

Sylvania City Council
January 3, 2022

7:30 p.m. Council Meeting
Agenda

Public Hearing
After City Council meeting
Right-of-Way Extension – Country Place

1. Roll call. Mr. Frye, Mr. Hansen, Mr. Haynam, Mr. McCann, Mr. Richardson, Ms. Stough, Mrs. Westphal
2. Pledge of Allegiance to the United States of America led by Ms. Stough.
3. Additions to the agenda.
4. Approval of the council meeting minutes of the regular meeting of 12/20/21.
5. South Main Street Sanitary Sewer Improvement Project, (Phase 1).
 - a. Service Director's report on project.
 - b. Proposed Ordinance No. 1-2022, Accepting the Proposal of Jones & Henry Engineers to provide preliminary Engineering Services for the South Main Street Sanitary Sewer Improvements (Phase 1).
 - c. Proposed Ordinance No. 2-2022, Accepting the Proposal of Adkins Sanitation to provide televised inspection services for South Main Street Sanitary Sewer Improvements (Phase 1).
6. Right-of-Way Acquisition Services Proposals – LUC-Monroe/Silica and LUC-Silica Bridge Replacement Project.
 - a. Service Director's report on project.
 - b. Proposed Ordinance No. 3-2022, Accepting the proposal of We Realty Solutions, LTD to provide right-of-way acquisition services relative to the Monroe & Silica Intersection upgrade & Silica Bridge Replacement projects.
 - c. Proposed Ordinance No. 4-2022, Accepting the proposal of American Property Analysts, Inc. to provide right-of-way acquisition services relative to the Monroe & Silica Intersection upgrade & Silica Bridge Replacement projects.
7. Proposed Resolution No. 1-2022, Designating the Clerk of Council as the Mayor and City Council's designee to attend training programs about Public Records Law.

8. Proposed Resolution No. 2-2022, Re-appointing Thomas Reynolds to the Board of Zoning Appeals commencing on January 1, 2022 through December 31, 2024.
9. Proposed Resolution No. 3-2022, Re-appointing Gary Sommer to the Board of Zoning Appeals commencing on January 1, 2022 through December 31, 2024.
10. Proposed Ordinance No. 5-2022, Authorizing to enter into a 3-year Collective Bargaining Agreement commencing January 1, 2022, on behalf of the City of Sylvania Municipal Employees Association (SMEA).
11. Committee reports.
12. Committee referrals.

INFORMATION

None.

Minutes of the Meeting of Council
December 20, 2021

The Council of the City of Sylvania, Ohio met in regular session on December 20, 2021 at 7:30 p.m. with Mayor Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Brian McCann, Patrick Richardson, Lyndsey Stough, Mary Westphal; (6) present; Doug Haynam, (1) absent.

Roll call:
Haynam, absent;
excused.

Pledge of Allegiance to the United States of America led by Mr. Richardson.

Pledge of
Allegiance.

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

The following items were added to the agenda:

Item # 13a. Deleted due to cancellation of meeting by Chairman.

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

Agenda approval.

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

Mr. Frye presented the December 6, 2021 meeting minutes. Mr. Frye moved, Mr. McCann seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of December 6, 2021 be approved; roll call vote being: Frye, McCann, Richardson, Stough, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the
December 6,
2021 meeting
minutes.

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 79-2021, a written copy of same having been previously furnished to each member of Council "To make certain Adjustments to Account Allocations within the Fund Appropriations for the Fiscal Year Ending December 31, 2021; and declaring an emergency"; Mr. Frye moved, Mrs. Westphal seconded for passage of Ordinance No. 79-2021 as an emergency measure; roll call vote being: Frye, McCann, Richardson, Stough, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Ordinance 79-
2021,
"...adjustments
to Fund
Appropriations
for FY ending
12/31/21..."

Minutes of the Meeting of Council
December 20, 2021

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 80-2021, a written copy of same having been previously furnished to each member of Council “Authorizing an Agreement between Donald J. Schonhardt & Associates, Inc. and the City of Sylvania whereby said Firm will assist the City in preparation of its 2021, 2022 and 2023 Basic Financial Statements (BFSs) in compliance with Generally Accepted Accounting Principles (GAAP) at costs not to exceed \$15,000 for 2021, \$15,000 for 2022, and \$15,000 for 2023 plus mileage for each year; authorizing the Mayor and Director of Finance to sign the Agreement on behalf of this City; and declaring an emergency”; Mr. Frye moved, Mr. McCann seconded for passage of Ordinance No. 80-2021 as an emergency measure; roll call vote being: Richardson, Stough, Westphal, Cappellini, Frye, McCann, (6) yeas; (0) nays. The motion carried.

Ordinance No. 80-2021,
“Authorizing an agreement with Schonhardt & Assoc for preparation of its 2021, 2022, and 2023 Basic Financial Statements...”

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

Mr. Richardson presented and read aloud by title only, the proposed Ordinance No. 81-2021, a written copy of same having been previously furnished to each member of Council, “Making certain position and compensation pay plan changes making certain salary, wage and other service compensation adjustments to the Codified Ordinances of Sylvania, 1979, as amended, and other ordinances; by granting pay increases to the appointed officials whose titles are listing in Section 139.03(e)(3), by granting a two and one-half percent (2.50%) pay increase to all non-union city employees and court employees whose positions are included in the list of occupational titles of Section 139.02(a) of the Codified Ordinance of Sylvania which increase is reflected in the annual wage rate Schedule 4 of Section 139.10(D) of the Sylvania Codified Ordinances; by granting pay increases for some of the employees in the labor and trades supervision group; and declaring an emergency.” Mr. Richardson moved, Ms. Stough seconded for passage of Ordinance No. 81-2021 as an emergency measure; roll call vote being: Stough, Westphal, Cappellini, Frye, McCann, Richardson, (6) yeas; (0) nays. The motion carried.

Ordinance No. 81-2021;
“making certain pay plan changes...”

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

Service Director’s report on the Large Diameter Sanitary Sewer Lining Project (Phase 1) Change Order No. 2 (Final) was placed on file. Mr. McCann presented and read aloud by title only, proposed Ordinance No. 82-2021, 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. 2 (Final) to this City’s Agreement with Visu-Sewer of Ohio, LLC for the Large Diameter Sanitary Sewer

Ordinance No. 82-2021,
“Authorizing CO#2 (Final) ...for Large Diameter

Minutes of the Meeting of Council
December 20, 2021

Lining Project (Phase 1) which reflects the installed bid quantities and the actual work performed on this project; increasing the Contract amount by \$243,384.92; appropriating Fund therefore; and declaring an emergency”; Mr. McCann moved, Mrs. Westphal seconded for passage of Ordinance No. 82-2021 as an emergency measure; roll call vote being: Stough, Westphal, Cappellini, Frye, McCann, Richardson, (6) yeas; (0) nays. The motion carried.

Sanitary Sewer Lining Project, Phase 1....”

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

Proposed Ordinance No. 83-2021, “Accepting for Annexation to the City of Sylvania, Ohio, the territory described in Annexation Petition Number 2021-1 for which Leslie B. Brinning is the Agent, and as hereinafter described; providing for the interim Zoning of said territory; and declaring an emergency.”; Mrs. Westphal moved, Ms. Stough seconded for passage of Ordinance No. 83-2021 as an emergency measure.; roll call vote being: Westphal, Cappellini, Frye, McCann, Richardson, Stough, (6) yeas; (0) nays. The motion carried.

Ordinance No. 83-2021, “Accepting for Annexation, Petition Number 2021-1...” (Centennial Terrace)

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

Mayor Stough presented the Planning Commission’s recommendation on Zoning Ordinance Amendment Application SUP-4-2021, Special Use Permit for Medical Marijuana Dispensary Facility at 5625 W. Alexis Road, Sylvania, Ohio 43560 from Emma Development, 5525 Schultz Dr, Sylvania, Ohio 43560. Mrs. Cappellini moved, Mr. McCann seconded to set the public hearing for SUP-4-2021, Special use Permit for Medical Marijuana Dispensary Facility at 5625 W. Alexis Road, Sylvania, Ohio 43560 from Emma Development, 5525 Schultz Dr, Sylvania, Ohio 43560 for February 7, 2022 at 7:00 p.m.; roll call vote being: Cappellini, Frye, McCann, Richardson, Stough, Westphal, (6) yeas; (0) nays. The motion carried.

Set Public Hearing for SUP-4-2021 for 2/7/22 @ 7:00 p.m.

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

Mr. Frye moved, Ms. Stough seconded to confirm the Mayor’s re-appointment of Kathleen Fisher to the Municipal Planning Commission for a term commencing on January 1, 2022 and expiring on December 31, 2025; roll call vote being: Frye, McCann, Richardson, Stough, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Confirmation of appt, Kathleen Fischer to Syl. Planning Commission 1/1/22-12/31/25.

Minutes of the Meeting of Council
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Mayor Stough stated that Council will now consider agenda item 12.

Ms. Cappellini moved, Mrs. Westphal seconded to confirm the Mayor's re-appointment of Bradford James to the Civil Service Commission for a term commencing on January 1, 2022 and expiring on December 31, 2027; roll call vote being: Frye, McCann, Richardson, Stough, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Confirmation of
appt., Bradford
James to Civil
Service
Commission
1/1/22-12/31/27.

Mayor Stough stated all agenda items have been addressed.

Mr. Frye moved, Mr. Richardson seconded to adjourn at 8:10 p.m. Roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, (6) yeas; (0) nays.

Adjournment.

Clerk of Council

Mayor

5a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

January 3, 2022

To: The Mayor and Members of Sylvania City Council

Re: **Preliminary Engineering Services Proposals
South Main Street Sanitary Sewer Improvements (Phase 1)**

Dear Mr. Mayor and Council Members:

The Service Department is ready to begin Preliminary Engineering for the first phase of a three-phased project planned for South Main Street between Tenmile Creek and Brint Road.

For Phase 1, the Service Department is interested in rehabilitating the sanitary sewer service laterals ahead of the full-depth roadway reconstruction project funded with TMACOG STBG funds and scheduled for construction in 2024. We would like to have a better understanding of this 100-year old sewer system by performing a televised inspection of both the main and laterals. Once this information has been collected and reviewed we can better determine the best conditions-based approach for rehabilitation. Methods under review include open-cut lateral replacement, lateral lining, an off-pavement parallel lateral collection sewer system, and a low-pressure sewer system.

At the conclusion of preliminary engineering a rehabilitation approach will be selected and a subsequent final design engineering proposal will be provided to complete the necessary construction plans for a 2023 project.

The Service Department has obtained a proposal from Adkins Sanitation in the amount of \$10,000 to provide televised inspection services of the main and laterals. In addition, Jones & Henry Engineers will review the inspection information and evaluate rehabilitation alternatives. The Jones & Henry proposal amount is \$29,300. We would recommend approval of both the Adkins Sanitary proposal (\$10,000) and the Jones and Henry proposal (\$29,300). These funds were included in the 2022 sanitary sewer budget via fund 702-7540-53501. Please call with any questions.

Sincerely,

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

5b

ORDINANCE NO. 1 -2022

ACCEPTING THE PROPOSAL OF JONES & HENRY ENGINEERS, LTD. TO PROVIDE PRELIMINARY ENGINEERING SERVICES FOR THE SOUTH MAIN STREET SANITARY SEWER IMPROVEMENTS (PHASE 1) PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$29,300; AND DECLARING AN EMERGENCY.

WHEREAS, the Service Department is ready to begin preliminary engineering for the South Main Street Sanitary Sewer Improvement (Phase 1) Project from Tenmile Creek to Brint Road; and,

WHEREAS, Phase 1 of the project includes rehabilitating the sanitary sewer service laterals prior to the full-depth roadway reconstruction project scheduled for construction in 2024; and,

WHEREAS, Jones & Henry Engineers, Ltd. has proposed to review the inspection information obtained from the televised inspection of the sanitary sewer lines and evaluate rehabilitation alternatives; and,

WHEREAS, the Director of Public Service, by report dated January 3, 2022, has recommended that the proposal of Jones & Henry Engineers, Ltd. to provide professional engineering services to review the inspection information and evaluate rehabilitation alternatives for the South Main Street Sanitary Sewer Improvement (Phase 1) Project in the amount of \$29,300, be approved.

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 Jones & Henry Engineers, Ltd., 3103 Executive Pkwy., Ste. 300, Toledo, Ohio, in the amount of Twenty-Nine Thousand Three Hundred Dollars (\$29,300.00) to provide professional engineering services for the South Main Street Sanitary Sewer Improvement (Phase 1) Project, is hereby approved and accepted.

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

SECTION 3. That to provide funds for said engineering services hereby authorized, there is hereby appropriated from the **SEWER FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-53501 – Utility Improvements** the amount of Twenty-Nine Thousand Three Hundred Dollars (\$29,300.00).

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 professional engineering services should commence at the earliest possible time and therefore this Ordinance 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



November 11, 2021

Joe Shaw, P.E., P.S.
Deputy Director
City of Sylvania
Department of Public Service
6730 Monroe Street
Sylvania, Ohio 44256

Subject: City of Sylvania
Main Street Sanitary Sewer Rehabilitation
Tenmile Creek to Brint Road or Convent Boulevard
Proposal for Preliminary Engineering Services

Mr. Shaw:

We are pleased to provide you with a proposal for design engineering services associated with the evaluation of options for the improvements to the sanitary sewer collection system along Main Street between Tenmile Creek and Convent Boulevard. We have included an optional pricing item that extends the southern terminus of the study to Brint Road. Since the original Jos. Hoffman and Company design project included sewer main from Tenmile Creek to Brint Road, we suspect the sewer construction, material and conditions along the entire sewer run are similar. As such, the City may wish to plan to evaluate the entire Hoffman sewer as one effort.

This proposal outlines the preliminary engineering work to evaluate and develop the basis of design for the improvements contemplated for the Sewer Collection System in the subject areas.

The anticipated scope of improvements for the identified sewer main includes the following:

- a. Improvements to approximately 2,100 feet of existing sanitary sewer main along Main Street (Tenmile Creek to Convent Boulevard) planned in possible phases for 2023 and 2025.
- b. Improvements to approximately 1,700 feet of existing sanitary sewer main along Main Street (Convent Boulevard to Brint Road) with no firm date established for the construction work at this time.
- c. The sewer main generally runs along the centerline of Main Street with laterals extending to serve homes, businesses, and institutions along the roadway.
- d. Of key concern is the condition of lateral sewers. Lateral sewers are believed to be 12:00 style taps that extend to horizontal runs that are suspected to be shallow. The shallow depth is a concern for future full depth reconstruction and paving work planned.

We have included some optional additional services that you may wish to consider including in the preliminary engineering scope of services.

Joe Shaw, P.E., P.S.
City of Sylvania
Main Street Sanitary Sewer Rehabilitation
Tenmile Creek to Brint Road or Convent Boulevard
Proposal for Preliminary Engineering Services
November 11, 2021
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Scope of Preliminary Engineering Services

1. Obtain and review the City's existing background information for the subject sewer mains. Helpful background information may include design or record plans, sewer tap records, construction reports, soils investigations, GIS data and any previous studies.
2. Review CCTV inspection videos and reports for the subject sewer mains to ascertain existing conditions.
 - a. Given the concern with the lateral sewer conditions, it is recommended that the City consider launching lateral sewers for inspection to ascertain the condition of the existing laterals and the suitability of the lateral riser configuration for trenchless rehabilitation methods such as lining.
 - b. We can evaluate the costs of lateral lining without the CCTV inspection of the laterals; however such an inspection is advisable prior to issuing a bid package including lateral lining to ensure the method is feasible. We have included the costs for lateral sewer CCCTV review as an optional service.
3. Visit the site to review existing conditions visible on the surface or depicted on the topographic mapping supplied by the City relative to the contemplated sewer improvements.
4. Develop and evaluate up to five options to repair, replace or rehabilitate the existing sewer mains and laterals along the sewer segments described above. Currently, the methods under consideration are:
 - a. Low Pressure Sewer & Abandonment of Lateral Connections with a Future CIPP of the Sewer Main. The City has received a proposal from E-One / Covalen for the components of the low pressure sewer option.
 - b. Lateral Sewer Open-Cut Replacement with a Future CIPP of the Sewer Main
 - c. Lateral Lining with a Future CIPP of the Sewer Main
 - d. Parallel Open-Cut Sewers on both Sides of the Roadway. A determination would be made as to how to address the existing main located in the center of the roadway.
 - e. Full Open-Cut Replacement of the Sewer Main and Laterals.
5. While not discussed at the meeting we have included pricing to inspect the existing manholes and provide recommendations to determine if rehabilitation or repair work is required at manholes. This information can be used in developing the options discussed in Item 4 above. Manhole inspections will be made from the surface with no confined entry work planned. Should the need for confined entry inspections be determined, an amendment can be provided.

Joe Shaw, P.E., P.S.
City of Sylvania
Main Street Sanitary Sewer Rehabilitation
Tenmile Creek to Brint Road or Convent Boulevard
Proposal for Preliminary Engineering Services
November 11, 2021
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6. Prepare a preliminary design layout for each option showing the proposed work for lateral and sewer mains work for operational review.
7. Prepare a Preliminary Engineer’s Opinion of Project Costs for each of the options presented in Item 3 above.
 - a. The layouts discussed in Item 6 will be used to develop estimated quantities for the Opinion of Project Costs for each option.
 - b. Unit pricing for the options will developed from our previous bid history information for similar work and from discussions with sewer rehabilitation contractors or vendors.
8. Prepare a *Basis of Design Memorandum* to summarize key project considerations or requirements for the sewer infrastructure improvements.
 - a. The *Basis of Design Memorandum* will be submitted in draft format for review and comment by the City.
 - b. A meeting will be held following the submission of the Basis of Design Report to review the City comments.
 - c. Recommendations will be provided to assist the City in selecting the desired concepts and options in the *Basis of Design Memorandum*.
9. The scope of services included in the proposal will conclude with the submission of the final draft of the *Basis of Design Memorandum* to the City. It is intended that the City would be able to immediately commence detailed design work following the completion of this work.

Budget

The proposed budget for the preliminary design phase engineering services as are listed below:

*Evaluation of Options for Sewer Infrastructure Improvements \$17,000.00

Optional Additional Services****

Additional Cost to Expand Evaluation to Brint Road	\$ 4,000.00
Review of CCTV Inspection of Laterals*	\$ 4,800.00
**Manhole Inspections and Recommendations	\$ 3,500.00

*Base Project Limits – Tenmile Creek to Convent Boulevard

**Full Project Limits – Tenmile Creek to Brint Road

***Includes all Laterals connected to sewer main

****Please indicate acceptance of Additional Services on Page 5 of this proposal.

Joe Shaw, P.E., P.S.
City of Sylvania
Main Street Sanitary Sewer Rehabilitation
Tenmile Creek to Brint Road or Convent Boulevard
Proposal for Preliminary Engineering Services
November 11, 2021
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Invoices will be sent monthly, based upon the actual labor hours and reimbursable expenses consumed to complete the work. Should the scope of work change expand or reduce from that described herein, an amendment will be prepared by Jones & Henry commiserate with change in engineering services. The budget for this work will not be exceeded without the prior authorization of an amendment by the City.

Exceptions and Clarifications

1. At this time, we have not included a topographic survey of the project limits in our proposal. The City has supplied a topographic survey in AutoCAD format that will be suitable for use with this evaluation.
 - a. We do not plan to contact OUPS for field markings to confirm existing utility information depicted on the City's topographic mapping.
 - b. Evaluation of sewers beyond the topographic surveying limits provided south of Convent Boulevard will be limited to above grade observations only.
2. The City will provide CCTV inspection videos of the sewer main to J&H for review. Any sewer main or lateral sewer cleaning and CCTV inspection will be performed outside of the scope of this proposal by a Contractor hired by the City. J&H can assist with the selection of a Contractor under the budget provided for
3. We have not included the services of a geotechnical engineer to perform a detailed soils investigation since the work is proposed in areas of previously disturbed soils. It is anticipated that this evaluation may include recommendations for a soils investigation depending on the sewer infrastructure improvement option selected.
4. At this time, we anticipate starting work in January of 2022 with submission of the Basis of Design Report by March 1, 2022 with the understanding that the detailed design work for this project is planned to be completed in calendar year 2022.

Closing

We have provided herein a copy of our standard Engineering Services Agreement for approval by the City. This letter is included as an Exhibit to the Engineering Services Agreement. The services in this agreement can be expanded to cover construction engineering services in the future by amendment should the City wish to retain Jones & Henry for Detailed Design or Construction Phase Engineering. If you find this proposal acceptable, please return one signed copy of the engineering services agreement to my attention.

We appreciate the opportunity to present this proposal for your consideration. Please contact us if you need clarifications or additional information.

Joe Shaw, P.E., P.S.
City of Sylvania
Main Street Sanitary Sewer Rehabilitation
Tenmile Creek to Brint Road or Convent Boulevard
Proposal for Preliminary Engineering Services
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Sincerely,

JONES & HENRY ENGINEERS, LTD.



Theodore A. Bennett, P.E.
Director of Infrastructure

OWNER Initial Selection of Additional Services

Acceptance of Base Proposal Services with Contract Approval

Optional Additional Services

Additional Cost to Expand Evaluation to Brint Road \$ 4,000.00


SES

(INITIAL)

Review of CCTV Inspection of Laterals \$ 4,800.00


SES

(INITIAL)

**Manhole Inspections and Recommendations \$ 3,500.00


SES

(INITIAL)

Date: 12/21/2021

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

Owner: City of Sylvania, Ohio

Engineer: Jones & Henry Engineers, Ltd.

By: _____
Print name: _____
Title: Mayor
Date Signed: _____

By: Bradley F. Lowery
Print name: Bradley F. Lowery, P.E.
Title: President
Date Signed: 12/20/2021

By: _____
Print name: _____
Title: Finance Director
Date Signed: _____

By: Theodore A. Bennett
Print name: Theodore A. Bennett, P.E.
Title: Treasurer
Date Signed: 12/20/2021

Engineer License or Firm's Certificate No. (if required):
Ohio Certificate of Authorization 2387
State of: Ohio

Address for Owner's receipt of notices:
6730 Monroe Street
Sylvania, OH 43560

Address for Engineer's receipt of notices:
3103 Executive Parkway
Suite 300
Toledo, OH 43606

Designated Representative (Paragraph 8.03.A):

Print name: _____
Title: _____
Phone Number: _____
E-Mail Address: _____

Designated Representative (Paragraph 8.03.A):

Print name: Theodore A. Bennett, P.E.
Title: Treasurer
Phone Number: 567-661-0265
E-Mail Address: tbennett@jheng.com

5c

ORDINANCE NO. 2 -2022

**ACCEPTING THE PROPOSAL OF ADKINS SANITATION TO PROVIDE
TELEVISED INSPECTION SERVICES FOR THE SOUTH MAIN
STREET SANITARY SEWER IMPROVEMENTS (PHASE 1) PROJECT;
APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$10,000;
AND DECLARING AN EMERGENCY.**

WHEREAS, the Service Department is ready to begin preliminary engineering for the South Main Street Sanitary Sewer Improvement (Phase 1) Project from Tenmile Creek to Brint Road; and,

WHEREAS, Phase 1 of the project includes rehabilitating the sanitary sewer service laterals prior to the full-depth roadway reconstruction project scheduled for construction in 2024; and,

WHEREAS, in order to ascertain the condition of the sanitary sewer lines in the project area, it is necessary to perform televised inspection of both the main line and the lateral lines so that the appropriate rehabilitation approach can be determined; and,

WHEREAS, Adkins Sanitation has submitted a proposal in the amount of \$10,000 to provide televised inspection services; and,

WHEREAS, the Director of Public Service, by report dated January 3, 2022, has recommended that the proposal of Adkins Sanitation to provide televised inspection services be approved in the amount of \$10,000.

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 Adkins Sanitation, 2226 W. Garrison St., Fremont, Ohio, in the amount of Ten Thousand Dollars (\$10,000.00) to provide televised inspection services for the South Main Street Sanitary Sewer Improvement (Phase 1) Project, is hereby approved and accepted.

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

SECTION 3. That to provide funds for said inspection services hereby authorized, there is hereby appropriated from the **SEWER FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-53501 – Utility Improvements** the amount of Ten Thousand Dollars (\$10,000.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the professional inspection services should commence at the earliest possible time and therefore this Ordinance 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

Adkins Sanitation

2226 W Garrison St
Fremont, OH 43420

Estimate

Date	Estimate #
12/13/2021	45

Name / Address
City of Sylvania Department of Public Service Attn: Joseph Shaw 6730 Monroe St Sylvania, OH 43560

			Project
Description	Qty	Rate	Total
Scope of work: Televis 3800' of main line sewer and locate laterals. Video & Inspection Reports will be provided. Televis / Lateral launch & locate 3800' with 51 laterals. Estimated time to complete job: 3-4 days (based on 10 hr days) Televising estimated cost per day	10	250.00	2,500.00
<div style="border: 1px solid red; padding: 5px; color: red;"> Joe Shaw Notes: Assume 4 days of work: $\\$2,500/10\text{-hour day} \times 4\ 10\text{-hour days} = \\$10,000$ </div>			
		Subtotal	\$2,500.00
		Sales Tax (7.25%)	\$0.00
		Total	\$2,500.00

Requested PO Amount = \$10,000

6a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

January 3, 2022

To: The Mayor and Members of Sylvania City Council

Re: **Right-of-Way Acquisition Services Proposals**
LUC-Monroe & Silica (PID 107489) & LUC-Silica Drive Bridge Replacement (PID 111563)

Dear Mr. Mayor and Council Members:

Engineering design work is through Stage 2 on both the LUC-Monroe & Silica Intersection Upgrade and LUC-Silica Drive Bridge Replacement projects. The next step in both projects is to begin acquiring the necessary real estate that will be needed to widen Monroe Street and Silica Drive for the scheduled improvements.

The Service Department has obtained proposals from two ODOT pre-qualified consultants that will be performing different services to acquire the right-of-way. WE Realty Solutions, Ltd. will be assigned to project management, title reports, appraisals, negotiations, closings, and document recordings. Their proposal to provide these services on fifteen (15) parcels is \$95,250.

American Property Analysts, Inc. (APA) will be providing appraisal review services. ODOT policy on projects that contain federal funding requires an independent entity provide the appraisal review services. The APA proposal for appraisal review services is \$12,900.

We would recommend approval of both right-of-way acquisition services proposals with WE Realty Solutions, Ltd. (\$95,250) and American Property Analysts, Inc. (\$12,900). The expenses for both of these services were included in the 2022 capital improvement budget and will be funded from account number 401-7610-53503.

Please call with any questions.

Sincerely,

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

6b

ORDINANCE NO. 3 -2022

ACCEPTING THE PROPOSAL OF WE REALTY SOLUTIONS, LTD. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES RELATIVE TO THE MONROE & SILICA INTERSECTION UPGRADE PROJECT AND THE SILICA DRIVE BRIDGE REPLACEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$95,250; AND DECLARING AN EMERGENCY.

WHEREAS, the Monroe & Silica Intersection Upgrade Project and the Silica Drive Bridge Replacement Project are through Stage 2 Engineering Design and the next step in both projects is to begin acquiring the property necessary to complete the improvements; and,

WHEREAS, the Director of Public Service has received a proposal from WE Realty Solutions, Ltd. to provide project management, title reports, appraisals, negotiations, closings and document recordings for fifteen parcels that will be impacted by these projects; and,

WHEREAS, the Director of Public Service, in a report dated January 3, 2022, has recommended that the proposal of WE Realty Solutions, Ltd. to provide right-of-way acquisition services for the Monroe & Silica Intersection Upgrade Project and the Silica Drive Bridge Replacement Project at a cost of Ninety-Five Thousand Two Hundred Fifty Dollars (\$95,250.00), 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 WE Realty Solutions, Ltd. in the amount of Ninety-Five Thousand Two Hundred Fifty Dollars (\$95,250.00) for providing right-of-way acquisition services relative to the Monroe & Silica Intersection Upgrade and Silica Drive Bridge Replacement Projects, is hereby 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 consultant services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements** the amount of Ninety-Five Thousand Two Hundred Fifty Dollars (\$95,250.00).

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 right-of-way acquisition services relative to the Monroe & Silica Intersection Upgrade Project and the Silica Drive Bridge Replacement 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

PROPOSAL & AGREEMENT



ROW Acquisition Services / LUC-Monroe Street & LUC-Silica Bridge

1. Project Management - 15 parcels @ \$800.00 per parcel.....\$12,000.00

The project management fee is inclusive of meeting attendance with the various project partners, clerical support, the preparation of status reports and travel as may be necessary to assure timely coordination and completion of tasks involved in the acquirement of rights of way. Note: All right of way interests will be acquired in conformance to the policy and procedures as promulgated by the Ohio Department of Transportation. The project management fee is collected in 4 stages at 25% increments. The 1 of 4 = 25% fee will be invoiced after the completion of title reports and appraisals for any given parcel. The 2 of 4 = 25% fee will be invoiced after the offer is made. The 3 of 4 = 25% fee will be invoiced after the signed parcel has been billed or submitted for appropriation. The 4 of 4 = 25% fee will be invoiced after the parcel file has been scanned, standardized and submitted to the client for review and archiving.

2. Title Reports – 15 Reports @ \$800.00 per parcel..... \$12,000.00

The Title Report fees shown are exclusive of those charged for courthouse copies that may need to be purchased in support of individual title reports. These non-salary direct costs will be reimbursed by the (Client) to the consultant West Erie Realty Solutions, Ltd. (WE) at their actual cost as evidenced by receipts from the respective county office.

3. RE95/RE56 Forms – 5 Parcels @ \$350.00 per parcel \$1,750.00

This phase is a pass-thru expense and will only be invoiced if the actual work is necessary and completed by WE for the project.

4. Appraisals (SEE ATTACHMENT) \$21,750.00

(Martin & Wood Appraisal Group, Ltd.) These appraisal fees are based upon the appraiser’s best estimate in the type of report required for any one parcel utilizing the plans provided by the client. Please keep in mind that the format of appraisal report for any one parcel is subject to revision based on plan changes that may be made to a parcel.

5. Negotiations - 15 Parcels @ \$2,000.00 per parcel \$30,000.00

A “parcel” is defined as a single ownership assigned to a parent number regardless of the number of takings required from that ownership. For example, parcel 1-WD & T is considered to be a single parcel. The offer packet will include the following items: Notice of Intent to Acquire and Good Faith Offer, Colored Plan Exhibits, Warranty Deed, Easement, Instruments, Legal Description and W9 Form. Parcels added or deleted during the course of this agreement shall be cause for adjustment to this cost proposal for all associated work phases under the responsibility of West Erie Realty Solutions, Ltd.

6. Closings – 15 Formal @ \$800.00 per parcel\$12,000.00

The total closings phase includes the updating of the title report and recording of the easement(s) or warranty deed(s) on a per parcel basis exclusive of the recording fee itself.

7. Recording Fees – 15 @ \$150.00 per parcel\$2,250.00

The recording of the easement(s) or warranty deed(s) on a per parcel basis and will be invoiced as a pass-thru expense with attached receipts.

8. Mortgage Releases – 10 @ \$350.00 per parcel\$3,500.00

At the time of this proposal, it is unknown whether any partial mortgage releases will be required. ODOT P&P requires them when FMVE is greater than \$25,000. As a worst case scenario, WE is assuming 10 mortgage releases will be needed for this project. WE will only invoice for any releases that need to be obtained.

Total Cost Proposal\$95,250.00

Respectfully submitted by:
West Erie Realty Solutions, Ltd.
323 Lafayette Street
Toledo, Ohio 43604

Greg R. Vriezelaar
President

Date: December 21, 2021

Proposal Accepted By:
City of Sylvania

Name: Date:

Name: Date:

Subject: Revised Proposal for LUC-Monroe St (PID 107489) & LUC-Silica Bridge (PID 111563)
Date: Tuesday, December 21, 2021 at 1:36:41 PM Eastern Standard Time
From: Kevin Schroeder
To: Greg Vriezelaar
Attachments: image001.png

Greg,

Our revised proposed fees and formats are as follows:

LUC-Monroe Street (PID 107489) and LUC-Silica Bridge (PID 111563):

Parcel 10 = Donation

Parcel 11 = \$875 (VA)

Parcel 12 = \$1,750 (VF) (Possible wall estimate, assumes no damages)

Parcel 18 = \$1,750 (VF)

Parcel 19 = Donation

Parcel 20 = \$875 (VA)

Parcel 21 = \$1,750 (VF) (Sign estimate)

Parcel 22 = \$1,750 (VF) (Possible wall estimate)

Parcel 23 = \$875 (VA)

Parcel 27 = Donation

Parcel 28 = \$1,750 (VF) (Possible wall estimate)

Parcel 30 = \$875 (VA)

Parcel 31 = \$1,750 (VF) (Sign estimate)

Parcel 32 = \$875 (VA)

Parcel 33 = \$875 (VA)

Parcel 34 = \$875 (VA)

Parcel 50 = \$1,750 (VF) (Assumes no damages)

Parcel 52 = \$875 (VA)

Around 5 Sign and/or Wall Estimates @ \$500 / Each = \$2,500 (As needed)

Total = \$21,750

Thanks,

Kevin P. Schroeder

ORDINANCE NO. 4 -2022

ACCEPTING THE PROPOSAL OF AMERICAN PROPERTY ANALYSTS, INC. TO PROVIDE RIGHT-OF-WAY ACQUISITION SERVICES RELATIVE TO THE MONROE & SILICA INTERSECTION UPGRADE PROJECT AND THE SILICA DRIVE BRIDGE REPLACEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$12,900; AND DECLARING AN EMERGENCY.

WHEREAS, the Monroe & Silica Intersection Upgrade Project and the Silica Drive Bridge Replacement Project are through Stage 2 Engineering Design and the next step in both projects is to begin acquiring the property necessary to complete the improvements; and,

WHEREAS, the Director of Public Service has received a proposal from American Property Analysts, Inc. to provide appraisal review services for the fifteen parcels that will be impacted by these projects; and,

WHEREAS, the Director of Public Service, in a report dated January 3, 2022, has recommended that the proposal of American Property Analysts, Inc. to provide appraisal review services relative to the appraisals for the fifteen parcels affected by the Monroe & Silica Intersection Upgrade Project and the Silica Drive Bridge Replacement Project at a cost of Twelve Thousand Nine Hundred Dollars (\$12,900.00), 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 American Property Analytics, Inc. in the amount of Twelve Thousand Nine Hundred Dollars (\$12,900.00) for providing appraisal review services relative to the Monroe & Silica Intersection Upgrade and Silica Drive Bridge Replacement Projects, is hereby 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 consultant services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements** the amount of Twelve Thousand Nine Hundred Dollars (\$12,900.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the appraisal review services for the Monroe & Silica Intersection Upgrade Project and the Silica Drive Replacement 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



AMERICAN
PROPERTY
ANALYSTS, INC.

134 W. SOUTH BOUNDARY, SUITE MM, PERRYSBURG, OH 43551
PHONE (419) 874-7414 - FAX (419) 874-7448

City of Sylvania
Department of Public Service
Mr. Joseph E. Shaw, P.E., P.S., Deputy Director
6730 Monroe Street
Sylvania, Ohio 43560

December 21, 2021

Re: LUC Monroe St./Silica Dr. Intersection PID 107489 and PID 111563 Silica Rd. Bridge replacement appraisal review services proposal. **REVISED 12/21/2021**

Dear Mr. Shaw:

American Property Analyst, Inc. is pleased to present a price proposal to provide appraisal review services for the project noted above. The scope of these services assignment will follow current Ohio Department of Transportation procedure. Revised after today's scope/kick off meeting. This includes the following items:

- 1 Attend any kick off meeting with the city, and their consultant(s) in person or by teleconference.
- 2 Review plans and project, prepare Appraisal Scoping Checklists for the various valuation format reports.
- 3 Provide red flag issues to the agency for their consideration.
- 4 Submit the ASC's for city approval. The city will submit them to their Appraiser(s) for concurrence.
- 5 Review the reports as provided by the city's appraiser(s) and create reviewer compliance comments.
- 6 Re-review modified reports regarding comments and re-submit any added comments or recommend.
- 7 Upon Reviewer's recommendation, forward the review documents and recommended reports to the city.
- 8 The Value Analysis Report Reviews will be reviewed under the Jurisdictional Exception provision of the Uniform Standards of Professional Appraisal Practice.
- 9 Provide monthly status reports if requested.

The City of Sylvania will provide current right of way plans and available construction plans to be utilized in creating the ASC's for each subject property to be appraised/valued then reviewed.

The work product noted above would be concluded by Thomas E. Upton, MAI, and David T. Dicke who are prequalified by ODOT for appraisal review and both State of Ohio General Certified Appraisers.

I/we expect to deliver the recommended review documents to you within 14 days, or sooner, of receipt final corrected value analysis, value finding or appraisal reports for each parcel based on our receipt date. Delivery is dependent on the various appraisers' turnaround of corrected reports. Meeting the scheduled delivery time frame is specifically contingent upon prompt receipt of all pertinent information from all parties.

Please be advised that I/we are not engineers, professional cost estimators, attorneys or environmental experts. Therefore, our fee quote does not include any allowance for such specialized studies or services. If such studies or outside experts are required in order to complete the assignment, we can help in making the necessary contacts and arrangements (which may result in an increase in fees to cover those independent expert reports). The fee quote includes an hourly rate, if authorized, for subsequent court appearances or related pre-trial consultation services for appropriation, deposition or testimony should a subject property become involved in any litigation or court proceedings.

Parcel fees may vary by complexity of the appraisal review. Billings will be for services provided by parcel. Quoted fees include transportation costs, time, expenses and overhead costs based on the plans showing up to 17 individual parcels to be acquired by the City of Sylvania for the proposed project.

Project Review services costs.

15 Project management pcls, meetings etc. @ \$200 per parcel.	\$ 3,000
15 Appraisal Scoping Checklists @ \$160 per	\$ 2,400
7 Value Finding Reviews @ \$660 (pcls:12, 18, 21, 22, 28, 31, 50)	\$ 4,620
8 Value Analysis review @ \$360 per (pcls:11, 20, 23, 30, 32, 33, 34, 52)	<u>\$ 2,880</u>
Total Appraisal Review Services Fees	\$12,900
Litigation support @ \$200/hr.	

Payment for respective invoicing is expected within 60 days.

The various documents will be prepared for the City of Sylvania and their agents will be public records and any written correspondence is discoverable. Please understand that our fee is not in any way contingent upon our concluding to any target figure regarding values recommended by review. Our fees do not include additional consulting that may be requested for trial or other meeting preparations or data.

We look forward to being of service and are prepared to begin as soon as you authorize us to do so. If this proposal meets with your approval, provide a written acknowledgement and authorization to proceed. We shall commence working on the assignment when we receive your authorization.

Please do not hesitate to call if you need any clarification of this proposal.

Respectfully Submitted,

AMERICAN PROPERTY ANALYSTS, INC.



David T. Dicke

Enclosed and attached:

The Jurisdictional Exception form and the Appraiser and Qualifications.

I acknowledge the general scope of work and fee structure proposed, and authorize American Property Analysts, Inc. to begin the work.

By _____ Date _____

Title _____

To authorize, sign, date and return the signed copy of pages 1 and 2 to David T. Dicke of American Property Analysts.

RESOLUTION NO. 1 -2022

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

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

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

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

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

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

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

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Clerk of Council should be designated as the Mayor and all members of Sylvania City Council’s designee for the purpose of attending all seminars and training programs required by Ohio Revised Code 109.43 at the earliest possible time. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;

otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote on passage as an emergency measure: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

RESOLUTION NO. 2 - 2022

RE-APPOINTING THOMAS REYNOLDS TO THE ZONING BOARD OF APPEALS FOR A TERM EXPIRING DECEMBER 31, 2024; AND DECLARING AN EMERGENCY.

WHEREAS, Sylvania Codified Ordinance Section 1105.01 mandates that Council should appoint, by resolution, vacancies on the Zoning Board of Appeals; and,

WHEREAS, Thomas Reynolds’s term on the Zoning Board of Appeals has expired and he is seeking re-appointment to the Board; and,

WHEREAS, the Chairman of the Employee and Community Relations Committee has recommended that Mr. Reynolds be re-appointed to the Board of Zoning Appeals.

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

SECTION 1. That Thomas Reynolds is hereby re-appointed to the Zoning Board of Appeals for a term commencing January 1, 2022 and expiring on December 31, 2024.

SECTION 2. That the Clerk of Council be, and she hereby is, directed to certify a copy of this Resolution to the Secretary of the Zoning Board of Appeals.

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 appointment to the Zoning Board of Appeals should be made immediately to provide for all of the seats of the Board to be filled. 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

RESOLUTION NO. 3 - 2022

RE-APPOINTING GARY SOMMER TO THE ZONING BOARD OF APPEALS FOR A TERM EXPIRING DECEMBER 31, 2024; AND DECLARING AN EMERGENCY.

WHEREAS, Sylvania Codified Ordinance Section 1105.01 mandates that Council should appoint, by resolution, vacancies on the Zoning Board of Appeals; and,

WHEREAS, Gary Sommer's term on the Zoning Board of Appeals has expired and he is seeking re-appointment to the Board; and,

WHEREAS, the Chairman of the Employee and Community Relations Committee has recommended that Mr. Sommer be re-appointed to the Board of Zoning Appeals.

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

SECTION 1. That Gary Sommer is hereby re-appointed to the Zoning Board of Appeals for a term commencing January 1, 2022 and expiring on December 31, 2024.

SECTION 2. That the Clerk of Council be, and she hereby is, directed to certify a copy of this Resolution to the Secretary of the Zoning Board of Appeals.

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 appointment to the Zoning Board of Appeals should be made immediately to provide for all of the seats of the Board to be filled. 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

ORDINANCE NO. 5 -2022**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A 3-YEAR COLLECTIVE BARGAINING AGREEMENT COMMENCING JANUARY 1, 2022, ON BEHALF OF THE CITY OF SYLVANIA MUNICIPAL EMPLOYEES ASSOCIATION (SMEA), AFFILIATED WITH DISTRICT 8, AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO; AND DECLARING AN EMERGENCY.**

WHEREAS, the General Assembly of the State of Ohio, enacted new Sections 4117.01 to 4117.05, and enacted Sections 4117.06 to 4117.23 of the Revised Code of Ohio, thereby establishing Collective Bargaining procedures for Public Employers and Public Employees, effective October 6, 1983; and,

WHEREAS, the State Employment Relations Board (SERB) in June, 1984, certified the Sylvania Municipal Employees Association (SMEA), as the exclusive representative of all full-time laborers, public works servicemen, water maintenance workers, sewer maintenance workers, street maintenance workers, and construction inspectors in the City's Division of Streets, Vehicle Maintenance, Utilities, and Parks and Forestry, pursuant to Case No. 84-VR-05-1085; and,

WHEREAS, on September 4, 1986, the City of Sylvania Received Notice from SMEA that it had affiliated with District 2A, Transportation, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO, and would thereafter be known as Sylvania Municipal Employees Association, affiliated with District 2A, Transportation, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO; and,

WHEREAS, District 2A, Technical, Warehouse, Industrial and Service Employees Union, AFL-CIO decided to end its relationship with Sylvania Municipal Employees Association, AFL-CIO and voted to be with District 8, American Federation of State, County and Municipal Employees, AFL-CIO; and,

WHEREAS, the twelfth 3-year Collective Bargaining Agreement with the Sylvania Municipal Employees Association expired on December 31, 2021; and,

WHEREAS, pursuant to said agreement, a timely notice to negotiate was received by the City from said Sylvania Municipal Employees Association, so affiliated; and,

WHEREAS, the City, through its Director of Public Service, Director of Finance, Director of Law, and said Union, through its Negotiating Committee, having negotiated a Collective Bargaining Agreement, a copy of which is now on file with the Clerk of this Council; and,

WHEREAS, as reported by the Director of Public Service, Director of Finance and Director of Law, negotiations with the Sylvania Municipal Employees Association have resulted in a proposed settlement allowing a wage increase of 2.5%, 3.0% and 2.75% for the years 2022, 2023 and 2024 together with other terms all as set forth in a Collective Bargaining Agreement; and,

WHEREAS, in addition to the proposed wage increases as set forth above, the proposed settlement increases the ability to use or accumulate compensation time from 40 to 60 hours per calendar year and also replaces the Columbus Day holiday with Juneteenth Independence Day holiday; and,

WHEREAS, the Mayor and Director of Finance should be authorized to enter into the Collective Bargaining Agreement on behalf of this City, provided that the proposed settlement containing the terms as outlined above and which is expected to be voted on by the Sylvania Municipal Employees Association on January 7, 2022, is approved by the Sylvania Municipal Employees Association.

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, on behalf of this City, authorized and directed to enter into a Collective Bargaining Agreement, subject to the members of the Sylvania Municipal Employees Association approving the proposed settlement for the years 2022, 2023 and 2024 which provides as follows:

1. Wage increases of 2.5% for 2022; 3.0% for 2023 and 2.75% for 2024;
2. Replaces the Columbus Day holiday with the Juneteenth Independence Day holiday
3. Increases the members' ability to accumulate or use compensation time from 40 hours per calendar year to 60 hours per calendar year

with the Sylvania Municipal Employees Association, affiliated with District 8, American Federation of State, County and Municipal Employees, AFL-CIO. Except as outlined above, all other provisions of the Collective Bargaining Agreement effective from January 1, 2019 through December 31, 2021 and approved by Sylvania City Council by Ordinance No. 61-2018 on November 19, 2018 will remain unchanged in the proposed Collective Bargaining Agreement effective January 1, 2022 through December 31, 2024. The Mayor and Director of Finance be, and they hereby are authorized to make any minor or incidental changes in the language of said proposed Collective Bargaining Agreement if the Director of Personnel approves said Collective Bargaining Agreement as modified as to content and are approved as to form by the Director of Law.

SECTION 2. That said Collective Bargaining Agreement authorized by Section 1. hereof shall be effective on and after January 1, 2022 in accordance with Article XXXV thereof.

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 authorization for signing the Collective Bargaining Agreement should be given forthwith to permit implementation of wage adjustments at the earliest possible time after the approval by the Sylvania Municipal Employees Association. 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 on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date