

Sylvania City Council
December 6, 2021

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. McCann.
3. Additions to the agenda.
4. Approval of the regular council meeting minutes of November 15, 2021.
5. Mayor Stough's proclamation to Stanley Chandler for his 100th birthday.
6. Large Diameter Sanitary Sewer Lining Project (Phase 1)
 - a. Service Director's report on Change Order #1.
 - b. Proposed Ordinance No. 73-2021, Authorizing to approve Change Order No. 1 to this city's agreement with Visu-Sewer of Ohio, LLC for the Large Diameter Sanitary Sewer Lining Project (Phase 1).
7. Luc-Monroe-0127 Bridge Rehabilitation Project.
 - a. Service Director's report on Change Order #1 (Final).
 - b. Proposed Ordinance No. 74-2021, Authorizing to approve Change Order No. 1 (Final) to this City's agreement with Vernon Nagel, Inc. for the LUC-Monroe-0127 Bridge Rehabilitation project.
8. LUC-Hollybrook-Marshall Improvements Project.
 - a. Service Director's report on drainage easement-5744 Hollybrook Lane North.
 - b. Proposed Ordinance No. 75-2021, Accepting a Drainage Easement from Lehman and Associates, LTD. for the Hollybrook-Marshall Improvement Project.
9. Sewer Rates.
 - a. Service Director's report on rate increase.
 - b. Proposed Ordinance No. 76-2021, Amending Chapter 925 of the Sylvania Codified Ordinances by amending Section 925.05-Sewer Charges levied to increase the sewer charges for both Industrial and Non-Industrial City and Non-City Users.
10. Sylvania Zoning Code Audit and Writing Services.
 - a. Service Director's report on Services.
 - b. Proposed Ordinance No. 77-2021, Authorizing to accept the proposal of Environmental Design Group to review the City's Zoning Code.

11. 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. (Referral to Planning Commission.)
12. Approval of items to be offered for auction on GovDeals.com.
13. Then and Now Certifications approval.
14. Committee reports.
15. Committee referrals.
16. Executive Session to discuss pending litigation.

INFORMATION

- A. November 2021 Bank Reconciliation.

Minutes of the Meeting of Council
November 15, 2021

The Council of the City of Sylvania, Ohio met in regular session on November 15, 2021 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, Lyndsey Stough, Mary Westphal; (6) present; Patrick Richardson, (1) absent.

Roll call:
Richardson,
absent: excused.

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

Pledge of
Allegiance.

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

Item #14. Monroe/Silica Improvement Information.

Item #15. Neighborhood Traffic Circulations Plan- near Acres Rd.

Agenda approval.

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

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

Approval of the
November 1,
2021 meeting
minutes.

Mr. Frye presented the November 1, 2021 meeting minutes. Mr. Frye moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of November 1, 2021 be approved; roll call vote being: Frye, Haynam, McCann, Stough, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

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

Ordinance No.
71-2021, "2022
Budget..."

The 2022 Budget was presented for the Second Reading. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 71-2021, "To Make Appropriations for current expenditures and other expenditures of the City of Sylvania, Ohio, for the fiscal year ending December 31, 2022, and declaring an emergency". Mr. Frye moved, Mr. Haynam seconded for passage of Ordinance No. 71-2021 as an emergency measure: roll call vote being: Haynam, McCann, Stough, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

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

Set Public
Hearing for
Right-of-Way
Extension for
Country Place,
1/3/22 after City
Council meeting.

Mayor Stough presented the Planning Commission's recommendation for the Right-of-Way Extension for Country Place. Mr. Haynam moved, Mr. Frye seconded, to set the public hearing date for January 3, 2022 following the City Council Meeting which starts at 7:30p.m. and to authorize the clerk to advertise for same; roll call vote being: Stough, Westphal, Cappellini, Frye, Haynam, McCann, (6) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
November 15, 2021

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

Service Director's report on the H2Ohio Grant Application – Richards Park Stream Restoration Project was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Resolution No. 17-2021, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to file a Grant Application with the Ohio Department of Natural Resources' H2Ohio Program for the Richards Park Stream Restoration Project; and declaring an emergency"; Mrs. Cappellini moved, Mr. Haynam seconded for passage of Resolution No. 17-2021 as an emergency measure; roll call vote being: Stough, Westphal, Cappellini, Frye, Haynam, McCann, (6) yeas; (0) nays. The motion carried.

Resolution No.
17-2021,
"...approving to
file grant app for
Richards Park
Stream
Restoration
Project..."

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 72-2021, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an Agreement, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of Public Defender Services to the Sylvania Municipal Court for the Year 2022; and declaring an emergency."; Mr. Frye moved, Mrs. Westphal seconded for passage of Ordinance No. 72-2021 as an emergency measure.; roll call vote being: Westphal, Cappellini, Frye, Haynam, McCann, Stough, (6) yeas; (0) nays. The motion carried.

Ordinance No.
72-2021,
"Authorizing...
contract with Lu
Co
Commissioners
For Public
Defender for
2022..."

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

Mr. Haynam presented and read aloud by title only, proposed Resolution No. 11-2021, a written copy of same having been previously furnished to each member of Council, "Affirming "The 5 I's of Disability Justice" and committing to use the "5 I's of Disability Justice" Framework in City Policy Review and Development; and declaring an emergency"; Mr. Haynam moved, Mrs. Westphal seconded for passage of Resolution No. 11-2021 as an emergency measure; roll call vote being: Cappellini, Frye, Haynam, McCann, Stough, Westphal, (6) yeas; (0) nays. The motion carried.

Resolution No.
11-2021,
"Affirming "The
5 I's of Disability
Justice..."

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

Ms. Stough pushed back from table due to a conflict of interest regarding TARTA. Mr. Haynam moved, Mr. McCann seconded to allow Ms. Stough to push back. Roll call vote being: Cappellini, Frye, Haynam, McCann, Stough, Westphal, (6) yeas; (0) nays. The motion carried.

Ms. Stough push
back from table
regarding
TARTA.

Minutes of the Meeting of Council
November 15, 2021

Mr. Frye moved, Mr. Haynam seconded to confirm the re-appointment of Mary Morrison to the Toledo Area Regional Transit Authority ("TARTA") as the City's representative to the TARTA Board. Roll call vote being: Frye, Haynam, McCann, Westphal, Cappellini; (5) yeas; (0) nays. The motion carried.

Re-appoint
Mary Morrison
as City Rep on
TARTA.

Ms. Stough returned to the table.

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

Mr. Haynam moved, Mr. McCann seconded to not request a hearing for the new C1, Beer only in original sealed containers for carry out only, and C2, Wine and mixed beverages in sealed containers for carry out permit from Dolgen Midwest, LLC, d/b/a Dollar General Store 22920, 5543 W. Alexis Rd., Sylvania, Ohio. Roll call vote being: Haynam, McCann, Stough, Westphal, Cappellini, Frye; (6) yeas; (0) nays. The motion carried.

No hearing for
Dolgen Midwest,
LLC d/b/a Dollar
General Store
22920, 5543 W.
Alexis Rd.

Mayor Stough stated there are no items for agenda items 12 and 13, so Council will now consider added agenda item 14.

Service Director Aller presented the mailer that will be sent to city residents and interested parties regarding the Monroe Street and Silica Drive Intersection Improvement Project and the Silica Drive Bridge Replacement Project. Mr. Aller stated the construction will begin in Spring of 2023.

Monroe/Silica
Improvement
Project
Information.

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

Mrs. Cappellini addressed a Neighborhood Traffic Circulation Plan for N. Alexis/East of US23/Acres Road. Administration will review traffic speed and type in their recommendation back to Council.

Neighborhood
Traffic
Circulation Plan.
Alexis/Acres.

Mayor Stough stated all agenda items have been addressed.

Mr. Frye moved, Mr. McCann seconded to adjourn at 8:17 p.m. Roll call vote being: McCann, Stough, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays.

Adjournment.

Clerk of Council

Mayor



Office of the Mayor

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Proclamation

Whereas: Stanley Chandler is a lifetime resident of Sylvania and is celebrating his 100th birthday on December 9th this year; and

WHEREAS: he attended Sylvania Schools, drove buses for Sylvania Schools for 30 years and was a Pack Master for Sylvania Cub Scout Pack #195; and

WHEREAS: Stanley served in the United States Coast Guard during World War II, then in the early 1950's he owned and operated Arts' Radio & TV in Sylvania for many years, volunteered for the Red Cross during the Blizzard of 1978 and also was a Pastor of the R.L.D.S. Church in Sylvania for more than 20 years; and

WHEREAS: he is married to Virginia, father to four children and great grandfather of five.

NOW, THEREFORE, I, Craig A. Stough, Mayor, do hereby proclaim December 9, 2021 as

STANLEY CHANDLER DAY

in the City of Sylvania and wish him a very Happy 100th Birthday!

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Sylvania to be set this 6th day of December, 2021.



Craig A. Stough, Mayor
City of Sylvania, State of Ohio

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DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

December 6, 2021

To: The Mayor and Members of Sylvania City Council

Re: **LARGE DIAMETER SANITARY SEWER LINING PROJECT (PHASE 1)
CHANGE ORDER NO. 1**

Dear Mr. Mayor and Council Members:

This change order request contains two items of work that differ from the awarded contract for the ongoing Large Diameter Sanitary Sewer Lining Project (Phase 1). A brief summary of these items are as follows:

- Segment 488 MOT & Bypass (CO#1) – The original bid documents omitted the lining of Segment 488 from contract documents, but after further discussions with the Contractor and understanding their bypass pumping arrangements near Central Avenue there would be a financial benefit to the City to line this Segment with the project rather than line in a future phase. This change order (\$30,500) covers the additional maintenance of traffic and bypass pumping equipment necessary to complete the lining. Quantity adjustments in existing line items will cover the remaining cost of the work in the final project change order.
- Sylvania & McCord Bypass Modifications (CO#2) – The anticipated work in the Sylvania Avenue & McCord Road area as bid was going to require several lane closures and restrictions for a 6-week period by placing bypass piping in the center of the road. The City and Contractor reviewed options and developed an alternative that shifted piping off the pavement. This change order (\$76,100) covers the additional piping, trenching, and restoration necessary to move the piping out of traffic.

The total cost of these changes is \$106,600. We would recommend approval of Change Order No. 1 which will increase the contract amount from \$1,092,743.50 to \$1,199,343.50. Please call if you have any questions.

Sincerely,

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

State of Ohio
OHIO WATER DEVELOPMENT AUTHORITY

CHANGE ORDER Number 1

OWDA Project No.: 9248 LGA Name: City of Sylvania

Contract: Large Diameter Sanitary Sewer Lining Phase I

Title of Change Order: Segment 488 MOT & Bypass

Date: 9/30/21

Description of Change:

See attached.

The time provided for completion in the contract for the above items is (increased/decreased) by zero(0) calendar days. The new completion contract dates are as follows:

Substantial Completion Date:

Final Completion Date:

RECOMMENDED
FOR APPROVAL BY:

City of Sylvania
Name of Engineering Firm

Engineer's Signature

9/30/21

Date
11/29/21

Original Contract Amt

\$1,092,743 50

Approved By:

City of Sylvania

Name of Owner

Previous Changes (+ or -)

Date: 9/30/21



Owner's Signature

This Change (+ or -)

\$ 30,500 00

Submitted By:

Visu-Sewer of Ohio

Name of Contractor

Adjusted Contract Amt

\$1,123,243 50

Date: 9/30/21



Contractor's Signature

Ohio Water Development Authority

The above proposal is hereby accepted and I recommend that it be approved and made a part of the OWDA contract noted above. The approval does not constitute an increase in the total loan amount, but represents approval for the work.

Chief Engineer

Date

CHANGE ORDER NOTIFICATION FORM

CO #	Project	Contractor
1	Large Diameter Sanitary Sewer Lining Project (Phase 1)	Visu-Sewer of Ohio

Ref. No.	Item	Existing or New Item	Item Description	Quantity or Lump Sum	Unit Price or Lump Sum	Total Cost
CO1	-	New	Segment 488 MOT & Bypass	LS	\$30,500	\$30,500

Attach any supporting documentation and address the questions on the back of this form.

Submitted by:	Joseph E. Shaw, Deputy Service Director	9/30/21	(Date)
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1. Why is the work necessary?

The original bid documents omitted this segment (Segment 488) between Segments 487 and 2510 just north of Central Avenue. After further discussions with the Contractor and understanding their bypass pumping arrangement, there would be a beneficial cost savings to the City to line this segment with Phase 1 rather than line it in the future as a part of another Phase.

The Contractor has elected to honor established bid unit pricing for the pre and post inspections and for 42" CIPP lining. Segment 488 is 651 feet, so increased installed quantities for Lines 0006 (Pre-Rehabilitation Cleaning and Television Inspection of 42-Inch Sanitary Sewer Pipe), 0009 (Post-Rehabilitation Cleaning and Television Inspection of 42-Inch Sanitary Sewer Pipe), and 0012 (Installed Cured-in-Place Pipe Liner in Existing 42-Inch Sanitary Sewer Pipe) will be added to each pay item.

There are additional costs for maintaining traffic and bypass pumping to line Segment 488. The Contractor has provided the following lump sum additional cost increases:

Segment 488 Maintenance of Traffic	LUMP	\$7,500
Segment 488 By-Pass Pumping Set-Up/Teardown & Operation	LUMP	<u>\$23,000</u>
	TOTAL	\$30,500

2. Who is responsible? (Indicate if plan error, owner request, contractor request.)
Owner request.
3. Will this impact the schedule? Will this result in a time extension?
No schedule impact.
4. Other Notes?

State of Ohio
OHIO WATER DEVELOPMENT AUTHORITY

CHANGE ORDER Number 2

OWDA Project No.: 9248 LGA Name: City of Sylvania

Contract: Large Diameter Sanitary Sewer Lining Phase I

Title of Change Order: Sylvania-McCord Bypass Modifications

Date: 9/30/21

Description of Change:

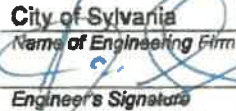
See attached.

The time provided for completion in the contract for the above items is (increased/decreased) by zero(0) calendar days. The new completion contract dates are as follows:

Substantial Completion Date:

Final Completion Date:



RECOMMENDED
FOR APPROVAL BY:

City of Sylvania
Name of Engineering Firm

Engineer's Signature

9/30/21

Date

11/29/21

Original Contract Amt	\$1,092,743	50	Approved By:	<u>City of Sylvania</u> <i>Name of Owner</i>
Previous Changes (+ or -)	\$ 30,500	00	Date: <u>9/30/21</u>	 <i>Owner's Signature</i>
This Change (+ or -)	\$ 76,100	00	Submitted By:	<u>Visu-Sewer of Ohio</u> <i>Name of Contractor</i>
Adjusted Contract Amt	\$1,199,343	50	Date: <u>9/30/21</u>	 <i>Contractor's Signature</i>

Ohio Water Development Authority

The above proposal is hereby accepted and I recommend that it be approved and made a part of the OWDA contract noted above. The approval does not constitute an increase in the total loan amount, but represents approval for the work.

Chief Engineer

Date

CHANGE ORDER NOTIFICATION FORM

CO #	Project	Contractor
2	Large Diameter Sanitary Sewer Lining Project (Phase 1)	Visu-Sewer of Ohio

Ref. No.	Item	Existing or New Item	Item Description	Quantity or Lump Sum	Unit Price or Lump Sum	Total Cost
CO2	-	New	Sylvania & McCord Bypass Modifications	LS	\$76,100	\$76,100

Attach any supporting documentation and address the questions on the back of this form.

Submitted by:	Joseph E. Shaw, Deputy Service Director	9/30/21	(Date)
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1. Why is the work necessary?

The anticipated work in the Sylvania Avenue and McCord Area was going to require several lane closures and restrictions for a 6-week period by placing the bypass piping in the center of the road as previously planned in the original bidding documents. The City and Contractor both agreed this would impose a great hardship on the businesses and residents in this area and reviewed alternatives to address this issue.

The City and Contractor developed an alternative bypass piping plan that shifted piping off the pavement. This strategy required additional piping, labor, equipment, and trenching under the pavement at five locations. While this strategy would increase project costs, the overall benefit to the traveling public would be greatly improved during the 6-week period. Also, this strategy would require less maintenance of traffic work which would be a credit to the City.

The following is a summary of the additional costs and MOT credit associated with modifying the bypass piping plan in the Sylvania Avenue & McCord area:

Trench Installation and Restoration @ Five Locations (\$7,500/Each)	\$37,500
Additional Bypass Piping, Labor, & Equipment	\$39,500
Piping Laydown Restoration	\$4,000
Plating and Cold Patch Labor @ Five Locations	\$4,000
MOT Credit	<u>-\$8,900</u>
TOTAL	\$76,100

2. Who is responsible? (Indicate if plan error, owner request, contractor request.)
Owner request.
3. Will this impact the schedule? Will this result in a time extension?
No schedule impact.
4. Other Notes?

ORDINANCE NO. 73 -2021

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 TO THIS CITY'S AGREEMENT WITH VISU-SEWER OF OHIO, LLC FOR THE LARGE DIAMETER SANITARY SEWER LINING PROJECT (PHASE 1) WHICH REFLECTS THE ACTUAL WORK PERFORMED ON THIS PROJECT; INCREASING THE CONTRACT AMOUNT BY \$106,600; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 25-2021, passed March 15, 2021, accepted the bid of Visu-Sewer of Ohio, LLC, which proposal was in the amount of \$1,092,743.50; and,

WHEREAS, the Director of Public Service, by report dated December 6, 2021, has recommended the acceptance of Change Order No. 1 of Visu-Sewer of Ohio, LLC for said Large Diameter Sanitary Sewer Lining Project (Phase 1) to reflect the cost of lining an additional segment as well as the cost of moving the piping out of traffic at Sylvania Avenue and McCord Road as originally planned; and,

WHEREAS, in reviewing the scope of the project with the contractor, adding an additional segment to this project would be more efficient than lining that portion in a future phase; and,

WHEREAS, the additional maintenance of traffic and bypass pumping equipment necessary to complete the lining resulted in an increase to the contract of \$30,500; and,

WHEREAS, as bid, the work in the Sylvania Avenue and McCord Road area would have required several lane closures and restrictions for a 6-week period, however, by developing an alternative that shifted piping off of the pavement, the City was available to avoid the lane closures and restrictions; and,

WHEREAS, the additional piping, trenching and restoration necessary to move the piping out of traffic resulted in an increase to the contract of o\$76,100; and,

WHEREAS, the additional work outlined above resulted in a net increase to the contract in the amount of One Hundred Six Thousand Six Hundred Dollars (\$106,600.00), for a total contract amount of \$1,199,343.50

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

SECTION 1. That said change order increasing the contract amount by the sum of One Hundred Six Thousand Six Hundred Dollars (\$106,600.00), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is hereby appropriated from the **SEWER FUND** from funds therein not heretofore appropriated to **Account No. 702-7540-53501, Utility Improvements**, the sum of One Hundred Six Thousand Six Hundred Dollars (\$106,600.00).

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the adjustments in the contract for said actual work performed and quantities used should be approved 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.

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

Vote on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2021, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

7a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

December 6, 2021

To: The Mayor and Members of Sylvania City Council

Re: **LUC-MONROE-0127 BRIDGE REHABILITATION
CHANGE ORDER NO. 1 (FINAL)**

Dear Mr. Mayor and Council Members:

This is the final project change order request that contains three (3) items of work that differed from the awarded contract for the LUC-Monroe-0127 Bridge Rehabilitation Project. A brief summary of these items are as follows:

- Steel Fence Installation (CO#1) – The existing bridge had unwarranted guardrail on the downstream quadrants of the bridge. Roadside guidelines did not require guardrail to be replaced, but a post-construction field review determined that installing a fence would improve pedestrian safety (\$2,224.96).
- Additional Electrical Work (CO#2) – The electrical subcontractor was unable to pull new street light cabling through the existing conduit as planned for the new pole at the northeast quadrant. As a result, new conduit and additional handholes were installed (\$5,087.80).
- Irrigation Solar Power (CO#3) – An irrigation system for hanging flower baskets was installed, but the electrical subcontractor determined the type of electrical power used by the decorative street lights could not be used to power the irrigation system without a transformer and several other modifications. A solar power unit was installed (\$875 increase).

In addition, the installed bid quantities have resulted in a decrease in the amount of \$8,324.50. As a result, a total project change order reducing the contract amount by \$136.74 is necessary. We would recommend approval of Change Order No. 1 (Final) which will decrease the contract amount from \$249,375.60 to \$249,238.86. Please call if you have any questions.

Sincerely,

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

CITY OF SYLVANIA, OHIO

CHANGE ORDERNumber 1 (FINAL)Project Ordinance No.: 26-2021 Purchase Order No. 60372Contract: LUC-Monroe-0127 Bridge Rehabilitation

Title of Change Order: _____

Date: 11/30/2021

Description of Change:	Final Installed Quantity Adjustments	-\$8,324.50
	CO1 -- Steel Fence Installation	\$2,224.96
	CO2 -- Additional Electrical Work	\$5,087.80
	CO3 -- Irrigation Solar Power	\$875.00
	TOTAL	-\$136.74

RECOMMENDED
FOR APPROVAL BY:

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

12/2/21
 Date

Original Contract Amt	\$ 249,375	60
Previous Changes (+ or --)	\$ 0	00
This Change (+ or --)	\$ -136	74
Adjusted Contract Amt	\$ 249,238	86

REVIEWED BY:


 Joseph E. Shaw
 Engineer
DATE: 12/2/21

SUBMITTED BY:


 Vernon Vogel
 Name of Contractor
DATE: 12/1/21

 Contractor's Signature

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor

Date

Toby Schroyer, Finance Director

Date

7b

ORDINANCE NO. 74 -2021

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 (FINAL) TO THIS CITY'S AGREEMENT WITH VERNON NAGEL, INC. FOR THE LUC-MONROE-0127 BRIDGE REHABILITATION PROJECT; REDUCING THE CONTRACT AMOUNT BY \$136.74; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 26-2021, passed March 15, 2021, accepted the bid of Vernon Nagel, Inc., which bid was in the amount of \$249,375.60 for the LUC-Monroe-0127 Bridge Rehabilitation Project; and,

WHEREAS, the Director of Public Service, by report dated December 6, 2021, has recommended the acceptance of Change Order No. 1 (Final) of Vernon Nagel, Inc. for said LUC-Monroe-0127 Bridge Rehabilitation Project; and,

WHEREAS, there were three work items that differed from the awarded contract for the project including installing a fence to improve pedestrian safety, additional electrical work and providing solar power for the irrigation system that resulted in increases of \$8,187.76, however, the installed bid quantities resulted in a decrease to the contract in the amount of \$8,324.50, for a total net decrease to the contract in the amount of One Hundred Thirty-Six and 74/100 Dollars (\$136.74).

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

SECTION 1. That said change order decreasing the contract amount by the sum of One Hundred Thirty-Six and 74/100 Dollars (\$136.74), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. 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 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the adjustments in the contract for said actual work performed and quantities used should be approved 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.

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.

Vote on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2021, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

December 6, 2021

To: The Mayor and Members of Sylvania City Council

Re: **LUC-Hollybrook-Marshall Improvements Projects**
Drainage Easement – 5744 Hollybrook Lane North

Dear Mr. Mayor and Council Members:

The construction plans for the LUC-Hollybrook-Marshall Improvements Project are 95% complete at this time with construction is scheduled for 2022.

The Service Department has been diligently working with the property owner at 5744 Hollybrook Lane North to obtain a drainage easement for the new storm sewer outfall for the project. All of the drainage for the project will discharge in a new storm sewer along the east property line to an existing 48" storm sewer.

The easement allows the City the right to enter and construct the new storm sewer outfall on private property during construction as well as maintain the sewer in perpetuity. The Service Department and property owner have come to an agreement on the terms of the easement with compensation as follows:

- Cash Offer for Land Value (50% of Approved Fair Market Value for 0.0672 acres) = \$3,447.
- Driveway Installation (City Expense During Construction) = \$3,976.
- **Total Compensation = \$7,423.**

At this time the Service Department is requesting authorization to approve the easement agreement with the property owner (Lehman and Associates, Ltd.), along with payment for the Cash Offer for Land Value (\$3,447). All of the existing driveway will be disturbed by this storm sewer installation and will be replaced at City expense during construction. Please contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller".

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

EASEMENT FOR DRAINAGE PURPOSES

KNOW ALL MEN BY THESE PRESENTS:

That **Lehman and Associates, Ltd.**, the Grantor, in consideration of three thousand four hundred forty-seven dollars (\$3,447), and other good and valuable considerations, to them paid by the **City of Sylvania**, the Grantee, do hereby grant, bargain, sell, convey and release to the said Grantee, its successors and assigns forever, an easement for the construction and maintenance of a public storm sewer, in, on, over and through the real estate in the City of Sylvania, Lucas County, Ohio, and legally described, Exhibit A, and drawn, Exhibit B as attached.

TO HAVE AND TO HOLD the said easement rights with all the rights, privileges and appurtenances thereto belonging to the Grantee, its successors and assigns forever.

The Grantor, their successors and assigns, retains the right to use the attached described property for any and all purposes, provided that such use does not interfere with nor impair the exercise of the rights herein granted.

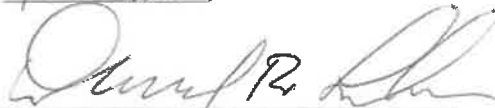
The Grantee agrees to install a new irregularly shaped asphalt driveway over a portion of the easement limits as shown in the roadway improvement plans for the LUC-Hollybrook-Marshall project, the limits of which have been previously agreed to by the Grantor. The driveway will be installed at the same time as the other driveway work scheduled to be performed as a part of the construction project at no additional expense to the Grantor. The Grantor assumes all maintenance responsibilities of the driveway unless the Grantee disturbs the driveway as a part of a future storm sewer maintenance project.

The Grantor claims title by instrument recorded in Instrument Number 20150807-0032657 in the Deed Records of the Lucas County Recorder's Office.

The Grantor hereby covenants that it is the true and lawful Owner of said premises and are well seized of the same, and have good right and full power to bargain, sell and convey the same in the manner aforesaid.

IN WITNESS WHEREOF, the Grantor, **Lehman and Associates, Ltd.**,

has hereunto set it's hand this 15th day of November, 2021.


David Lehmann

STATE OF OHIO

}SS

COUNTY OF LUCAS,

Before me, a Notary Public, in and for said County and State, personally appeared David Lehman, authorized agent on behalf of Lehman and Associates, Ltd., who acknowledged the signing thereof to be his voluntary act and deed for the purpose therein mentioned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

Notary Public





Ashley Jean Everett
Notary Public, State of Ohio
My Commission Expires:
03/04/2026

City of Sylvania, Ohio

By:

Craig. A. Stough, Mayor

By:

Toby Schroyer, Director of Finance

Approved:

Leslie B. Brining, Director of Law

EXHIBIT A

Situated in the State of Ohio, County of Lucas, City of Sylvania, Southwest Quarter of Section 2, Town 9 South, Range 6 East and being part of Lot 19 of the Amended Plat of Hollybrook Addition as recorded in Volume 54, Pages 77-78 in the Lucas County Recorder's Office and also being a tract of land conveyed to Lehman and Associates, LTD as recorded in Instrument Number 20150807-0032657 in the Lucas County Recorder's Office and being more particularly described as follows:

Commencing at a railroad spike found as referenced on said Amended Plat of Hollybrook Addition, said railroad spike found being the southwest section corner of said Section 2, said railroad spike found also being on the existing centerline of right of way of Marshall Road;

Thence easterly on the existing centerline of right of way of Marshall Road, South 89 degrees 27 minutes 12 seconds East, 905.76 feet, to a point on the existing centerline of right of way of Marshall Road, also being on the existing centerline of right of way of East Hollybrook Lane;

Thence northerly on the existing centerline of right of way of East Hollybrook Lane, North 00 degrees 25 minutes 12 seconds West, 492.74 feet, to a point of curvature on the existing centerline of right of way of North Hollybrook Lane;

Thence northwesterly on the existing centerline of right of way of North Hollybrook Lane, on a curve to the left, with a central angle of 89 degrees 02 minutes 00 seconds and a radius of 70.00 feet, an arc distance of 74.99 feet, the chord of which bears North 31 degrees 06 minutes 43 seconds West for a distance of 71.46 feet, to a point on the existing centerline of right of way of North Hollybrook Lane;

Thence northeasterly on a line perpendicular to the existing centerline of right of way of North Hollybrook Lane, North 28 degrees 11 minutes 47 seconds East, 30.00 feet, to a point on the existing north right of way line of North Hollybrook Lane, also being the southeast corner of said Lot 19 as shown on said Amended Plat of Hollybrook Addition, and also being the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence northwesterly on the existing north right of way line of North Hollybrook Lane, on a curve to the left, with a central angle of 11 degrees 32 minutes 15 seconds and a radius of 100.00 feet, an arc distance of 20.14 feet, the chord of which bears North 67 degrees 34 minutes 21 seconds West for a distance of 20.10 feet, to a point on the existing north right of way line of North Hollybrook Lane, also being on the proposed easement line;

Thence northeasterly on the proposed easement line, being an easement line 20.00 feet westerly of, as measured perpendicular to and parallel with, the east lot line of said Lot 19, North 28 degrees 13 minutes 14 seconds East, 37.56 feet, to a point on the proposed easement line;

Thence southeasterly continuing on the proposed easement line, South 61 degrees 46 minutes 46 seconds East, 5.00 feet, to a point on the proposed easement line;

EXHIBIT A

Thence northeasterly continuing on the proposed easement line, being an easement line 15.00 feet westerly of, as measured perpendicular to and parallel with, the east lot line of said Lot 19, North 28 degrees 13 minutes 14 seconds East, 35.00 feet, to a point on the proposed easement line;

Thence northwesterly continuing on the proposed easement line, North 61 degrees 46 minutes 46 seconds West, 5.00 feet, to a point on the proposed easement line;

Thence northeasterly continuing on the proposed easement line, being an easement line 20.00 feet westerly of, as measured perpendicular to and parallel with, the east lot line of said Lot 19, North 28 degrees 13 minutes 14 seconds East, 78.77 feet, to a point on the proposed easement line, also being on the existing 20 foot utility easement line as recorded in said Amended Plat of Hollybrook Addition;

Thence easterly on the existing 20 foot utility easement line as recorded in said Amended Plat of Hollybrook Addition, being a utility easement line 20.00 feet southerly of, as measured perpendicular to and parallel with, the north lot line of said Lot 19, South 89 degrees 27 minutes 12 seconds East, 22.58 feet, to a point on the existing said 20 foot utility easement line, also being on the east lot line of said Lot 19;

Thence southwesterly on the east lot line of said Lot 19, South 28 degrees 13 minutes 14 seconds West, 159.78 feet, to the **TRUE POINT OF BEGINNING** and containing 0.0672 acres, of which 0.0000 acres is PRO (Present Road Occupied), leaving a net take of 0.0672 acres, more or less, subject to legal highways and other easements of record.

The above described area is contained within Lucas County Auditor's permanent parcel number 82-20061.

Prior Instrument Reference as of the date this survey was prepared: Instrument No. 20150807-0032657 of the Deed Records of Lucas County Recorder's Office.

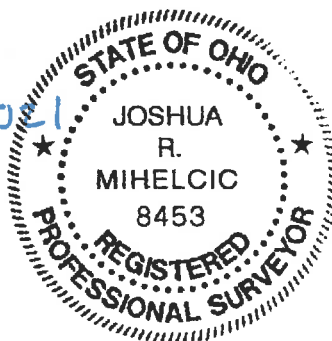
Description based on a field survey conducted by Fishbeck on March 30th, 2021 under the direction and supervision of Joshua R. Mihelcic, Registered Surveyor 8453 of the State of Ohio.

Bearings used herein are based on Ohio State Plane Coordinates, North Zone, referenced to NAD (83) (2011) and are for this project use only.

This description was prepared on September 3, 2021 by Joshua R. Mihelcic, Registered Surveyor 8453 of the State of Ohio.


Joshua R. Mihelcic
Registered Surveyor of Ohio: No. S-008453

09-03-2021
Date



ORDINANCE NO. 75 -2021**ACCEPTING A DRAINAGE EASEMENT FROM LEHMAN AND ASSOCIATES, LTD. FOR THE HOLLYBROOK-MARSHALL IMPROVEMENT PROJECT; DEDICATING THE EASEMENT FOR PUBLIC PURPOSES; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.**

WHEREAS, construction plans for the Hollybrook-Marshall Improvement Project in the City of Sylvania, Ohio are nearly complete and construction is scheduled for 2022; and,

WHEREAS, the Service Department has been working with the owner of the property at 5744 Hollybrook Lane North to obtain a drainage easement for the new storm sewer outfall for the project to provide drainage for the project into a new storm sewer along the east property line to an existing 48" storm sewer; and,

WHEREAS, the project will also require a new driveway to be constructed and installed at the property as the current driveway will be damaged during the storm sewer installation; and,

WHEREAS, Lehman and Associates, Ltd. is entitled to receive payment of just compensation representing the fair market value of the drainage easement after an appraisal of those rights and they have executed and delivered a grant of drainage easement to this City for which they will be paid the sum of Three Thousand Four Hundred Forty-Seven Dollars (\$3,447.00), a copy of which grant of easement is attached hereto as "Exhibit A"; and,

WHEREAS, in addition to the compensation for the property involved with the easement, the property owner will also receive the benefit of a reconstructed driveway which will be included as a City expense during the construction of the project at an estimated cost of \$3,976; and,

WHEREAS, said grant of permanent drainage easement is presented to this Council for acceptance and for appropriation of funds and authorization of payment thereof to the Grantor.

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

SECTION 1. That the drainage easement as to executed and tendered as described on "Exhibit A" be, and the same hereby is, accepted from Lehman and Associates, Ltd., the grantor therein.

SECTION 2. That the easement area identified and described in said temporary easement as set forth on "Exhibit A" be, and the same hereby is, dedicated for the respective public purposes expresses in said easement.

SECTION 3. That the Director of Law is hereby directed to deliver the recorded easement document to the Director of Finance for retention by him as custodian of the records of this City.

SECTION 4. That, to provide funds for payment to the Grantor of said temporary easement hereby accepted, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND**, from funds therein not heretofore appropriated, to **Account No. 401-7610-53503, Street Improvement**, the sum of Three Thousand Four Hundred Forty-Seven Dollars (\$3,447.00).

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

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

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the improvements should proceed as soon as possible and accordingly the acquisition of the necessary drainage easement should proceed forthwith 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, _____, 2021, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

9a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

December 6, 2021

To: The Mayor and Members of Sylvania City Council

Re: **Sewer Rates**

Dear Mr. Mayor and Council Members:

The Lucas County Wastewater Resource Recovery Facility (LCWRRF) and the trunk sewer will have undergone \$20 million in improvements between 2018 and 2022. We have already begun paying debt service on some of those improvements and upcoming projects will increase those debt payments. Operating costs continue to rise as well. We did receive good news earlier this year that Lucas County was awarded a \$3 million grant for a large sewer rehabilitation project that will benefit our finances by approximately \$720,000.

In addition, the City has begun a three-phase project to line sections of our sanitary sewer that have been corroded by hydrogen sulfide gases over the past fifty years. We plan to also begin looking into the need for upgrades at our two major pumping stations on Monroe Street and Sylvania Avenue.

Accordingly, we would recommend an increase in our sewer rates to properly address our increased debt obligations and sanitary sewer infrastructure needs. It is our recommendation that we increase our sewer rates by 35 cents per 1,000 gallons:

From: \$4.20 per 1,000 gallons

To: \$4.55 per 1,000 gallons

This rate increase will increase the monthly sewer bill for the average household by approximately \$1.92. We request approval of the proposed rate adjustment, effective January 25, 2022, at your earliest convenience. Please call if you have any questions.

Sincerely,

Kevin G. Aller, P.E.
Director of Public Service
KGA/dsw

9b

ORDINANCE NO. 76 -2021

**AMENDING CHAPTER 925 OF THE SYLVANIA CODIFIED
ORDINANCES BY AMENDING SECTION 925.05 - SEWER CHARGES
LEVIED TO INCREASE THE SEWER CHARGES FOR BOTH
INDUSTRIAL AND NON-INDUSTRIAL CITY AND NON-CITY USERS;
AND DECLARING AN EMERGENCY.**

WHEREAS, the Director of Public Service, by report dated December 6, 2021 reported that in reviewing the Sewer Fund, a rate increase is necessary in order to properly address known upcoming operating expenses and debt payments based on improvements that have been made and future improvements at the Lucas County Wastewater Resource Recovery Facility ("LCWRRF"); and,

WHEREAS, the Director of Public Service has recommended that the rate be increased from \$4.20 per 1,000 gallons to \$4.55 per 1,000 gallons for City users which will increase the sewer bill for the average household by approximately \$1.92 per month.

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

SECTION 1. That Section 925.05, Sewer Charges Levied, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on "Exhibit A."

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

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that this ordinance must be immediately effective to provide for the sewer rate and to make necessary changes to the Codified Ordinances. 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, _____, 2021, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

*

*

*

(e) Industrial Users. User and capital charges for wastewater treatment service shall be paid by each industrial user connected to the system and shall be computed in accordance with the quantity of water discharged to the system as measured by the City water meter installed thereon or by a sewage meter installed on the discharge pipe therefrom. Charges shall be paid monthly and/or quarterly as follows:

	<u>Capital Charge</u>	<u>User Charge</u>	<u>Total</u>
City User	\$1.98/1000 gallons	\$2.57/1000 gallons	\$4.55/1000 gallons
Non-City User	\$2.47/1000 gallons	\$3.22/1000 gallons	\$5.69/1000 gallons
Out-of-State User	\$3.12/1000 gallons	\$4.46/1000 gallons	\$7.58/1000 gallons

(f) Nonindustrial Users. User and capital charges for wastewater treatment services shall be paid by each nonindustrial user connected to the system and shall be computed in accordance with the quantity of water used on such premises as measured by the City water meter installed thereon, or if there is no such water meter, then as estimated by the City. Charges shall be paid monthly and/or quarterly as follows:

	<u>Capital Charge</u>	<u>User Charge</u>	<u>Total</u>
City User	\$1.98/1000 gallons	\$2.57/1000 gallons	\$4.55/1000 gallons
Non-City User	\$2.47/1000 gallons	\$3.22/1000 gallons	\$5.69/1000 gallons
Out-of-State User	\$3.12/1000 gallons	\$4.46/1000 gallons	\$7.58/1000 gallons

*

*

*

(Ord. ____-2021. Passed ____-2021.)

“Exhibit A”



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

December 6, 2021

To: Mayor Stough and Members of Sylvania City Council

Re: Sylvania Zoning Code Audit and Writing Services

Dear Mr. Mayor and City Council Members,

As you are aware, the City completed an update to our Downtown Sylvania Master Plan. Upon completion of the plan and comparing recommendations in the plan, it was realized that certain sections of our current zoning code may not align with those recommendations. The development of SOMO raised this same question as the City ultimately created a new zoning designation to accommodate that site.

Accordingly, we are recommending that we engage Environmental Design Group(EDG) to audit and edit portions of our zoning code to ensure proper alignment with the plan recommendations. We believe this proactive approach can avoid future conflicts as potential redevelopment proposals are made in the future.

EDG has provided the attached proposal to provide those services as negotiated with City staff. We believe this to be worthwhile exercise and ask for approval to enter into an agreement with Environmental Design Group for a Zoning Code Audit and Writing Services in the amount of \$28,400.

Please call if you have any questions.

Sincerely,

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



March 18, 2021
Revised October 22, 2021

Mayor Craig A. Stough
CC: Bill Sanford, Economic Development Director
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

**Re: Sylvania Zoning Code Audit and Zoning Code Writing Services
Environmental Design Group No. 19-00283-02P**

Dear Mayor Stough:

Per our discussions via Zoom and phone call, below is the sample scope of services that can be performed to assist the City of Sylvania (Client) in updating the Zoning Code. With the completion of the Downtown Sylvania Master Plan Update, we understand that the City would like to focus on the zoning related to the Downtown/Central Business District and how the existing zoning code may present roadblocks to development of the Master Plan. The listed ranges of costs per task are estimates and will vary based on the detail and complexity of each task as they are assigned.

SCOPE OF SERVICES

Environmental Design Group will perform the planning services as-directed by phone, via email or in-person meeting by the Client. Planning services will be performed on a time-and-materials basis. Some of these planning services may include:

- A. Zoning Code Audit of Existing Downtown-Related Zoning Code (~\$2,000)
- B. Zoning Code & Development best practices and current trends research (If desired by Client/Council) (~\$4,800)

Some of these topics may include:

- 1. Tiny Homes and/or Tiny Home PUDs
- 2. Cottage Homes/Developments
- 3. Parking Maximums
- 4. Parking Requirements
- 5. Density (varies)
- 6. Setbacks (varies)
- 7. Accessory Structures (commercial and residential)
- 8. Patios (liquor, pets within patio space, etc.)
- 9. Design Standards
- 10. Senior Housing/Assisted Living
- 11. Electric Vehicle Charging Infrastructure

- C. Zoning Code section writing/rewriting (authored by Environmental Design Group). (~\$16,500)

- D. Exhibit and/or graphics preparation. (~\$1,000)

The community impact people.

CORPORATE

450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE

2800 Euclid Avenue, Suite 620
Cleveland, Ohio 44115

COLUMBUS OFFICE

88 East Broad Street, Suite 880
Columbus, Ohio 43215

envdesigngroup.com

Mayor Craig A. Stough
CC: Bill Sanford
City of Sylvania
March 18, 2021
Revised October 22, 2021
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- E. Client conference calls, in-person meetings and/or meeting material preparation.
(~\$1,600)
- F. Stakeholder and/or Public Engagement Meetings, either remote or in-person, and/or material preparation. (~\$2,500)

PROJECT SCHEDULE

Environmental Design Group will begin work upon receiving written notice-to-proceed (NTP) and will complete tasks on an as-needed basis directed by phone, via email or in-person meeting.

PROJECT QUOTATION

Environmental Design Group will invoice the City of Sylvania on a **Time and Materials basis, not-to-exceed fee of Twenty-Eight Thousand Four Hundred Dollars and No Cents \$28,400.00**).

This offer remains valid for thirty (30) days; acceptance thereafter is subject to our approval. The above fees will apply for one (1) year from acceptance of this agreement. If the work is not completed during that period, the agreement may be subject to renegotiation.

ASSUMPTIONS AND EXCLUSIONS

Below is a list of assumptions and exclusions that apply to this proposal for technical services. These items were considered while defining the scope and fee for Environmental Design Group's services and further explain the responsibilities of Client and Environmental Design Group.

The City understands that:

1. Unless the Client designates an alternate in writing, the person signing the agreement will be considered the Client's only official representative with respect to this agreement.
2. The Client will provide assistance requested by Environmental Design Group to accomplish the above-captioned tasks including providing all documents related to the Zoning Code to Environmental Design Group.
3. Environmental Design Group has included normal review durations by the Client and public agencies, based on our experience. However, the actual duration of such reviews is beyond the control of Environmental Design Group and extended review periods may impact and/or delay project completion.

LIMITATION OF LIABILITY

Environmental Design Group warrants that it has adequate workers' compensation coverage, errors and omissions insurance and professional liability and such coverage under public liability and properties damage insurance policies as it deems to be adequate. Certificates of all such policies of insurance shall be provided to you upon request in writing. To the extent that it is lawful to do so, the Client hereby expressly waives and releases any cause of action or right of recovery which you may have hereafter against Environmental Design

The community impact people.

Mayor Craig A. Stough
CC: Bill Sanford
City of Sylvania
March 18, 2021
Revised October 22, 2021
Page 3

Group for any loss or damage to subject premises caused by fire, explosion or any other risk which may arise during our performance of services hereunder and which is covered by insurance.

Environmental Design Group's work being performed, and Environmental Design Group's findings and conclusions are for the benefit of the Client and appropriate regulatory agencies and are not to be relied upon by any other parties. A party's failure or delay to require strict performance on any provision of this agreement shall not be considered a waiver or deprive such party of the right to insist upon strict adherence to that term or other terms of this agreement.

STANDARD OF CARE

Services performed by Environmental Design Group under this Agreement will be conducted in a manner consistent with the level of care and skill ordinarily exercised by firms similar to Environmental Design Group which are currently providing similar services in the same geographical area.

Client recognizes that subsurface conditions or other field conditions may vary from those encountered at locations where borings, surveys or other observations are made by Environmental Design Group and that the data interpretations and recommendations by Environmental Design Group are based solely on information available to Environmental Design Group.

Environmental Design Group will be responsible for those data interpretations and recommendations but shall not be responsible for any interpretations by others of the information developed.

INVOICING PROCEDURES AND TERMS

Invoices will be submitted monthly based on the amount of work actually completed. If the Client fails to make any payment due Environmental Design Group within thirty (30) days after receipt of Environmental Design Group's invoice, the amounts due Environmental Design Group will include a charge at the rate of 1% per month from said thirtieth day. In addition, Environmental Design Group may suspend services under this Agreement until all outstanding invoices have been paid in full plus accrued interest.

The attached Exhibit A – Standard Provisions of Agreement – is a part of this agreement and is binding on the Client.

PROJECT INITIATION PROCEDURES


If this proposal is satisfactory, you may authorize Environmental Design Group to proceed by returning one (1) signed copy of this letter to us. If there is a need for clarification or if changes in contractual arrangements are desired, please contact us.

We look forward to working with you and your staff on this as well as other projects in the future.

The community impact people.

Mayor Craig A. Stough
CC: Bill Sanford
City of Sylvania
March 18, 2021
Revised October 22, 2021
Page 4

Sincerely,


Michelle L. Johnson
Director


Ben McKeeman, AICP
Project Manager

ACCEPTED: City of Sylvania

By _____ Date _____

Title _____

Clients Designated Representative: _____

Special Instructions: _____

Invoicing Procedures:

In an effort to continue to provide an easy and effective method for communicating, we will be sending invoices and payment reminders via e-mail. By sending these documents via email, we can ensure each includes the information you require. Please provide the following information:

AP Contact _____

AP Email _____

AP Phone _____

Email an additional copy of the Invoice to:

1. _____

2. _____

The community impact people.

ORDINANCE NO. 77 -2021

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO
ACCEPT THE PROPOSAL OF ENVIRONMENTAL DESIGN GROUP TO
REVIEW THE CITY'S ZONING CODE; APPROPRIATING FUNDS
THEREFORE IN AN AMOUNT NOT TO EXCEED \$28,400; AND
DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 80-2019, passed September 16, 2019, authorized the Mayor and Director of Finance to accept the proposal of Environmental Design Group to perform Tasks 1 and 2 of the Sylvania Downtown Plan and Market Analysis and appropriated an amount not to exceed \$26,103; and,

WHEREAS, Ordinance No. 38-2020, passed June 1, 2020, authorized the Mayor and Director of Finance to accept the proposal of Environmental Design Group to perform Task 3 of the Sylvania Downtown Plan and Market Analysis and appropriated an amount not to exceed \$23,875 for the completion of Task 3; and,

WHEREAS, Ordinance No. 14-2021, passed February 1, 2021, accepted the amendment to the proposal of Environmental Design Group relative to the Sylvania Downtown Master Plan to authorize funding for an additional public meeting; and,

WHEREAS, Resolution No. 3-2021, passed March 15, 2021, approved the Sylvania Downtown Master Plan; and,

WHEREAS, during the process of completing the Downtown Master Plan, a recommendation was made to review the City's Zoning Code to ensure that the suggestions made in the Master Plan would not conflict with the Zoning Code; and,

WHEREAS, Environmental Design Group has submitted a proposal to audit the City's existing Zoning Code including recommending best practices and current trends, rewriting

conflicting sections, preparation of exhibit and/or graphics, client and public engagement meetings at a cost not to exceed Twenty-Eight Thousand Four Hundred Dollars (\$28,400.00); and,

WHEREAS, the Director of Public Service, by report dated December 6, 2021, has recommended acceptance of the proposal of Environmental Design Group to review and edit the City's Zoning Code at a cost not to exceed \$28,400.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the proposal of Environmental Design Group on behalf of this City, thereby indicating such approval and acceptance of the proposal to review and edit the City's Zoning Code as detailed in the proposal dated March 18, 2021 and revised October 22, 2021.

SECTION 2. That to provide funds for said services hereby authorized, there is hereby allocated from the _____ **FUND** from funds therein not heretofore allocated to **Account No.** _____, an amount not to exceed Twenty-Eight Thousand Four Hundred Dollars (\$28,400.00).

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 proposal for said professional services should be approved immediately so that the review and edit of the City's Zoning Code can proceed 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, _____, 2021, as an emergency measure.

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

President of Council

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. SUP-4-2021
Date 11/12/21

Petitioner Name(s): EMMA DEVELOPMENT
Petitioner Address: 5525 SCHULTZ DR.
SYLVANIA, OHIO 43560
Email: MHOWARD44@GMAIL.COM Telephone: (419) 290 0561

Location of property for which zoning amendment is requested:

5625 W. ALEXIS RD. SYLVANIA, OHIO
Purpose of amendment request: SPECIAL USE APPROVAL FOR MEDICAL
MARIJUANA DISPENSARY FACILITY
Current Zoning: M-1 Requested Zoning: M-1/SUP

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.

Michael Howard
Emma 44 Development
5525 Schultz Dr
Sylvania, Ohio 43560

By: DAVID KUPPELMANT, PRESIDENT
ARCHITECTS FORUM MIDWEST, LLC
PERRYSBURG, OHIO
Del Kypne

Date referred by Council: 12/6/21

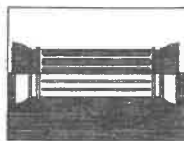
Date of Commission Action: _____

Date of Council Action: _____

Action: _____

For Office Use Only

Date: 11/12/2021 Check #: 1340 Cash: — Fee: \$ 100.00



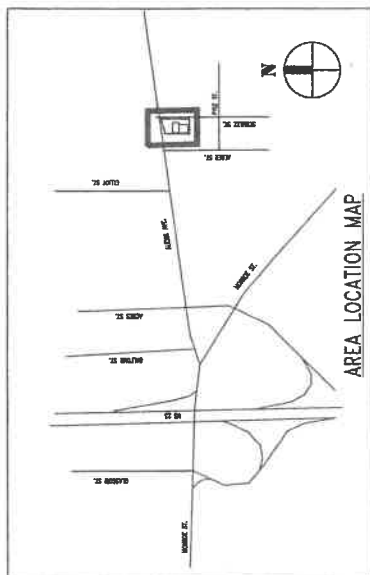
Architects Forum Midwest I.L.C.
88810 Robert Road, Suite 1
Perrysburg, Ohio 43061
Ph:419-699-5190
E-mail: info@archforummidwest.com

EXISTING SITE FOR
MEDICAL MARIJUANA DISPENSARY
5625 W. ALEXIS ROAD, SYLVANIA, OH 43560

[illegible]

ORDER BY	SUB FILE NAME
ORDERED BY	NAME AS NOTED
APPROVED BY	DATE 10-21-21
PROJECT NO.	
SUBMIT FILE	
	SITE PLAN
PROJECT NO.	S100

**TRADE SECRET AND/OR
INFRASTRUCTURE RECORD**



SITE INFORMATION

SITE ADDRESS: 5625 W ALEXIS ROAD, SYLVANIA, OH 43560

LEGAL DESCRIPTION: WHETSTONE PARK LOTS 73-77
 0100071 ID: 8082247

PARCEL ID: 8282247
SITE AREA = 15.287 SQ. FT./0.35 ACRE

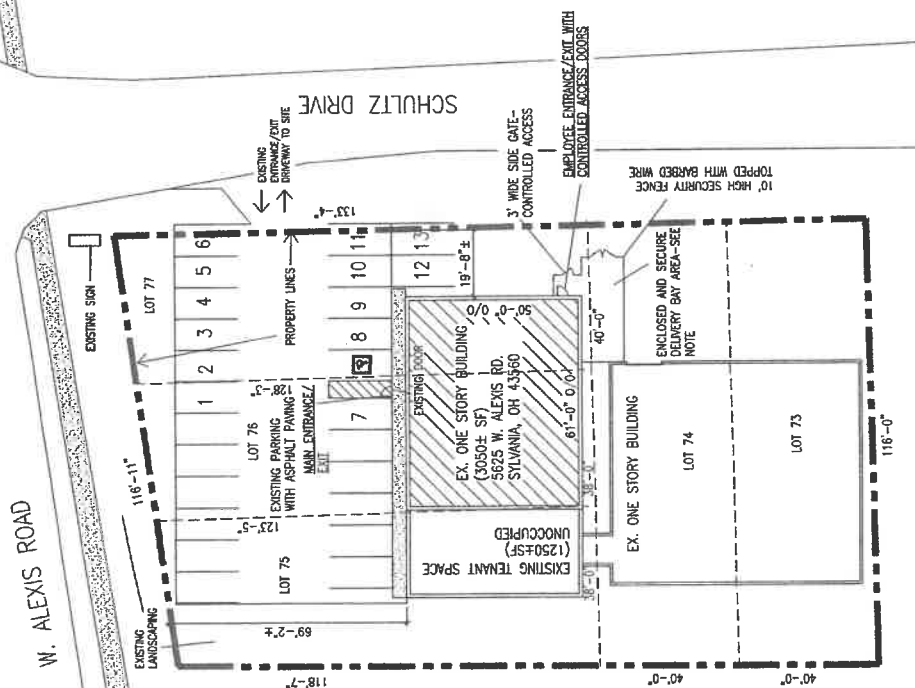
ZONING CLASS = M-1 (LIGHT MANUFACTURING)

PARKING REQUIREMENTS:

1 SPACE/250 SF BUILDING AREA
3050 BUILDING AREA/250= 13 SPACES REQUIRED
13 SPACES AND 1 HANDICAPPED
SPACE PROVIDED

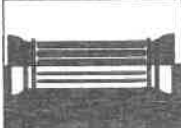
NOTE:

THE ENCLOSED AND SECURE DELIVERY AREA SHALL BE SECURED WITH A FENCE AND MONITORED WITH VIDEO SURVEILLANCE AND ACCESS SHALL BE LIMITED TO NECESSARY LICENSED PROCESSOR, CULTIVATOR AND DISPENSARY EMPLOYEES.



SITE PLAN
SCALE: 1/16" = 1'-0"

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Architect: David M. Nappell
Professional Engineer
No. 11894
State of Ohio
11-12-2021

INTERIOR RENOVATIONS
MEDICAL MARUANA DISPENSARY
5625 W. ALEXIS ROAD, SYLVANIA, OH 43560

NO.	REVISIONS	DATE
1	ISSUED FOR PERMIT	11-12-2021

PROJECT NO.	11-12-2021
DATE	11-12-2021
PROJECT NAME	FLOOR PLAN
PROJECT LOCATION	A100

Vault Design Notes:

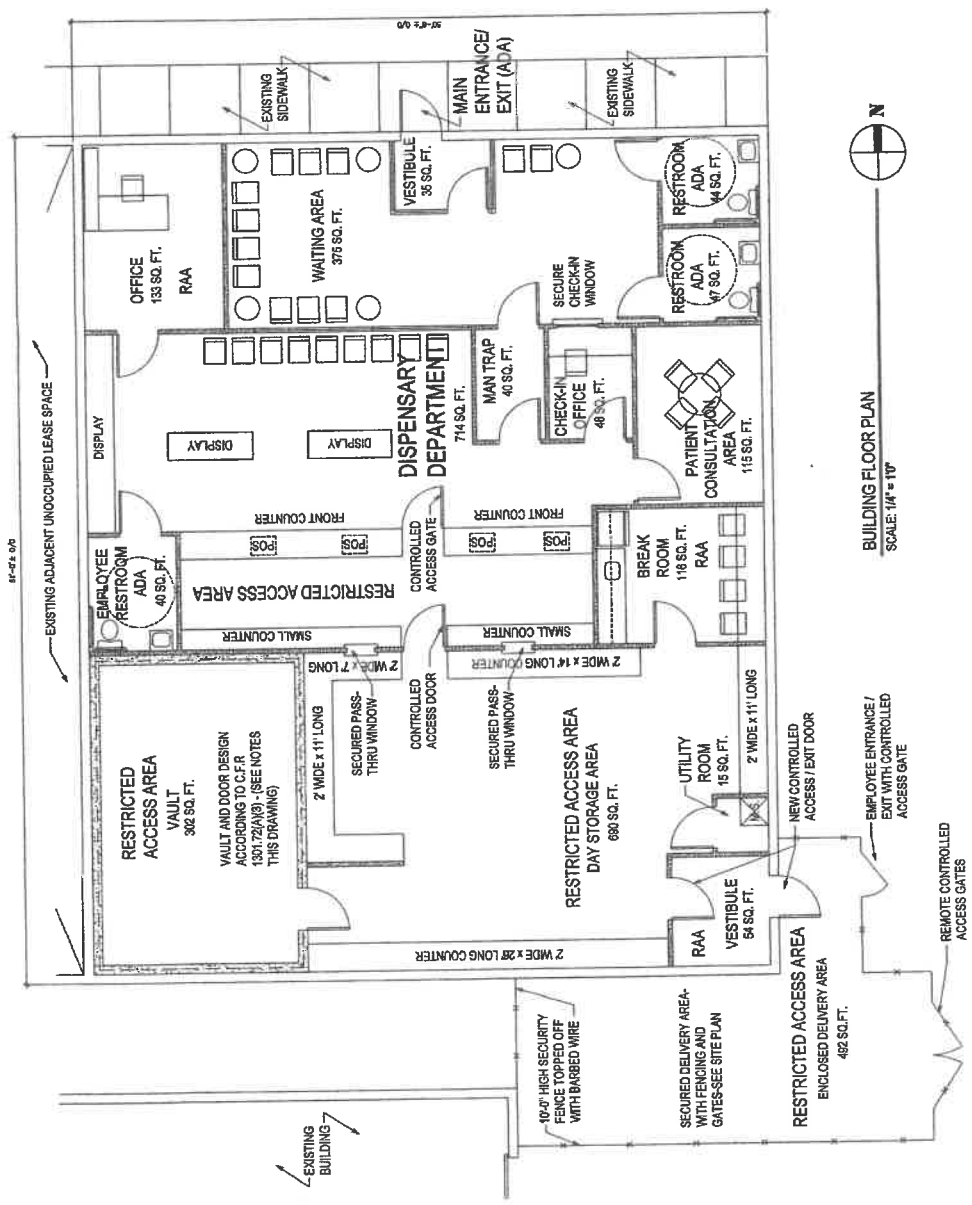
- A. Vault in accordance with C.F.R. 1301.72(a)(3)(i)(2021). Walls and floors constructed with minimum 8" of reinforced concrete with #4 (1/2") rebar tied 6" o.c. vertically and horizontally for all walls, floor, and ceiling, with vault supported by foundation.
- B. The door and frame shall conform to minimum specification for 30 man-minutes against surreptitious entry, 10 man-minutes against forced entry, 20 man-hours against radiological techniques.
- C. Walls of the vault to be equipped with an alarm system connected to a central station via radio cellular connection. Security system to provide for "hold-up" buttons within the vault, man-trap and minimum 3 (three) locations within dispensary to be determined.
- E. Vault door to be equipped with monitored contact switches.
- F. Vault to be equipped with:
F.A. Complete electrical lacing of walls, floors, and ceilings.
F.B. OR-sensitive ultrasonic equipment monitoring within the vault.
F.C. OR-A sensitive sound accumulator system.
F.D. One of systems above as approved by the designated administrator.

General Notes:

1. The enclosed and secure delivery area shall be secured with a fence and monitored with video surveillance and access shall be limited to necessary licensed processor, cultivator and dispensary employees.
2. RAA = Restricted Access Area.

TRADE SECRET AND / OR
INFRASTRUCTURE RECORD

Deposited by:
The undersigned hereby certifies that the enclosed drawings are the work of the undersigned or of a duly authorized person or persons under the supervision of the undersigned and that the undersigned is a duly licensed Professional Engineer in the State of Ohio.



BUILDING FLOOR PLAN
SCALE: 1/4" = 1'0"

BUILDING INFORMATION
BUILDING ADDRESS: 5625 WEST ALEXIS ROAD, SYLVANIA OH 43560
BUILDING AREA = 3,050 SQ. FT.
BUILDING OCCUPANT LOAD: 51 PEOPLE (3,050 SF/60 GROSS SF)
BUILDING CODE = USE GROUP 'M' MERCANTILE


- LEGEND
- EXISTING WALLS
 - NEW DRYWALL AND STUD WALLS
 - NEW CONCRETE BLOCK WALLS
 - NEW POURED REINFORCED CONCRETE WALLS
 - NEW 10' HIGH SECURITY FENCE WITH BARB WIRE

12



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

Memo

To: The Mayor and City Council
From: Kevin G. Aller, Director of Public Safety/Service 
Date: 12/6/2021
Re: Obsolete Equipment

Council Members,

The following items are no longer of use in our City operations:

MPH Industries Inc. 2007 Speed Monitor Trailer Unit #1 – Serial No. 1M9US08167D597020

MPH Industries Inc. 2007 Speed Monitor Trailer Unit #2 – Serial No. 1M9US08107D597019

We would request approval to dispose of the items by posting them for sale on the GovDeals website. Should we not receive any bids to purchase the items we will dispose of them either through scrap value and/or landfill disposal.

Please call if you have any questions. Thank you.

Memo

To: Mayor Stough and Members of Sylvania City Council
 From: Toby Schroyer, Director of Finance
 Date: December 3, 2021
 Re: Then and Now Certifications

Mayor and Members of Council:

Below is the list of Then and Now Certifications for expenditures over \$3,000 that have been issued from October 22, 2021 through December 2, 2021

<u>DATE</u>	<u>VENDOR/DESCRIPTION</u>	<u>AMOUNT</u>
10/22/2021	BATANIAN TREE REMOVAL/ RAVINE CEMETERY	3,650.00
10/22/2021	ALL SEASONS TREE AND LAWN CARE/ APPLE MEADOW TREASURER, LUCAS COUNTY/ SEWER OPERATION AND	3,400.00
10/26/2021	MAINTENANCE CHARGES	243,282.25
11/2/2021	GALLS/ SRT HELMETS POLICE	5,117.13
11/12/2021	RAWLINGS HTG & COOLING/ REPLACE FURNANCE	4,700.00
11/12/2021	PHOENIX SERVICES/ PROSECUTION OFFICE OCTOBER	6,693.88
11/15/2021	VANCES LAW ENFORCEMENT/ SRT HEADSETS	4,296.90
11/15/2021	BLUE TECHNOLOGIES/ COURT COPIER	7,571.81
11/16/2021	P&R COMMUNICATIONS/ RADIO RE-PROGRAMING POLICE	4,450.00
11/22/2021	BLUE TECHNOLOGIES/ UTILITY COPIER	4,000.00
11/23/2021	BUCK & KNOBBY EQUIPMENT/ TRACTOR REPAIRS	4,660.17
11/29/2021	INSOURCE SOLUTIONS GROUP/ POSTAGE FOR TAX DEPT	4,803.56
12/1/2021	LAKE ERIE ELECTRIC/ SEWER PUMP STATION	6,550.66
12/1/2021	KALIDA TRUCK EQUIP/ UPFIT OF DUMPBOX, SNOWPLOW, SALT SPREADER	92,500.00
12/2/2021	CJCC/ NORIS SERVICES POLICE	<u>6,870.00</u>
	TOTAL	\$ 402,546.36

We would request approval of the Then and Now Certifications as set forth above.

Please call if you have any questions. Thank you.

City of Sylvania
Bank Reconciliation
November 2021


A

Ending balance for October 2021	35,215,879.08
Add: Monthly Receipts	<u>3,238,875.23</u>
Subtotal	\$ 38,454,754.31
Less: Monthly Disbursements	<u>5,203,105.22</u>
Ending balance for November 2021	\$ 33,251,649.09
Less:	
CD Metamora Bank	\$ (2,176,639.59)
Star Ohio	(82,355.91)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
Key Bank Securities	-
5/3rd Securities	(10,214,673.60)
SJS Account	(5,871,294.89)
Morgan Stanley Investment	
UBS Financial	(7,459,425.62)
Premier Bank (CD)	(2,100,782.56)
Key Bank (CD)	-
Sylvania Township Bonds	(155,000.00)
	\$ 5,156,560.88
Returned Utility Payment 11/30/21	(50.14)
Payroll 12/2/21	(341,528.18)
Adjustment	(0.30)
	<u>\$ 4,814,982.26</u>
(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

BANK BALANCE

EOM 5/3rd Bank Balance	\$ 5,842,338.93
Deposit in Transit:	
Income Tax	7,692.74
General Deposit	116,772.51
Subtotal	\$ 5,966,804.18
Less: Outstanding Checks (2)	1,151,821.92
Adjusted Bank Balance	\$ 4,814,982.26
(2)	
October Outstanding Checks	\$ 137,867.49
Checks written this month	1,937,613.56
Voided Checcks:	
BSB dtd 7/21/21	(345.00)
Thomas Turner dtd 5/24/21	(707.00)
Billie Carson dtd 5/11/21	(9.15)
Johnna Amborski dtd 3/17/21	(21.51)
Subtotal	<u>\$ 2,074,398.39</u>
Checks Cleared this month	<u>(922,576.47)</u>
November Outstanding Checks	\$ 1,151,821.92


Toby Schroyer
Director of Finance, City of Sylvania