agreement); and,

WHEREAS, under the Cooperative Agreement the City and the Program Port Authority will cooperatively agree to cause the Program Port Authority to exercise certain powers, perform certain functions, and render certain services on behalf of the City, all as authorized under this Ordinance, the Cooperative Agreement, and Ohio Revised Code Sections 4582.17(B) and 9.482; and,

WHEREAS, this Council, as mandated by Ohio Revised Code Chapter 1710, must approve or disapprove the Petition within 60 days of the submission of the Petition; and,

WHEREAS, this Council has determined to approve the Residential PACE Plan and to authorize and approve the Cooperative Agreement.

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

SECTION 1. Each capitalized term not otherwise defined in this Ordinance or by reference to another document shall have the meaning assigned to it in the Residential PACE Plan.

SECTION 2. This Council hereby approves the Residential PACE Plan now on file with the Clerk of Council. Any petitions by the owners of residential real property located within the boundaries of the City for special assessments to finance the costs of special energy improvement projects on their properties shall be considered, and, if approved, implemented, under and subject to the terms and conditions of the Residential PACE Plan.

SECTION 3. This Council hereby approves the Cooperative Agreement, substantially in the form now on file with the Clerk of Council with any amendments or modifications to it as are not materially adverse to the City, are consistent with this Ordinance, and are approved by the officer or officers of the City signing the Cooperative Agreement, all of which shall be conclusively demonstrated by the signature of the duly authorized officer or officers of the City on the Cooperative Agreement. The Mayor and Director of Finance, are hereby authorized, for and on behalf of the City, to execute and deliver the Cooperative Agreement, including any amendments or modifications to the Cooperative Agreement as are not materially adverse to the City, are consistent with this Ordinance, and are approved by the officer or officers of the City signing the Cooperative Agreement, all of which shall be conclusively demonstrated by the signature of the duly authorized officer or officers of the City on the Cooperative Agreement. The City is hereby authorized to perform the terms and conditions of the Cooperative Agreement, as it may be amended and in effect at any time. The Mayor and Director of Finance, together or individually, are hereby authorized, for and on behalf of the City, to execute and deliver any additional amendments, agreements, certificates, or instruments, including any additional agreements by or among the City, the County Auditor, the County Treasurer, the Program Port

Authority, any other port authority, the District, and any other energy special improvement district, as may be reasonably necessary to carry out the purposes of the Cooperative Agreement, and the City is hereby authorized to perform the terms and conditions of any of those amendments, agreements, certificates, or instruments.

SECTION 4. Under the Cooperative Agreement, the City shall, pursuant to Ohio Revised Code Sections 4582.17(B) and 9.482, authorize and request the Program Port Authority to act on behalf of the City during the term of the Cooperative Agreement to receive and approve or disapprove Petitions and Plans (as defined in the Residential PACE Plan and the Cooperative Agreement) in its reasonable discretion and subject to certain terms and conditions stated in the Residential PACE Plan, the Cooperative Agreement, and this Ordinance. Upon the execution and delivery of the Cooperative Agreement by all of the parties to it, this Council hereby appoints the Program Port Authority as its delegate to, for, and on behalf of this Council, receive and approve or disapprove Petitions and Plans in its discretion and subject to certain terms and conditions stated in the Residential PACE Plan, the Cooperative Agreement, and this Ordinance. The approval or disapproval of any Petitions and Plans shall constitute the legislative approval or disapproval of this Council for all purposes of law, including, without limitation, Ohio Revised Code Chapter 1710, and all legal consequences appertaining to a legislative authority's legislative approval or disapproval of petitions and plans for public improvements or public services under Ohio Revised Code Chapter 1710 shall appertain to the Program Port Authority's approval or disapproval of Petitions and Plans for and on behalf of this Council.

The Program Port Authority shall not approve any Petitions and Plans unless the Petitions and Plans and the information regarding the properties, special energy improvement projects, financing terms, and other facts and terms certified within the Petitions and Plans conform and comply in all material respects with the terms and conditions of the Residential PACE Plan, which is attached to, and incorporated into, this Ordinance by this reference.

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

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

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this Ordinance should be effective forthwith to permit residents who wish to participate in the program the opportunity to do so. 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

EXHIBIT A

RESIDENTIAL PACE PLAN

ORDINANCE NO. 33 -2020

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH THE BOARD OF TOWNSHIP TRUSTEES OF SYLVANIA TOWNSHIP, LUCAS COUNTY, OHIO TO CREATE A JOINT ECONOMIC DEVELOPMENT DISTRICT LOCATED IN A PORTION OF THE UNINCORPORATED AREA OF SYLVANIA TOWNSHIP; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania (the “City”) and the Township of Sylvania (the “Township”) have negotiated and intend to enter into a Joint Economic Development District I (the “District”) in accordance with Section 715.72 to 715.83 of the Revised Code for their mutual benefit and for the benefit of their residents; and,

WHEREAS, Oakleaf/Toledo Limited Partnership is the property owner located within the District and is in support of and has consented to its inclusion in the District; and,

WHEREAS, Resolution No. 11-2020, passed by Sylvania City Council on March 16, 2020, declared City Council’s intent to enter into an Agreement to create Joint Economic Development District I in a portion of the unincorporated area of Sylvania Township; and,

WHEREAS, on May 4, 2020, the City of Sylvania held its public hearing to discuss the proposed contract and thereafter recommended approval of the Joint Economic Development District Agreement; and,

WHEREAS, on May 5, 2020, the Sylvania Township Board of Trustees held its public hearing on the proposed contract and thereafter the Board of Trustees approved the contract; and,

WHEREAS, the District will consist of approximately 10.529 acres of land on Holland-Sylvania Road, the parties shall cooperate with each other and the District to obtain access to utility services, the Township will provide services for road maintenance, police and fire protection, a maximum of 1.5% income tax will be collected from all employees in the District, City will receive an administrative fee of 2% of gross revenue for collection of the income tax, 10% of the gross revenue collected shall be set aside for the long-term maintenance and improvement of the District, with the remaining tax collected being divided evenly between City and Township.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized, on behalf of the City of Sylvania, Ohio, to enter into an Agreement with the Board of Trustees of Sylvania Township for the creation of Joint Economic Development District I, which

Agreement is attached hereto as "Exhibit A."

SECTION 2. Council finds and determines that (i) a public hearing concerning the proposed City of Sylvania/Sylvania Township Joint Economic Development District I at 7:00 p.m. on May 4, 2020, in accordance with Section 715.72 of the Revised Code; (ii) 30-days public notice of the time and place of that public hearing was provided in The Toledo Blade, a newspaper of general circulation in the City of Sylvania; (iii) during the 30-day period prior to the public hearing, a copy of the text of the Agreement, together with copies of District maps and plans related to or part of the Agreement, were on file for public examination in the office of the Clerk of Council; (iv) one member of the public commented on the proposed Agreement at the public hearing.

SECTION 3. That the Clerk of Council be, and she hereby is, directed to file with the Ohio Department of Development: (i) a signed copy of the Agreement, together with copies of District maps and plans related to or part of the Agreement; (ii) a certified copy of this Ordinance; (iii) a signed certificate of the Clerk of Council that the public hearing has been held, the date of such hearing and evidence of the publication of notice of such hearing.

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 Agreement should be entered into as soon as possible in order to provide for the establishment of a Joint Economic Development District. 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



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

May 14, 2020

To: Mayor and Members of City Council

Re: Council Referral – ZA-1-2020
5111 & 5123 Main Street

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of May 13, 2020 Council Referral for Recommendation and Review – Petition for Zoning Ordinance Amendment, ZA-1-2020, from South Briar, LLC (David Schmitt), from “R-1”, Single Family Residential Large Lot District to “B-2” General Business District and “R-3” Multiple Dwelling Medium Density District for property located at 5111 & 5123 Main Street, Sylvania, Ohio 43560:

..."Mr. Marciniak moved, Ms. Fischer seconded, to recommend to Council to approve the zoning change as requested, with an inclusion of detailed specifications of the improvements that will be completed to the existing adjacent commercial center. Vote being: Lindhuber, Marciniak, Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote."...

Sincerely,

Debra Webb, Secretary
Municipal Planning Commission

PETITION FOR ZONING ORDINANCE AMENDMENT

To: City of Sylvania, Ohio
City Council and
Municipal Planning Commission

Application No. ZA-1-2020
Date 1/25/2020

Petitioner Name(s): SOUTH BRIAR LLC (DAVID SCHMITT)

Petitioner Address: 5123 MAIN ST. SYLVANIA OHIO 43560

Email: SCHMITT7605@AOL.COM Telephone: 419-270-5359

Location of property for which zoning amendment is requested:
5111 & 5123 MAIN ST. SYLVANIA OHIO 43560

Purpose of amendment request: PARKING LOT EXPANSION AND
THREE SINGLE FAMILY UNITS ON ONE LOT.

Current Zoning: R-1 Requested Zoning: BZ & R3

The undersigned, being one or more of the owners, lessees or occupants within the area proposed to be changed by the amendment, hereby petition for an Amendment to the Zoning Code, pursuant to Chapter 1107 of the Codified Ordinances of the City of Sylvania, Ohio, as amended.

- Attachments:
1. Full legal description of the property for which the Zoning Amendment is proposed.
 2. Area location map.
 3. Site plan - if plan is larger than 11" x 17", eighteen (18) copies must be submitted.

A check for \$100.00 + cost of advertising, payable to the City of Sylvania is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By: David Schmitt

Date referred by Council: 2/3/20

Date of Commission Action: _____

Date of Council Action: _____

Action: _____

For Office Use Only

Date: 1/27/20 Check #: 1858 Cash: _____ Fee: \$ 100.00

17a2a

RESOLUTION NO. 13 -2020

A RESOLUTION AMENDING THE RESOLUTIONS PREVIOUSLY ADOPTED WHICH CREATED THE TOLEDO AREA REGIONAL TRANSIT AUTHORITY (TARTA) BY: (1) ADDING LUCAS COUNTY AS A MEMBER OF TARTA; (2) ELIMINATING TARTA'S 2.5 MILL PROPERTY TAXES AND SUBSTITUTING A ONE-HALF PERCENT SALES AND USE TAX; (3) ALLOCATING MONIES FROM THE SALES AND USE TAX COLLECTED TO TARTA TO DIRECTLY FUND ITS OPERATIONS AND ALLOCATE MONIES FROM THE SALES AND USE TAX COLLECTED TO OTHER LOCAL GOVERNMENTAL ENTITIES FOR THE INSTALLATION, MAINTENANCE AND IMPROVEMENT OF MASS TRANSIT RELATED INFRASTRUCTURE; PROVIDED THAT SUCH CHANGES ARE CONTINGENT UPON VOTER APPROVAL OF THE NEW TARTA FUNDING SYSTEM AT THE NOVEMBER 3, 2020 GENERAL ELECTION; AND DECLARING AN EMERGENCY.

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

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

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

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

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

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

WHEREAS, the proposed changes require the consent of all current TARTA Member Communities and the consent of the proposed new Member Community, Lucas County, in a timely manner so that the TARTA Board of Trustees may take action to place an issue onto the November 3, 2020 ballot.

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

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

Section 2. The Council of the City of Sylvania consents to and approves of the placement of a sales and use tax question onto the November 3, 2020 ballot that would present to the voters of Lucas County the option of replacing TARTA's existing 2.5 mill property tax levies with sales and use taxes in the amount of a one-half percent sales and use tax, in accordance with all provisions of law for transitioning from a property tax funding system to a sales and use tax funding system as described in Ohio Revised Code §306.321 and as further provided and agreed to by the Member Communities. The tax shall be in effect for a period of ten (10) years. In accordance with Ohio Revised Code §5739.023, the tax shall become effective on the first day of the calendar quarter next following the sixty-fifth day following the date the tax commissioner receives from the board of elections the certification of the results of the election on the question of the tax.

Section 3. If the described sales and use tax is approved by the voters, the monies derived therefrom will be utilized in accordance with Ohio Revised Code §306.35, and after application of §306.321, certain of these sums collected are to be expended for public infrastructure projects described in Ohio Revised Code Section 306.353 to assist other local governmental entities in the TARTA service area in funding installation, maintenance and improvement of transit related infrastructure so that the roads, sidewalks, bridges, bus stops, bus shelters, signage and associated improvements are adequate to allow TARTA to operate its vehicles and serve its passengers in the Member Communities, with annual payments as follows: City of Toledo - \$300,000; City of Maumee - \$90,000; Village of Ottawa Hills - \$90,000; City of Rossford - \$90,000; City of Sylvania - \$90,000; Township of Sylvania - \$90,000; City of Waterville - \$90,000.

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

- A. Four members, who shall have terms of three years, shall be appointed by the Mayor of the City of Toledo with the advice and consent of the Council of the City of Toledo;
- B. Three members, who shall have terms of three years, shall be appointed by the Board of County Commissioners for Lucas County;
- C. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Maumee, with the advice and consent of the Council of the City of Maumee;
- D. One member, who shall have a term of three years, shall be appointed by the Mayor of the Village of Ottawa Hills, with the advice and consent of the Council of the Village;
- E. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Rossford with the advice and consent of the Council of the City of Rossford;
- F. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Sylvania with the advice and consent of the Council of the City of Sylvania;
- G. One member, who shall have a term of three years, shall be appointed by the Board of Trustees of Sylvania Township;
- H. One member, who shall have a term of three years, shall be appointed by the Mayor of the City of Waterville with the advice and consent of the Council of the City of Waterville.

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

Section 5. The Board of Trustees of TARTA shall adopt its resolution providing for the submission of the question of the imposition of an additional one-half percent sales and use tax to the electors of TARTA, as enlarged, not later than ten (10) days following the filing of the ordinances and resolutions of the Member Communities, all as provided in Ohio Revised Code §306.321.

Section 6. The Council of the City of Sylvania's consent and approval of the foregoing is expressly contingent upon other existing Member Communities of TARTA consenting to the admission of Lucas County as a Member Community and the approval of ordinances or resolutions substantially similar to this resolution authorizing the changes described herein. In accordance with Ohio Revised Code §306.321, in the event the sales and use tax is not approved, Lucas County shall not be included as a Member Community of TARTA and the geographical boundaries of TARTA shall be the same as they were prior to the date Lucas County was admitted as a Member Community.

Section 7. All prior resolutions adopted by the Council of the City of Sylvania with respect to TARTA are amended and superseded to the extent they are inconsistent with the provisions of this resolution.

Section 8. It is found and determined that all formal actions of this (Board or Council) concerning and relating to the adoption of this resolution were adopted in an open meeting in compliance with all legal requirements, including Ohio Revised Code §121.22.

Section 9. This resolution is hereby declared to be an emergency and shall be effective immediately upon its adoption. The reason for the emergency is that this measure is necessary for the immediate preservation of the public peace, health, safety and welfare and also because it is necessary to immediately inform other TARTA Member Communities of the Council of the City of Sylvania's desire and intention to consent to the reorganization of TARTA in the manner described herein and permit an orderly and timely process to proceed by which Member Communities may consider and adopt similar ordinances and resolutions.

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

Passed, _____, 2020, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

City of Sylvania
Bank Reconciliation
April 2020

A

Ending balance for March 2019	28,939,760.80
Add: Monthly Receipts	<u>2,175,064.45</u>
Subtotal	\$ 31,114,825.25
Less: Monthly Disbursements	<u>1,566,429.30</u>
Ending balance for April 2019	\$ 29,548,395.95

Less:

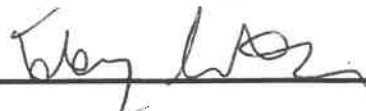
CD Metamora Bank	\$ (2,144,420.23)
Star Ohio	(82,106.70)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
Key Bank Securities	(8,172.59)
5/3rd Securities	(8,010,163.85)
SJS Account	(5,774,785.30)
Morgan Stanley Investment	(200,000.00)
USB Financial	(5,046,876.89)
First Federal Bank (CD)	(2,065,555.94)
Key Bank (CD)	(1,031,625.00)
Sylvania Township Bonds	(230,000.00)
	\$ 4,919,773.41

4/20 Bank service charges	(3,461.36)
Utility receipt - trans 3/27/20	0.07

(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	\$ 5,131,983.61
Deposit in Transit:	
Income Tax	11,052.45
General Deposit	10,330.16
Subtotal	\$ 5,153,366.22
Less: Outstanding Checks (2)	237,054.10
Adjusted Bank Balance	\$ 4,916,312.12
(2)	
March Outstanding Checks	\$ 120,309.81
Checks written this month	626,320.35
Subtotal	<u>\$ 746,630.16</u>
Checks Cleared this month	<u>(509,576.06)</u>
April Outstanding Checks	\$ 237,054.10


Toby Schroyer
 Director of Finance, City of Sylvania

Board of Architectural Review

Minutes of the regular meeting of May 13, 2020. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Carol Lindhuber, Kathleen Fischer, and Thomas Lindsley (5) present. Zoning Administrator, Timothy Burns present.

Mr. Marciniak moved, Ms. Lindhuber seconded to approve the Minutes of the March 11, 2020, meeting as submitted. Vote being: Stough, Lindhuber, Fischer, Marciniak and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Building Review – app. no. 12-2020 requested by John H. Sperry for Sandals Nail-Spa, 7645 W. Sylvania Avenue, Sylvania, Ohio 43560. Mr. Bruce Kern was present.

Mr. Burns explained that the application is for an amendment to a previously approved building design.

Mr. Kern stated that the materials used would remain the same and that the changes are to the colors only. They will be using black, gray and white in place of the brown and tan colors.

Mr. Marciniak moved, Ms. Lindhuber seconded, to approve the building design shown in the drawing submitted with the application. Vote being: Lindhuber, Marciniak, Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Regulated Sign – app. no. 13-2020 requested by Rami Shaheen of Sign Deziign USA for Sylvania Dry Cleaners, LLC, 5811 Monroe Street, Sylvania, Ohio 43560. Application is for a new wall sign.

Mr. Burns stated that the 2 existing signs would be removed and that only 1 new sign will be installed. Sign is within the limits of the Sylvania Sign Code.

Ms. Fischer moved, Mr. Marciniak seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Lindhuber, Marciniak, Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 5 – Building Review – app. no. 14-2020 requested by Kevin Carroll of West Carroll Architecture, 6635 Erie Street, Sylvania, Ohio 43560. Mr. Carroll was present. Application is for a remodel of the porch.

Mr. Carroll was present and explained that he would be removing the stairs and extending the front porch. They would also be removing the walk area and replacing with landscaping. He also said that they would use similar construction, and that the materials and paint finishes used would match with the existing.

Ms. Lindhuber moved, Mr. Marciniak seconded, to approve the building design shown in the drawings submitted with the application. Vote being: Lindhuber, Marciniak, Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Board of Architectural Review
Minutes of May 13, 2020
Page 2

Item 6 – Regulated Sign – app. no. 15-2020 requested by Brian Chase of Chase Sign for Chase Bank, 5839 Monroe Street, Sylvania, Ohio 43560. Mr. Chase was present. Application is for 1 wall sign, 1 monument sign and 1 window sign.

Mr. Burns stated that Mr. Chase has been cooperative in meeting the City’s sign codes; and that the original submittals exceeding the code and that both the number of signs and the size of the signs have been reduced to meet the code. Signs are within the limits of the Sylvania Sign Code.

Mr. Marciniak moved, Ms. Lindhuber seconded, to grant a Certificate of Appropriateness for the sign shown in the drawing submitted with the application. Vote being: Lindhuber, Marciniak, Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Ms. Fischer moved, Ms. Lindhuber seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

C

Sylvania Municipal Planning Commission

Minutes of the regular meeting of May 13, 2020. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Carol Lindhuber, Kathleen Fischer, and Thomas Lindsley (5) present. Zoning Administrator, Timothy Burns present.

Ms. Fischer moved, Mr. Marciniak seconded to approve the Minutes of the March 11, 2020, meeting as submitted. Vote being: Stough, Lindhuber, Marciniak, Fischer and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Council Referral for Recommendation and Review – Petition for Zoning Ordinance Amendment, ZA-1-2020, from South Briar, LLC (David Schmitt), from “R-1”, Single Family Residential Large Lot District to “B-2” General Business District and “R-3” Multiple Dwelling Medium Density District for property located at 5111 & 5123 Main Street, Sylvania, Ohio 43560. (Tabled at the February 12, 2020 meeting per request of agent). Mr. George Oravec was present.

Mr. Oravec explained that the change in zoning (and lot split) request has been made to allow for the building of three single family units and for an expansion to the parking lot for the adjacent commercial center. He added that the money that the developer will borrow to build the homes will also allow him to build a retaining wall as well as clean up the existing commercial center that is adjacent to this property. Also, that parking lot expansion will allow for both a better traffic pattern and an additional 21 parking spaces.

More discussion took place about the details of the project including items such as the number of living units, retaining wall and parking; and the existing adjacent commercial center. Mr. Oravec said that the improvements would include updating the façade.

Mayor Stough asked what kind of assurance the City has that the upgrades would be made to the existing commercial property and if the City has anything in writing. Mr. Kevin Aller was present and stated that he was not aware of any written agreement. Mayor Stough suggested that part of the approval should include conditions that the upgrades would be made to the existing commercial center; and that the upgrades would include meeting our sign code. Other members agreed.

Mr. Marciniak expressed concerns about the drop off of the retaining wall and asked if any kind of a guardrail would be installed? Mr. Oravec said that they were aware that they would need to install some sort of barrier and that will be looked at.

Ms. Lindhuber asked how far away from the property line the homes would be? Mr. Burns said that the plans showed 17 feet from the property line.

Mr. Marciniak moved, Ms. Fischer seconded, to recommend to Council to approve the zoning change as requested, with an inclusion of detailed specifications of the improvements that will be completed to the existing adjacent commercial center. Vote being: Lindhuber, Marciniak,

Sylvania Municipal Planning Commission
Minutes of May 13, 2020
Page 2

Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

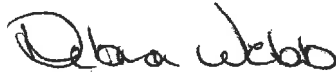
Item 4 – Lot Split – App. No. 2-2020 submitted by Dave Schmitt for property located at 5111 & 5123 Main Street, Sylvania, Ohio 43650. (Tabled at the February 12, 2020 meeting per request of agent). Mr. George Oravec was present.

Mr. Oravec stated the lot split will allow for an expansion to the parking of the adjacent commercial center property.

Ms. Fischer moved, Ms. Lindhuber seconded, to approve the lot split application. Vote being: Lindhuber, Marciniak, Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission