

**Sylvania City Council**  
June 15, 2020

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

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mr. McCann, Mr. Richardson, Ms. Stough, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Frye.
3. Additions to the agenda.
4. Approval of the regular council meeting minutes of June 1, 2020.
5. COVID-19 Update.
6. Update on Ohio Collaborative Certification for Police Division from Chief Schnoor.
7. 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.
8. Monroe St./Harroun Road Improvement Project.
  - a. Service Director's report on ODOT Real Estate agreement.
  - b. Proposed Ordinance No. 40-2020, Authorizing to enter into real estate agreement No. 34971 between the State of Ohio, ODOT and the City of Sylvania for right-of-way acquisition relative to the Monroe Street and Harroun Road Improvement Project.
9. Proposed Resolution # 15-2020, Appointing William D. Sanford to the Sylvania JEDD I Board of Directors for a term of one year.
10. Petition for Zoning Ordinance Amendment from John Healey for Joyce A. Donnelly to change zoning from "R-3", Single-family dwelling to "PRO" Professional Research Office for property located at 6710 Maplewood Ave., Sylvania, OH 43560. (Referral to the Planning Commission.)
11. Committee reports.
  - a. Buildings & Grounds Committee meeting held on June 8, 2020.
12. Committee referrals.

## **INFORMATION**

- A. May 2020 Bank Reconciliation.
- B. Board of Architectural Review minutes from June 10, 2020.
- C. Municipal Planning Commission minutes from June 10, 2020.

Minutes of the Meeting of Council  
June 1, 2020

The Council of the City of Sylvania, Ohio met in regular session on June 1, 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:  
All present.

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

Pledge of  
Allegiance.

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

The following items were added to the agenda:

- 12a. Historical Village Executive Meeting Report – DORA expansion.
- 5f. Council Chambers discussion regarding COVID-19.

Agenda  
approval.

Mrs. Westphal moved Mr. Richardson 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.

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

Mrs. Westphal presented the May 18, 2020 meeting minutes. Mrs. Westphal moved, Mr. Frye 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 May 18, 2020 be approved; roll call vote being: Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the  
May 18 meeting  
minutes.

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

Mayor Stough provided an update on the COVID-19 response to date. Mayor opened discussion on policies on how to open City Hall. The policy will include a by appointment only and must wear masks when in City Hall at this time.

Mayor Stough -  
COVID-19  
Update.

Chief Schnoor stated the police department is back on the regular schedule effective today. Chief stated no one is in isolation/quarantined from the department.

Chief Schnoor –  
COVID-19  
Update.

Public Service Director Aller provided information on city services. The unlimited pickup has been scheduled for July 27<sup>th</sup>, and shred day is in the process of being rescheduled. No confirmed cases of COVID-19 amongst employees.

Public Service  
Director Aller –  
COVID-19  
Update.

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Finance Director Schroyer provided information on the income tax collections, city payroll and budget. Total income tax revenue, to date, is down one million partially due to the filing date change from April 15<sup>th</sup> to July 15<sup>th</sup>.

Finance Dir.  
Schroyer –  
COVID-19  
Update.

Economic Development Director Bill Sanford provided information on local businesses and how it is affecting their operations. Mr. Sanford stated the Farmers Market will begin June 2<sup>nd</sup> at First United Methodist Church on Erie Street. Lourdes University stated they will have students on campus in the fall. Flower Hospital has all laid off employees back to work, and labs and elective surgeries are slowly getting back to regular schedule. The golf tournament is currently in discussion.

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

There was discussion on how to adjust council chambers to accommodate all council members to attend safely.

Discussion re:  
council  
chambers.

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

Chief Schnoor provided an overview on the proposed Cadet position.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 31-2020, a written copy of same having been previously furnished to each member of Council, "Amending Section 125.02 – Division of Police: amending Section 139.03(e)(3) – Definition and adoption of the Compensation Plan of the Codified Ordinances of Sylvania, 1979, as amended: and declaring an emergency." Mrs. Westphal moved, Mr. Haynam 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.  
31-2020;  
"Amending  
Section  
125.02....."  
(Police Cadet  
position)

Mrs. Westphal moved, Mr. Frye seconded, that Ordinance No. 31-2020 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.

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

Service Director's report on the Harroun Park River Trail Bioretention & Stream Restoration Design-Build Services Contract was placed on file. Mr. McCann presented and read aloud by title only, proposed Ordinance No. 34-2020, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Civil & Environmental

Ordinance No.  
34-2020,  
"Authorizing for  
Design-Build

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Consultants, Inc. for the Design-Build Services for the Harroun Park River Trail Bioretention and Stream Restoration Project; appropriating funds therefore in an amount not to exceed \$229,200; 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: Richardson, Stough, Westphal, Cappellini, Frye, Haynam, McCann, (7) yeas; (0) nays. The motion carried.

svcs ...Harroun Park Bioretention & Stream Restoration....”

Mr. McCann moved, Ms. Stough seconded, that Ordinance No. 34-2020 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 8.

Service Director’s report on the Geotechnical and Environmental Engineering Services Contract – Maplewood Avenue Reconstruction project was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 35-2020, a written copy of same having been previously furnished to each member of Council, “Accepting the proposal of TTL Associates, Inc. to provide Geotechnical and Environmental Engineering Services for the Maplewood Avenue Reconstruction Project; appropriating funds therefore in the amount of \$13,540; and declaring an emergency.” Mr. Frye 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. 35-2020, “Accepting proposal for Geotechnical and Environmental Engineering Svcs- Maplewood Ave. Reconstruction.

Mr. Frye moved, Mr. McCann seconded, that Ordinance No. 35-2020 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 9.

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 36-2020, a written copy of same having been previously furnished to each member of Council, “Determining to proceed with the improvement of the City of Sylvania, Lucas County, Ohio, Municipal Street of Acres Road between Sugar Hill Court and Greenhaven Road by installing eight-inch sanitary sewer lines and other related appurtenances; and declaring an emergency.” Mr. McCann moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No. 36-2020, “Determining to proceed.... Acres Rd...sanitary sewer line....”

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Mr. McCann moved, Mrs. Westphal seconded, that Ordinance No. 36-2020 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, McCann, Richardson, Stough, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

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

Mr. Frye provided a recommendation to cancel the July 3, 2020 Fireworks after discussions with the township, SAJRD and the City.

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 37-2020, a written copy of same having been previously furnished to each member of Council, "Authorizing an agreement with Zambelli Fireworks Manufacturing Co. for the Independence Day Celebrations on July 3, 2021, July 3, 2022, and July 3, 2023 at Centennial Terrace and Quarry; authorizing the Mayor and Director of Finance to sign an agreement for the Fireworks display which will cost thirty-five thousand dollars (\$35,000); ratifying the cancellation of the Independence Day Celebration that was scheduled for July 3, 2020; authorizing a 50% deposit payment for each year's fireworks display due in February of each calendar year which will be shared by the City, Sylvania Township, Coca-Cola Corporation, The Sylvania Area Joint Recreation District and area businesses; and declaring an emergency"; Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance No.  
37-2020,  
"Authorizing  
agreement with  
Zambelli  
Fireworks....  
7/3/21, 7/3/22,  
7/3/23...."

Mr. Frye moved, Mr. McCann seconded, that Ordinance No. 37-2020 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Stough, Westphal, Cappellini, Frye, Haynam, McCann, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 38-2020, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Environmental Design Group to perform Task 3 of the Sylvania Downtown Master Plan and Market Analysis; appropriating funds therefore in an amount not to exceed \$23,875; and declaring an emergency"; Mrs. Westphal moved, Mr. McCann seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Stough, Westphal, Cappellini, Frye, Haynam, McCann, Richardson, (7) yeas; (0) nays. The motion carried.

Ordinance No.  
38-2020,  
Authorizing  
proposal of  
Environmental  
Design  
Group...Task 3  
of Downtown

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Mrs. Westphal moved, Mr. Richardson seconded, that Ordinance No. 38-2020 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, McCann, Richardson, Stough, (7) yeas; (0) nays. The motion carried.

Master Plan & Market Analysis..."

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

Mrs. Westphal reported on a Committee of the Whole meeting held on May 20<sup>th</sup> to discuss temporary street closures to accommodate social distancing in downtown area. There was discussion on the process for expansion of DORA.

COW Mtg. Report, Re; Temporary Street Closures.

Mrs. Westphal moved, Mr. McCann seconded to refer the DORA expansion discussion to the Buildings & Grounds Committee; roll call vote being; Stough, Westphal, Cappellini, Frye, Haynam, McCann, Richardson, (7) yeas; (0) nays. The motion carried.

DORA Expansion discussion to Committee.

Ms. Stough set the Buildings & Grounds Committee meeting for Monday, June 8, 2020 at 9:00 a.m., in Council Chambers for discussion of the DORA expansion.

Set Bldgs & Grounds Com. Mtg; 6/8/20 Re: DORA Expansion.

Mr. Richardson reported on an Employee & Community Relations Committee meeting held on May 21, 2020 to continue discussion of the 2021 City Calendar. He stated the committee recommended to approved Arrow Print & Copy for the 2021 city calendar.

Emp & Com. Relations Mtg Report: 2021 City Calendar.

Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 39-2020, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Arrow Print & Copy for the 2021 City of Sylvania Calendar; appropriating funds therefore in an amount not to exceed \$9,358.48; and declaring an emergency"; Mr. Richardson moved, Mrs. Westphal 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. 39-2020, "Accepting proposal of Arrow Print & Copy....2021 City Calendar..."

Mr. Richardson moved, Mr. McCann seconded, that Ordinance No. 39-2020 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

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carried.

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

Adjournment.

Mrs. Westphal moved, Mr. Richardson seconded to adjourn at 9:30 p.m. Roll call vote being: Haynam, Richardson, Stough, Westphal, Cappellini, Frye, McCann (7) yeas; (0) nays. The motion carried.

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Clerk of Council

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Mayor



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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

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**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

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DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

June 15, 2020

To: The Mayor and Members of Sylvania City Council

Re: **LUC-CR-4-9.77 (PID 109598) – MONROE STREET & HARROUN ROAD IMPROVEMENTS  
ODOT REAL ESTATE AGREEMENT NO. 34971**

Dear Mr. Mayor and Council Members:

On June 17, 2019 Council authorized the City (Ord. 52-2019) to enter into an Agreement with the Ohio Department of Transportation (ODOT) to administer the LUC-CR-4-9.77 Project as a Local Public Agency (LPA). As a reminder, this project involves several safety related upgrades to the Monroe & Harroun, Monroe & Kroger, and Harroun & Kroger intersections. Construction is scheduled for 2022.

Right-of-way plans to obtain the necessary real estate to construct the project have been finalized and the City is ready to begin acquisition. In accordance with Federal and State law, any projects using Federal funds to acquire real estate must have a formal Agreement in place between the LPA and ODOT. This Agreement outlines responsibilities and estimates acquisition costs.

The ODOT safety funds awarded for the project included an estimate of \$167,500 for right-of-way acquisition costs. This was to be paid through a Federal participation cap amount of \$150,750 and an anticipated local contribution of \$16,750. The current estimate for right-of-way acquisition is \$279,694. Per the Agreement, the LPA (City) is required to fund the anticipated local contribution plus 100% of expenses over the Federal cap.

Therefore, we would request approval of this Agreement and an appropriation of \$128,944 to fund the local contribution for right-of-way acquisition. Funds would be from account 401-7610-53503. Please call with any questions.

Sincerely,

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

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**ORDINANCE NO. 40 -2020**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO REAL ESTATE AGREEMENT NO. 34971 BETWEEN THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION AND THE CITY OF SYLVANIA FOR RIGHT-OF-WAY ACQUISITION RELATIVE TO THE MONROE STREET AND HARROUN ROAD IMPROVEMENT PROJECT; APPROPRIATING FUNDS FOR THE ANTICIPATED RIGHT-OF-WAY ACQUISITION COSTS IN THE AMOUNT OF \$128,944; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 52-2019, passed June 17, 2019, authorized the Mayor and Director of Finance to enter into an Agreement with the State of Ohio, Department of Transportation to administer the Monroe Street and Harroun Road Improvement Project (LUC-CR-4-9.77) as a Local Public Agency Project; and,

WHEREAS, this project includes several safety related upgrades to the Monroe & Harroun, Monroe & Kroger, and Harroun & Kroger intersections and construction is scheduled for 2022; and,

WHEREAS, right-of-way plans to obtain the additional real estate to construct the project have been completed and the City is ready to begin acquiring the necessary property; and,

WHEREAS, the proposed Agreement outlines responsibilities for right-of-way acquisition between the City and the Ohio Department of Transportation and estimates the costs associated with the acquisition; and,

WHEREAS, the current estimate for right-of-way acquisition is \$279,694, with \$150,750 being funded through the Ohio Department of Transportation, leaving a net estimated contribution of \$128,944; and,

WHEREAS, ODOT has proposed the attached Agreement Real Estate Agreement No. 34971, a copy of which is attached hereto as "Exhibit A"; and,

WHEREAS, the Director of Public Service, by report dated June 15, 2020, has recommended approval of Agreement No. 34971 between the Ohio Department of Transportation and the City of Sylvania, Ohio.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to enter into, on behalf of this City, Agreement No. 34971 with the Ohio Department of Transportation for right-of-way acquisition in the form and substance of said Agreement attached hereto.

SECTION 2. That to provide funds for said right-of-way acquisition hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements**, the amount of One Hundred Twenty-Eight Thousand Nine Hundred Forty-Four Dollars (\$128,944.00).

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Agreement should be entered into immediately to provide for the right-of-way acquisition for the Monroe Street and Harroun Road Improvement Project. 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  
APPROVED:

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

# Real Estate Agreement No. 34971

June 11, 2020

City of Sylvania  
Joseph E. Shaw, Deputy Director  
6730 Monroe Street  
Sylvania, OH 43560

Re: LUC CR 4-9.77 Monroe Street Impr  
FPN: E190 (438)  
SJN: 428291  
PID No.: 109598

Dear Mr. Shaw:

Pursuant to both Federal and State law, 49 CFR Part 24 and ORC 163 et.seq., the Ohio Department of Transportation is required to monitor all highway development projects receiving funds from the Federal Highway Administration. The rights of way acquired for the above referenced project will be incorporated into a Federally-assisted project and the following provisions must be set forth and agreed upon between the City and the ODOT.

Ordinance No. (Resolution No.) \_\_\_\_\_, passed on \_\_\_\_\_ by the City of Sylvania, and subsequently accepted and journalized by the Director of Transportation, provides for cooperation with the State on the acquisition of right of way on the above referenced project, which is described as follows:

To realign intersection and upgrade signals on Monroe Street at Harroun and Kroger drive.

Discussions and understandings between representatives from our organizations in reference to the acquisition of rights of way must now be officially set forth and agreed upon. If you agree to the following facts and stipulations, please sign all copies of this agreement and return them to the ODOT District Office together with payment of the attached Invoice. The State will authorize acquisition of right of way after this agreement has been executed and the deposit money received.

The **ESTIMATED** Right of Way Acquisition costs pertinent to this agreement based upon the Final right of way plans and work plan is \$279,694.00.

The **ESTIMATED** right of way cost breakdown is as follows:

Right of Way Acquisition Costs	\$279,694.00
RW Labor Costs	(Paid outside this Agreement)
Less 90% Federal participation up to \$167,500 cap	<u>\$150,750.00</u> (POA)
Balance	\$128,944.00

This project as programmed, provides for participation in project right of way labor or right of way acquisition costs at 90% Federal (Safety funds) and 10% Local Funds (City of Sylvania) up to a cap funding amount of \$167,500.00. The consultant RW labor costs will be reimbursable by ODOT however are being paid outside of this agreement and have been included within the PE and/or LPA agreement.

The Federal Participation in the RW Acquisition costs phase of this project has a Federal Funding cap of \$167,500.00 which will not be exceeded or revised. Federal safety funds will include 90% amounting to \$150,750.00 capped reimbursement leaving a 10% balance of \$16,750.00 plus the difference of \$112,194.00 which is 100% above the capped Federal reimbursement for a total amount of \$128,944.00 due from the City of Sylvania.

Prior to the State's approval for commencement of full acquisition of right of way, the City will deposit \$128,944.00 which are estimated to be the City of Sylvania's share of right of way acquisition costs allotted for this project.

The City of Sylvania must have authorization from the ODOT District Real Estate Office to begin any phase of the acquisition process. ODOT will authorize acquisition of right of way after this agreement has been executed, deposit money is received, and Final right of way plans with legal descriptions are completed. The actual authorization must be approved by FHWA. It is agreed and understood that all costs contained herein are preliminary estimates and represent the best estimate for the property to be acquired, and/or right of way services work to be performed for the project. The City of Sylvania further agrees that it shall participate in the costs as stated in this agreement, for all final costs which may exceed this estimate and resulting deposit. If future billing is required for costs which exceed this estimate, The City of Sylvania will be invoiced referencing this Real Estate Agreement. Any excess deposit by the City of Sylvania will be applied to the city's percentage of construction costs or returned to the City.

The City of Sylvania has selected West Erie Realty Solutions and Martin & Wood Appraisal Group consultants from the ODOT list of prequalified RW acquisition consultants through the project's Preliminary Engineering posting process. West Erie Realty Solutions and Martin & Wood Appraisal Group shall provide the turnkey right of way acquisition and appraisal services, ODOT shall provide the appraisal review services. All consultants are required to complete the acquisition of the right of way necessary in accordance with sections 163.51 through 163.62, inclusive of the revised code of Ohio, Sections 5501:2-5-01 et. seq. of the Ohio Administrative Code and any future amendments thereto which supplement and support Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended, and Federal Highway regulations and directives on Relocation Assistance and Real Property Acquisition, as well as full compliance with Title VI of the Civil Rights Act of 1964.

The City of Sylvania shall maintain all files, accounting records, and other evidence pertaining to costs incurred and agrees to make such materials available at their respective offices at all reasonable times during the contract period and for three (3) years from the date of final payment under the contract for inspection by the Ohio Department of Transportation, Federal Highway Administration or their authorized representatives and copies thereof shall be furnished if requested.

The City of Sylvania shall submit a letter to ODOT identifying the prequalified individuals for the following items pertaining to specific real estate functions and must comply with ODOT policies and procedures and are incorporated herewith:

**Title**

The City of Sylvania will provide or arrange to provide for a search of title for each property required for the project's right of way.

**Appraisal**

The City of Sylvania will be responsible for the appraisals and will execute any necessary contracts with private fee appraisers in accordance with ODOT's approved list of appraisers.

**Appraisal Review**

The appraisal review will be completed by ODOT District Two Kimberly Allensworth Navratil who is on the approved list of review appraisers. The City of Sylvania will approve recommended just compensation as authorized by an appropriate official of City of Sylvania as well as the ODOT District Two Real Estate Administrator David E. Seasley.

**Negotiations**

In compliance with State policies and procedures, negotiations shall not commence until the City of Sylvania is in possession of an approved Fair Market Value Estimate. Negotiations and the settlement shall be governed by said approved fair market value. The City of Sylvania consultant shall negotiate with the owners for the purchase of real property and the conveyance of fee simple title by warranty deed or whatever lesser interest is required for the needs of the project. Such title will be taken in the name of the City of Sylvania. The City of Sylvania shall utilize negotiators in accordance with ODOT's approved list of negotiators.



**Warrants for payment of RW acquisition costs to property owners will be issued by the ODOT, DISTRICT 2 REAL ESTATE ON BEHALF OF the City of Sylvania.**

**Administrative and/or Case Settlement Review:**

The City of Sylvania will be responsible for administrative and/or case settlement reviews which must be maintained in the parcel file in writing, containing all the appropriate documentation to support the request. Administrative and/or Case Settlement Review authority is governed by ODOT Real Estate Policy and Procedure Manual, including the level of authority that requires ODOT District Two and/or ODOT Central Office approval *prior to owner agreement and/or case settlements.*

**Appropriations**

The City of Sylvania will appropriate properties that it is unable to negotiate for the project in accordance with Chapter 163 of the Revised Code of Ohio. As referenced in the above section, the settlement of any cases filed for appropriation will require prior ODOT approval. See the ODOT Real Estate Policy and Procedure Manual.

**Utility Relocation**

The City of Sylvania will be responsible for the relocation and accommodation of all affected utilities. If needed, the State can provide assistance in this matter. The design consultant must comply with all utility coordination responsibilities. Please contact District 2 Utilities Coordinator, Brad Fox with any requests for assistance at 419-373-4407.

**Right of Way Certification**

Upon completion of the acquisition process, the City of Sylvania will certify to the District that the right of way has been fully acquired. The District will then certify the right of way to the Federal Highway Administration. The City of Sylvania will coordinate this certification with the District Real Estate Office. This certification will include the utility note, encroachment removals and all applicable notes and exhibits.

Disadvantaged Business Enterprise (DBE) Obligation: The City of Sylvania or its contractor agrees to ensure that disadvantaged business enterprises, as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided in conjunction with this agreement. The County and its contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that disadvantaged business enterprises have the maximum opportunity to compete for, receive and perform such contracts/subcontracts. The City of Sylvania and its contractors shall not discriminate on the basis of race, color, national origin, age or sex in the award and performance of USDOT-assisted contracts.

It is understood by the City that disposal of unneeded portions of highway rights of way or limited access rights will be subject to State and Federal Highway Administration approval.

It is agreed that the City will reimburse the State monies spent on the project that were not covered by the deposit if the project is eventually canceled or does not progress to construction.

Attest:

City of Sylvania

\_\_\_\_\_  
Witness

By \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness

By \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Witness

By \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Law Director,  
City of Sylvania, Ohio

Date: \_\_\_\_\_

**Ohio Department of Transportation**

\_\_\_\_\_  
Jack Marchbanks, Ph.D, Director  
By: Patrick McColley  
District Two Deputy Director

\_\_\_\_\_  
David E. Seasley, P. S.  
District Two Real Estate Administrator

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**RESOLUTION NO. 15 - 2020**

**APPOINTING WILLIAM D. SANFORD TO THE SYLVANIA JEDD I BOARD OF DIRECTORS FOR A TERM OF ONE YEAR; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 33-2020, passed by Sylvania City Council on May 18, 2020, authorized 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 Sylvania Township; and,

WHEREAS, Ohio Revised Code Section 715.72(P)(1) establishes the composition of the Board of Directors of Sylvania JEDD I as there is a business operating and persons employed in the District; and,

WHEREAS, pursuant to the Sylvania JEDD I Agreement and O.R.C. Section 715.72(P)(1), the Board of Directors shall consist of: (1) one member representing the municipal corporation who shall serve an initial term of one year; (2) one member representing the township and serving an initial term of two years; (3) one member representing the owners of businesses in the District and serving an initial term of three years; (4) one member representing the persons working in the district and serving an initial term of four years; (5) one member selected by the other four members and serving an initial term of four years; and,

WHEREAS, Mr. Sanford's term will serve as the City of Sylvania's representative and his term will be for one year.

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

SECTION 1. That William D. Sanford is hereby appointed to the Sylvania JEDD I Board of Directors for a one-year term.

SECTION 2. That the Clerk of Council be, and she hereby is, directed to certify a copy of this Resolution to the Sylvania JEDD I Board of Directors.

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

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

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that the City should make its appointment to the Sylvania JEDD I Board of Directors so that said Board will be fully constituted at the earliest possible time. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

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

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

ATTEST:

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

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

PETITION FOR ZONING ORDINANCE AMENDMENT

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

Application No. ZA-2-2020  
Date June 2, 2020

Petitioner Name(s): John Healey, on agent for Richard Stausley

Petitioner Address: 8330 Ledgestone Ave  
Sylvania, OH 43560

Email: jhealey@mullerdiversified.com Telephone: 419.356.5600

Location of property for which zoning amendment is requested:  
6710 Maplewood Ave, Sylvania, OH 43560

Purpose of amendment request: to accomodate professional businesses  
in a defined Residential Area

Current Zoning: R-3 Single-family Requested Zoning: PRO - Professional-  
Dwelling on Platted lot Research Office

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: Joyce A. Donnelly  
JOYCE DONNELLY

Date referred by Council: \_\_\_\_\_

Date of Commission Action: \_\_\_\_\_

Date of Council Action: \_\_\_\_\_

Action: \_\_\_\_\_

For Office Use Only

Date: 6/9/20 Check #: 2613 Cash: \_\_\_\_\_ Fee: \$ 100.00



Petition for Zoning Ordinance Amendment

6710 Maplewood Ave  
Sylvania, OH 43560

LEGAL DESCRIPTION:

6 9 9 NE ¼ THT PT E ½ W OF LS&MSRY...W 103.50 FT E 1 AC  
S 3.75 AC E 7.25 AC PT N MAPLEWOOD AVE EXC NLY 206.51 FT &  
EXC SLY 162.31 FT AS

(as taken from Lucas County Auditors webpage)

To be attached and made a part of the Petition for Zoning Ordinance Amendment  
filed this date, June 2, 2020

# AREA LOCATION MAP

Home Property Search County Records Contact Us

Address Owner Parcel Number Assessor # Advanced County Map Multi-Year Search

## Summary

PARCEL ID: 8202007  
MARKET AREA: 1904R  
NATURAL RESOURCES MANAGEMENT LLC AN OHIO  
TAX YEAR: 2020

## Map

## Pictometry

## Transfers

## Values

## Residential Attributes

## Commercial Attributes

## Outbuildings

## Land

## Remarks & Splits

## Permits

## Current Taxes

## Tax Distribution

### By Fund

### By Fund & Levy

## Prior Taxes

## Special Assessments

## Payments

## Levy Estimator

## Prior Specials

## Pro # Inquiry

## CAUV

## Agriculture

## Forest

## Mylar Tax Map

## Photos

## Sketch

## Manufactured Home (MH\_OH)

## Manufactured Home (MH\_EQ)

## BOR/Appeals



# SITE PLAN

Home [Property Search](#) [County Website](#) [Contact Us](#)

[Address](#) [Owner](#) [Parcel Number](#) [Assessor #](#) [Advanced](#) [County Map](#) [Multi-Year Search](#)

## Summary

PARCEL ID: 8202007  
MARKET AREA: 1904R  
NATURAL RESOURCES MANAGEMENT LLC AN OHIO  
TAX YEAR: 2020

[Map](#)

[Pictometry](#)

[Transfers](#)

[Values](#)

[Residential Attributes](#)

[Commercial Attributes](#)

[Outbuildings](#)

[Land](#)

[Remarks & Splits](#)

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[Current Taxes](#)

[Tax Distribution](#)

[By Fund](#)

[By Fund & Levy](#)

[Prior Taxes](#)

[Special Assessments](#)

[Payments](#)

[Levy Estimator](#)

[Prior Specials](#)

[Pro # Inquiry](#)

[CAUV](#)

[Agriculture](#)

[Forest](#)

[Mylar Tax Map](#)

[Photos](#)

[Sketch](#)

[Manufactured Home \(MH\\_OH\)](#)

[Manufactured Home \(MH\\_EQ\)](#)

[BOR/Appeals](#)



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**City of Sylvania**  
**Bank Reconciliation**  
**May 2020**

A

Ending balance for April 2019	29,548,395.95
Add: Monthly Receipts	<u>2,662,970.88</u>
Subtotal	\$ 32,211,366.83
Less: Monthly Disbursements	<u>3,055,708.69</u>
Ending balance for May 2019	\$ 29,155,658.14
Less:	
CD Metamora Bank	\$ (2,144,420.23)
Star Ohio	(82,157.23)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
Key Bank Securities	(8,172.66)
5/3rd Securities	(8,027,469.96)
SJS Account	(5,786,439.99)
Morgan Stanley Investment	(200,000.00)
UBS Financial	(7,068,142.53)
First Federal Bank (CD)	(2,065,555.94)
Key Bank (CD)	(1,031,625.00)
Sylvania Township Bonds	(230,000.00)
	\$ 2,476,758.56

(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

<b>BANK BALANCE</b>	
EOM 5/3rd Bank Balance	\$ 3,021,127.30
Deposit in Transit:	
Income Tax	9,717.56
General Deposit	28,062.17
Subtotal	\$ 3,058,907.03
Less: Outstanding Checks (2)	582,148.47
Adjusted Bank Balance	\$ 2,476,758.56
(2)	
April Outstanding Checks	\$ 237,054.10
Checks written this month	1,108,101.26
Voided Check #75693 dtd 3/4/20	(50.00)
Subtotal	<u>\$ 1,345,105.36</u>
Checks Cleared this month	<u>(762,956.89)</u>
May Outstanding Checks	\$ 582,148.47



Toby Schroyer  
 Director of Finance, City of Sylvania

Board of Architectural Review

B

Minutes of the regular meeting of June 10, 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. Lindhuber moved, Ms. Fischer seconded to approve the Minutes of the May 13, 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 – Regulated Sign – app. no. 16-2020 requested by Gary Harrell of Graphic Signs for All American Karate, 7549 W. Sylvania Avenue, Sylvania, Ohio 43560. Application is for a new wall sign. Sign is within the limits of the Sylvania Sign Code. Ms. Fischer 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.

Item 4 – Regulated Sign – app. no. 17-2020 requested by Karie Brock of Fast Signs for Saint Joseph Parish & School, 5365 Main Street, Sylvania, Ohio 43560. Ms. Brock was present. Application is for two wall signs. Signs are within the limits of the Sylvania Sign Code. Ms. Lindhuber moved, Ms. Fischer seconded, to grant a Certificate of Appropriateness for the signs 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 – Regulated Sign – app. no. 19-2020 requested by Edie Victor of Gardner Signs for Premier Bank, 5520 Monroe Street, Sylvania, Ohio 43560. Mr. Jeff Prymas was present. Application is for a refacing of the existing monument sign and three wall signs. Mr. Burns stated the sign labeled G on the drawing was denied at the Zoning level and it is not part of the review. Mr. Prymas concurred. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Ms. Lindhuber seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application with the modification that the sign labeled G in the drawing is not included. Vote being: Lindhuber, Marciniak, Fischer, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 6 – Regulated Sign – app. no. 18-2020 requested by Troy Rydman of Advertising Elements, LLC for McCord Road Christian Church/Five Lakes Church, 4765 McCord Road, Sylvania, Ohio 43560. Application is for a replacement monument sign. Mr. Burns stated that the sign is going to be a long-term temporary sign as the church will be relocating. Sign is within the limits of the Sylvania Sign Code. Ms. Lindhuber moved, Ms. Fischer 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.

Mr. Marciniak moved, Ms. Fischer 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 June 10, 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, Ms. Lindhuber seconded to approve the Minutes of the May 13, 2020, meeting as submitted. Vote being: Stough, Lindhuber, Marciniak, Fischer 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