

Sylvania City Council
April 18, 2022

6:30 p.m. Committee of the Whole Meeting
Tax Increment Financing

7:30 p.m. Council Meeting
Agenda

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 Mr. Frye.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of April 4, 2022.
5. Laura Koprowski, CEO of TARTA to provide an update of TARTA's activities.
6. Monroe Street & Silica Drive Intersection Improvement and Silica Drive Bridge Replacement – April 2022 Update.
7. Downtown Streetscape Project.
 - a. Service Director's report on Preliminary Engineering Services.
 - b. Proposed Ordinance No. 46-2022, Accepting the proposal of DGL Consulting Engineers, LLC to provide Preliminary Engineering Services for the Downtown Streetscape Project.
8. Monroe Street/Main Street/Summit Street Traffic Signal Improvements.
 - a. Service Director's report on Engineering Services.
 - b. Proposed Ordinance No. 47-2022, Accepting the proposal of DGL Consulting Engineers, LLC to provide Engineering Services for the Monroe Street/Main Street/Summit Street Traffic Signal Improvements Project.
9. Committee reports.
 - a. Committee of the Whole Meeting from this date.
10. Committee referrals.

INFORMATION

- A. March 2022 Bank Reconciliation.
- B. Board of Architectural Review minutes from April 13, 2022.
- C. Municipal Planning Commission minutes from April 13, 2022.

Minutes of the Meeting of Council
April 4, 2022

The Council of the City of Sylvania, Ohio met in regular session on March 21, 2022 at 7:30 p.m. with Mayor Stough in the chair. Roll was called with the following members present: Mark Frye, Marcus Hansen, Doug Haynam, Brian McCann, Patrick Richardson, Lyndsey Stough, Mary Westphal; (7) present; (0) absent.

Roll call:
All present.

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

Pledge of
Allegiance.

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

The following items were added to the agenda:

Move agenda item #8a to item # 4a.

Mr. Haynam moved, Mr. Frye seconded to approve the agenda as amended; roll call vote being: Frye, Hansen, Haynam, McCann, Richardson, Stough, Westphal; (7) yeas; (0) nays. The motion carried.

Agenda approval.

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

Mr. Frye presented the March 21, 2022 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 March 21, 2022 be approved; roll call vote being: Hansen, Haynam, Frye, McCann, Richardson, Stough, Westphal, (7) yeas; (0) nays. The motion carried.

Approval of the
March 21, 2022
meeting minutes.

Mr. Richardson stated the Streets Committee met on this date to discuss the proposed Scooter Rental Program for the City of Sylvania. Mr. Covato from the Bird Scooter, Inc. provided information on the stand-up electric scooters, the user regulations, hours of operations, safety education, data sharing, insurance, and the number of units for City (60). After several citizens stated concerns on the program, Council will take information under consideration and set another Streets Committee meeting to discuss the program for the City.

Streets Com.
Report re:
Proposed Scooter
Program.

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

Service Director's report on the ODOT LPA Local Let Project Agreement for the Harroun/Flower Hospital/Ravine Traffic Signal Project was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 43 -2022, 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 with the State of Ohio, Department of Transportation in behalf of the City of Sylvania

Ordinance No.
43-2022,
"Authorizing...
ODOT Project
Agreement...Har
roun/Ravine
Intersection
Improvement
Project..."

Minutes of the Meeting of Council
April 4, 2022

for the Harroun Road and Ravine Drive Intersection Improvement Project; and declaring an emergency.”; Mr. Richardson moved, Ms. Stough seconded for passage of Ordinance No. 43-2022 as an emergency measure; roll call vote being: Haynam, McCann, Richardson Stough, Westphal, Frye, Hansen; (7) yeas; (0) nays. The motion carried.

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

Service Director’s report on the ODOT Salt bid was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 44 -2022, a written copy of same having been previously furnished to each member of Council “Authorizing the Mayor and Director of Finance of the City of Sylvania, Ohio, to enter into an Agreement with the Ohio Department of Transportation for the purchase of Roadway De-Icing Salt; and declaring an emergency.”; Mr. Richardson moved, Mr. McCann seconded for passage of Ordinance No. 44-2022 as an emergency measure; roll call vote being: McCann, Richardson, Stough, Westphal, Frye, Hansen, Haynam; (7) yeas; (0) nays. The motion carried.

Ordinance No. 44-2022,
“Authorizing Agreement with ODOT.... De-Icing Salt....”

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

The Street Banner Application for Sylvania Schools was placed on file. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 45-2022, a written copy of same having been previously furnished to each member of Council “Approving the Banner Application of Sylvania Schools; authorizing the Zoning Administrator to indicate such approval on behalf of the City of Sylvania; and declaring an emergency.”; Mr. Haynam moved, Mrs. Westphal seconded for passage of Ordinance No. 45-2022 as an emergency measure; roll call vote being: Richardson, Stough, Westphal, Frye, Hansen, Haynam, McCann; (7) yeas; (0) nays. The motion carried.

Ordinance No. 45-2022,
“Approving the banner application for Sylvania Schools...”

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

Mayor Stough stated all agenda items have been addressed.

Minutes of the Meeting of Council
April 4, 2022

Mr. Frye moved, Mr. McCann seconded to adjourn at 8:16 p.m. Roll call vote being: Adjournment.
Stough, Frye, Hansen, Haynam, Westphal, McCann, Richardson, (7) yeas; (0) nays.

Clerk of Council

Mayor

7a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

April 18, 2022

To: The Mayor and Members of Sylvania City Council

Re: **Preliminary Engineering Services Proposal
Downtown Streetscape**

Dear Mr. Mayor and Council Members:

The first phase of a downtown revitalization plan was implemented on Main Street between Monroe Street and Maplewood Avenue in 1983. Many of the elements of this plan are still visible today including street trees, paver inlays, a bell kiosk, brick columns and walls, entry signage, and horsehead bollards. Decorative street lights were extended from Maplewood Avenue to Erie Street in 1987. With this two-block area of our downtown central core close to 40 years old, the Service Department would like to take the initial step and begin planning for a streetscape update.

The City requested a preliminary engineering proposal from DGL Consulting Engineers, LLC from Maumee, Ohio to lead the planning effort. DGL has performed several streetscape projects in the northwest Ohio area including efforts for municipalities and villages like Bryan, Maumee, Delta, Oregon, and Port Clinton, and also has planned streetscape work for the University of Tiffin.

Their proposal to complete preliminary engineering work is in the amount of \$61,680. Their scope of services includes topographic survey, review of the Downtown Master Plan, conducting stakeholder meetings, and the preparation of a concept plan and cost estimate including utility and pavement upgrades. They have invited JDRM from Sylvania, Ohio to assist with electrical planning and EDGE from Toledo, Ohio to assist with landscape and streetscape elements.

We would recommend approval of the DGL Consulting Engineers proposal in the amount of \$61,680. Funds were allocated in the 2022 capital improvement budget and will be paid out of account 401-7610-53503. Please call with any questions.

Sincerely,

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



PROVIDING
CIVIL ENGINEERING
SOLUTIONS SINCE 1926

TRANSPORTATION

TRAFFIC/SAFETY

FACILITY/SITE
DEVELOPMENT

SURVEY

CONSTRUCTION
SERVICES

October 4, 2021

Kevin G. Aller, PE
Director of Public Service/Safety
City of Sylvania
6730 Monroe Street, Suite 101
Sylvania, OH 43560

Re: Sylvania Downtown Improvements – Preliminary Study

Dear Mr. Aller:

Please accept this price proposal as DGL Consulting Engineers' (DGL) response to your request.

This project will plan and design the rehabilitation of approximately 1400 feet of Main Street from Monroe Street to Erie Street. The plans will build on the vision established in the Downtown Sylvania Master Plan, developing a comprehensive and detailed plan for Main Street to create a streetscape design that will address public realm, street, utility (water & sewer) and sidewalk improvements - including parking strategies, landscape, electrical upgrades, and amenities for all types of users.

It is our understanding that Monroe to Maple and Maple to Erie blocks will be reviewed to develop a streetscape concept to be reviewed by Downtown Sylvania Association and other stakeholders.

Scope of Services

The anticipated Scope of Services is included below.

1. Conduct survey and base mapping to understand existing conditions including infrastructure, topography, site boundaries, and ownership.
2. Review available background information including the Downtown Master Plan and existing geographical and topographical information.
3. Conduct a site visit and kick off meeting to finalize project work plan and gather field data.
4. Stakeholder meeting to communicate with business and property owners on the corridor and to determine needs for parking, public space needs, private space needs, landscape and pedestrian amenity needs.
5. Prepare a concept plan that uses previously employed streetscape elements (Main Street south of Monroe Street) along with stakeholder comments. The plan will also include utility and pavement upgrades.
6. JDRM to provide concept design for electrical needs.
7. EDGE to provide concept design for landscape/streetscape elements.
8. Stakeholder meeting to discuss the concept plan.
9. Detailed Cost estimate for concept design.
10. DGL to update the concept design based on direction from stakeholders.

3455 Briarfield Blvd
Suite E
Maumee, OH 43537
419.535.1015

128 N Fulton Street
Wauseon, OH 43567
419.330.1360

545 Metro Place South
Suite 100
Dublin, OH 43017
614.356.7150

dgl-ltd.com

DGL proposes the following fee for the Sylvania Downtown Improvements – Preliminary Study:

Item 1	Survey & Mapping	\$13,800
Items 2-5, 8-10	Streetscape Concepts	\$34,380
Item 6	Electrical Concepts	\$ 3,500
Item 7	Landscape Concepts	\$ 6,000 (Design)
		<u>\$ 4,000</u> (Renderings – 2 assumed)
	Preliminary Study/Plan Total	\$61,680

Additional Items:

- This proposal does not include Detailed Design Plans, Electrical Plans or Landscape Plans
- Preliminary Study Fee that is not used can be applied toward Detailed Design.

Thank you for the opportunity to participate in your proposal process and we look forward to working with you on the project. Please contact me directly should you have any questions related to the material included herein.

Sincerely,

DGL Consulting Engineers, LLC



Laurie L. Adams, PE, PTOE, PTP
Managing Principal, Director of Traffic/Safety

T: 419.535.1015 Ext. 205 | C: 419.350.5834 | E: ladams@dgl-ltd.com

Cc: Rick McGuckin, PE – DGL
Joe Shaw, PE – City of Sylvania

209-21316



7b

ORDINANCE NO. 46 -2022

ACCEPTING THE PROPOSAL OF DGL CONSULTING ENGINEERS, LLC TO PROVIDE PRELIMINARY ENGINEERING SERVICES FOR THE DOWNTOWN STREETScape PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$61,680; AND DECLARING AN EMERGENCY.

WHEREAS, the first phase of downtown improvements, including planting street trees, paver inlays, brick columns and walls, entry signage and horsehead bollards, were constructed and installed on Main Street between Monroe Street and Maplewood Avenue in 1983; and,

WHEREAS, in 1987, decorative street lights were extended on Main Street from Maplewood Avenue to Erie Street; and,

WHEREAS, some of the street trees and paver inlays have begun to deteriorate and a streetscape update should be considered; and,

WHEREAS, the Director of Public Service requested a preliminary engineering proposal from DGL Consulting Engineers, LLC (“DGL”) of Maumee, Ohio to begin planning for a streetscape update including topographic survey, review of the Downtown Master Plan, conducting stakeholder meetings, and the preparation of a concept plan and cost estimate including utility and pavement upgrades; and,

WHEREAS, DGL intends to utilize JDRM of Sylvania, Ohio to assist with electrical planning and EDGE of Toledo, Ohio to assist with landscape and streetscape elements; and,

WHEREAS, DGL has planned and designed streetscape projects for several communities in northwest Ohio, including Bryan, Maumee, Delta, Oregon, and Port Clinton; and,

WHEREAS, the Director of Public Service, by report dated April 18, 2022, has recommended that the proposal of DGL in the amount of \$61,680 for the preliminary engineering services proposal for the Downtown Streetscape Project 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 DGL Consulting Engineers, LLC in the amount of Sixty-One Thousand Six Hundred Eighty Dollars (\$61,680.00) for providing preliminary engineering services for the Downtown Streetscape Project, is hereby 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 **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements** the amount of Sixty-One Thousand Six Hundred Eighty Dollars (\$61,680.00)

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the engineering services for the Downtown Streetscape 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



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

April 18, 2022

To: The Mayor and Members of Sylvania City Council

Re: **Engineering Services Proposal**
Monroe Street/Main Street/Summit Street Traffic Signal Improvements

Dear Mr. Mayor and Council Members:

The Summit Street intersection with Monroe Street was converted from a southbound stop-controlled intersection to a traffic signal in 1980. At that time, modern day advancements in traffic signal operations (like vehicular and pedestrian detection systems, pedestrian signalization, coordinated signal systems, and uninterrupted power supply) didn't exist. The goal of this project is to bring the Main Street and Summit Street intersections up to current standards by implementing those measures described above. The Summit Street signal will be fully replaced and will include pedestrian signalization accommodations and operate independently from Main Street by adding a localized controller. The northeast quadrant will be reviewed and redesigned to accommodate a larger truck turning radius. In addition, the existing controller, coordinated signal system master controller, and a new vehicular detection system will be implemented at Main Street.

The City requested an engineering proposal from DGL Consulting Engineers, LLC from Maumee, Ohio to design these improvements. DGL has provided signalization engineering for the City on previous projects and was the engineer of record on two of the City's most recent signalization projects. Their proposal to complete the requested scope of services is in the amount of \$38,259.

We would recommend approval of the DGL proposal in the amount of \$38,259. This project was anticipated in future years but we believe should be accelerated with the development of SOMO and the anticipated Downtown Streetscape project. Funds are available in the capital account 401-7610-53503. Please call with any questions.

Sincerely,

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



PROVIDING
CIVIL ENGINEERING
SOLUTIONS SINCE 1926

TRANSPORTATION

TRAFFIC/SAFETY

FACILITY/SITE
DEVELOPMENT

SURVEY

CONSTRUCTION
SERVICES

February 17, 2022

Joe Shaw, PE, PS
Deputy Director - Dept of Public Service
City of Sylvania
6730 Monroe Street
Sylvania, OH 43560

Re: Monroe Street/Main Street/Summit Street Traffic Signal Improvements

Dear Mr. Shaw:

Please accept this proposal as DGL Consulting Engineers' (DGL) response to your request for the subject project. The project is located at Monroe/Main and Monroe/Summit to upgrade signal installations. Detailed Scope Information can be found within the attached document.

Thank you for the opportunity to participate in your proposal process. We look forward to continuing our relationship with you. Please contact me directly should you have any questions related to the material included herein.

Sincerely,

DGL Consulting Engineers, LLC

Laurie L. Adams, PE, PTOE, PTP
Managing Principal, Director of Traffic/Safety

T: 419.535.1015 Ext. 205 | C: 419.350.5834 | E: ladams@dgl-ltd.com

Cc: Corrinne Lochtefeld – DGL


209-21035

3455 Briarfield Blvd
Suite E
Maumee, OH 43537
419.535.1015

128 N Fulton Street
Wauseon, OH 43567
419.330.1360

dgl-ltd.com

An Agreement for the Provision of Limited Professional Services

Design Professional		Client	
DGL Consulting Engineers, LLC		City of Sylvania	
3455 Briarfield Blvd., Suite E		6730 Monroe Street	
Maumee, OH 43537		Sylvania, OH 43560	
Project Name		Project No.	
Monroe Street/Main Street/Summit Street Traffic Signal Improvements		209-21035	
Location	Sylvania, Ohio		
Scope of Services	See Scope of Services Attachment for definitions		
Fee Arrangement	Traffic Signal Design & Roadway Improvements = \$38,259.00 Total: \$38,259.00		
Retainer Amounts			
Special Conditions	If additional fee is required, DGL will request in writing.		
		Accepted by: (Client)	
		Signature	Date
		Craig A. Stough Mayor Printed Name / Title Signature indicates the authority to bind the company to the terms herein	
Offered by: 		Accepted by: Client	
Signature	Date	Signature	Date
Laurie L. Adams, PE, PTOE, PTP Managing Principal/Director of Traffic & Safety Printed Name / Title Signature indicates the authority to bind the company to the terms herein		Toby A. Schroyer Finance Director Printed Name / Title Signature indicates the authority to bind the company to the terms herein	

The Terms and Conditions at the end of this price proposal are part of this Agreement.

Scope of Services

Scope of Work

The City of Sylvania would like to make traffic signal upgrades at two locations. Specifically:

- Main Street
 - Review the existing controller and master controller, and if necessary, replace with ones to current standards.
 - Replace the vehicle video detection system with radar. Currently, the westbound left turn lane camera is inoperable and not able to be fixed.
 - Review the Uninterrupted Power Supply (UPS) system, and if necessary, replace to current standards.
- Summit Street
 - Review the feasibility and advantages of installing a separate controller at this intersection.
 - Review the northeast corner of the intersection and design a new radius for truck turning movements.
 - Review and set up the proposed improvements for a future northbound approach.
 - Implement a pedestrian signal system (none currently present).
 - Full traffic signal replacement complete with new poles, heads, pushbutton, etc.
 - Implement a vehicular radar detection system.

Work shall include the following items:

- Detailed construction plans
- Topographic survey
- Right of way and property resolution (3 parcels are assumed)
- Coordination with City and Utility Companies
- Submittals at 30% and 95% for review
- Submittal of Plans and final cost estimates at 100%

City Provided Services

- Provide existing utility plans.
- Provide existing roadway and signal drawings.
- Proposed right-of-way as required.
- Additional information and design support as needed.
- Bidding documents.

Schedule

DGL is available to start this work immediately upon your authorization and offer the following milestones. This can be adjusted as needed to accommodate funding, right of way acquisition or design needs.

- March 28, 2022: Assumed start date
- May 9, 2022: Submit 30% Plans
- June 10, 2022: City Review complete
- June 27, 2022: Preliminary ROW Plans
- July 18, 2022: City Review complete
- September 9, 2022: Submit 95% Plans + ROW Plans.
- October 7, 2022: City Review Complete
- October 28, 2022: Submit Final Plans

DGL CONSULTING ENGINEERS, LLC TERMS & CONDITIONS

Fee The total fee, except stated lump sum, shall be understood to be an estimate, based upon Scope of Service, and shall not be exceeded by more than ten percent, without written approval of the Client. Where the fee arrangement is to be on an hourly basis, the rates shall be those that prevail at the time services are rendered. Reimbursable expenses will include a mark-up of 1.10%. Any change in scope will be discussed prior to additional services being rendered.

Billings/Payments Invoices for services and reimbursable expenses shall be submitted, at the Design Professional's option, either upon completion of the services or on a monthly basis. Invoices shall be payable within 30 days after the invoice date. A service charge of 1.5% (or the maximum legal rate) per month will be applied to the unpaid balance after 30 days from the invoice date. Design Professional shall have the right to suspend/terminate services if payment is not received within 60 days after the invoice date and the Design Professional shall have no liability for any resultant delays or damages incurred by Client as a result of such suspension/termination. Retainers shall be credited on the final invoice. The Client agrees to pay all costs of collection, including reasonable attorney's fees.

Standard of Care In providing services under this agreement, the Design Professional will endeavor to perform in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. Design Professional will perform its services as expeditiously as is consistent with professional skill and care and the orderly progress of Design Professional's part of the Project. Regardless of any other term or condition of this Agreement, Design Professional makes no express or implied warranty of any sort. All warranties, including warranty of merchantability or warranty of fitness for a particular purpose, are expressly disclaimed.

Consequential Damages Notwithstanding any other provision to the contrary, and to the fullest extent permitted by law, neither the Client nor the Design Professional shall be liable to the other for any incidental, indirect or consequential damages arising out of or connected in any way to the Project or this Agreement. This mutual waiver of consequential damages shall include, but not be limited to, loss of use, loss of profit, loss of business or income or any other consequential damages that either party may have incurred from any cause of action whatsoever.

Hidden Conditions (*Optional, use if existing structure or project*) A condition is hidden if concealed by existing finishes or structure or is not capable of investigation by reasonable visual observation. If the Design Professional has reason to believe that a condition may exist, the Client shall authorize and pay for all costs associated with the investigation of such a condition. If (1) the Client fails to authorize such investigation after such notification, or (2) the Design Professional has no reason to believe that such a condition exists, the Design Professional shall not be responsible for the existing conditions or any resulting damages or losses resulting therefrom.

Hazardous Materials/Mold The Design Professional shall have no responsibility for the discovery, presence, handling, removal, disposal or exposure of persons to hazardous materials of any form including mold. The Design Professional shall have no responsibility for an existing or constructed building that may, as a result of post-construction, use, maintenance, operation or occupation, contain or be caused to contain mold substances which can present health hazards and result in bodily injury, property damage and/or necessary remedial measures and costs.

Indemnifications The Client agrees, to the fullest extent permitted by law, to indemnify and hold Design Professional and its subconsultants harmless from and against any and all damage, losses or cost (including reasonable attorneys' fees and defense costs) caused in whole or in part by its acts, errors or omissions and those of anyone for whom they are legally liable. The Design Professional further agrees, subject to Risk Allocation below, to indemnify the Client for damages to the extent arising from its own negligent errors acts or omissions.

Risk Allocation (*Fill in the amount*) In recognition of the relative risks and benefits of the Project to both the Client and the Design Professional, the Client agrees, to the fullest extent permitted by law, to limit the Design Professional's total liability to the Client or anyone making claims through the client, for any and all damages or claim expenses (including attorney's fees) arising out of this Agreement, from any and all causes, to the total amount of \$____,000 or the amount of the Design Professional's fee, whichever is greater.

Termination of Services This agreement may be terminated upon 10 days written notice by either party should the other fail to perform their obligations hereunder. In the event of termination, the Client shall pay the Design Professional for all services rendered to the date of termination, all reimbursable expenses, and reasonable termination expenses.

Betterment If a required item or component of the Project is omitted from the Design Professional's documents, the Design Professional shall not be responsible for paying the cost required to add such item or component to the extent that such item or component would have been included or required in the Design Professional's original documents. In no event will the Design professional be responsible for any costs or expense that provides betterment or upgrades or enhances the value of the Project.

Ownership of Documents All documents produced by the Design Professional under this agreement, including electronic files, shall remain the property of the Design Professional and may not be used by this Client for any other purpose without the written consent of the Design Professional. Any such use or reuse shall be at the sole risk of Client who shall defend, indemnify and hold the Design Professional and its subconsultants harmless from any and all claims and/or damages arising therefrom. Electronic files are not contract documents and cannot be relied upon as identical to contract documents because of changes or errors induced by translation, transmission, or alterations while under the control of others. Use of information contained in the electronic files is at the user's sole risk and without liability to Design Professional and its subconsultants.

Defects in Service The Client shall promptly report to the Design Professional any defects or suspected defects in the Design Professional's services. The Client further agrees to impose a similar notification requirement on all contractors in its Client/Contractor contract and shall require all subcontracts at any level to contain a like agreement. Failure by the Client and the Client's contractors or subcontractors to notify the Design Professional shall relieve the Design Professional of the costs of remedying the defects above the sum such remedy would have cost had prompt notification been given when such defects were first discovered.

Construction Activities The Design Professional shall not be responsible for the acts or omissions of any person performing any construction Work or for instructions given by the Client or its representatives to anyone performing any construction Work, nor for construction means and methods or job-site safety.

Dispute Resolution Any claim or dispute between the Client and the Design Professional shall be submitted to non-binding mediation, subject to the parties agreeing to a mediator. If the Parties cannot agree upon a mediator, the claim or dispute shall be submitted to the American Arbitration Association (AAA) for mediation in accordance with the Construction Arbitration and Mediation Rules of the AAA then in effect.

Relationship of the Parties All services provided by Design Professional are for the sole use and benefit of the Client. Nothing in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Design Professional.

Entire of Agreement This Agreement constitutes the entire agreement between the parties and these Terms & Conditions may only be amended by written agreement by both parties. Should any portion of this Agreement is found to be illegal or enforceable, such portion shall be deleted and the balance shall remain in effect.

Applicable Law The law applicable to this Agreement is the state of the Project location.

8b

ORDINANCE NO. 47 -2022

ACCEPTING THE PROPOSAL OF DGL CONSULTING ENGINEERS, LLC TO PROVIDE ENGINEERING SERVICES FOR THE MONROE STREET/MAIN STREET/SUMMIT STREET TRAFFIC SIGNAL IMPROVEMENTS PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$38,259; AND DECLARING AN EMERGENCY.

WHEREAS, in 1980, the Summit Street and Monroe Street intersection was converted from a southbound stop-controlled intersection to a traffic signal; and,

WHEREAS, in light of recent and anticipated development in the downtown Sylvania area, the signalization at both the Summit Street/Monroe Street and Main Street/Monroe Street intersections should be upgraded and improved; and,

WHEREAS, the Director of Public Service requested an engineering proposal from DGL Consulting Engineers, LLC (“DGL”) of Maumee, Ohio to begin designing the improvements to the two intersections; and,

WHEREAS, the improvements include vehicular and pedestrian detection systems, pedestrian signalization, coordinated signal systems, uninterrupted power supply, a new signal at Summit Street to provide for pedestrian signalization accommodations and reviewing and redesigning the northeast quadrant to accommodate a larger truck turning radius; and,

WHEREAS, DGL has provided signalization engineering for the City on previous projects, including the two most recent signalization projects; and,

WHEREAS, the Director of Public Service, by report dated April 18, 2022, has recommended that the proposal of DGL in the amount of \$38,259 for the engineering services proposal for the Monroe Street/Main Street/Summit Street Traffic Signal Improvement Project 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 DGL Consulting Engineers, LLC in the amount of Thirty-Eight Thousand Two Hundred Fifty-Nine Dollars (\$38,259.00) for providing engineering services for the Monroe Street/Main Street/Summit Street Traffic Signal Improvement Project, is hereby 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 **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements** the amount of Thirty-Eight Thousand Two Hundred Fifty-Nine Dollars (\$38,259.00)

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the engineering services for the Traffic Signal Improvement 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

City of Sylvania
Bank Reconciliation
March 2022

A

Ending balance for February 2022	34,225,548.88
Add: Monthly Receipts	<u>5,291,756.06</u>
Subtotal	\$ 39,517,304.94
Less: Monthly Disbursements	<u>3,806,056.95</u>
Ending balance for March 2022	\$ 35,711,247.99

Less:	
CD Metamora Bank	\$ (2,209,253.18)
Star Ohio	(82,398.55)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
5/3rd Securities	(10,245,417.43)
SJS Account	(5,876,883.20)
UBS Financial	(7,496,602.19)
Premier Bank (CD)	(2,112,245.16)
Key Bank (CD)	-
Sylvania Township Bonds	(80,000.00)
	\$ 7,573,532.24

Utility ACH Deposit - 3/21/22	1.00
Payroll - Cadet Pension	170.63

(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	\$ 8,098,516.24
Deposit in Transit:	
Income Tax	1,018.96
General Deposit	31,149.15

Subtotal	\$ 8,130,684.35
----------	-----------------

Less: Outstanding Checks (2)	556,980.48
------------------------------	------------

Adjusted Bank Balance	\$ 7,573,703.87
-----------------------	-----------------

(2)	
February Outstanding Checks	\$ 285,309.81

Checks written this month	1,064,154.17
---------------------------	--------------

Voided Check#78810 dtd 11/10/21	(677.73)
---------------------------------	----------

Subtotal	\$ 1,348,786.25
----------	-----------------

Checks Cleared this month	<u>(791,805.77)</u>
---------------------------	---------------------

March Outstanding Checks	\$ 556,980.48
--------------------------	---------------



Toby Schroyer
Director of Finance, City of Sylvania

B

Board of Architectural Review

Minutes of the regular meeting of April 13, 2022. Ms. Fischer called the meeting to order.

Members present: Mayor Craig Stough, Carol Lindhuber, Ken Marciniak and Kate Fischer. (4) present. Jeff Schaaf excused. Zoning Administrator, Timothy Burns also present.

Mr. Marciniak moved, Ms. Lindhuber seconded to approve the Minutes of the February 16, 2022, meeting as submitted. Vote being: Stough, Lindhuber, Marciniak and Fischer (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Regulated Sign – app. no. 4-2022 requested by Karrie Brock of Fast Signs for Beautiful Blooms by Jen, 5675 Main Street, Sylvania, Ohio 43560. Application is for six window signs.

Ms. Brock was present.

Signs are within the limits of the Sylvania Sign Code.

Mr. Marciniak moved, Ms. Lindhuber seconded, to approve the signs shown in the drawing submitted with the application. Vote being: Stough, Lindhuber, Marciniak and Fischer (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 – Regulated Sign – app. no. 5-2022 requested by Colleen Barnhart of Main Street Sweets, 5639 Main Street, Sylvania, Ohio 43560. Application is for one window sign and one projecting sign.

Ms. Barnhart was present.

Signs are within the limits of the Sylvania Sign Code.

Ms. Lindhuber moved, Mr. Marciniak seconded, to approve the signs shown in the drawing submitted with the application. Vote being: Stough, Lindhuber, Marciniak and Fischer (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

C

Sylvania Municipal Planning Commission

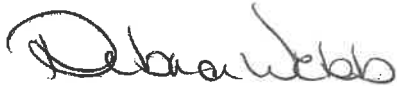
Minutes of the regular meeting of April 13, 2022. Ms. Fischer called the meeting to order.

Members present: Mayor Craig Stough, Carol Lindhuber, Ken Marciniak and Kate Fischer. (4) present. Jeff Schaaf excused. Zoning Administrator, Timothy Burns also present.

Ms. Lindhuber moved, Mr. Marciniak seconded to approve the Minutes of the February 16, 2022, meeting as submitted. Vote being: Stough, Lindhuber, Marciniak and Fischer (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission