

Sylvania City Council
May 16, 2022

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. Haynam.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of May 2, 2022.
5. Sophia Lloyd, Executive Director of Sylvania Community Services to introduce herself and briefly speak.
6. Maplewood Avenue Reconstruction.
 - a. Service Director's report on Change Order No. 1.
 - b. Proposed Ordinance No. 52-2022 Authorizing to approve Change Order No. 1 to this City's Agreement with Helms and Sons Excavating, Inc. for the Maplewood Avenue Reconstruction.
7. Right-of-Way Acquisition on City Owned Property; LUC-Monroe & Silica & LUC-Silica Bridge Replacement.
 - a. Service Director's report on Easements and Warranty Deeds of ROW.
 - b. Proposed Ordinance No. 53-2022 Accepting Temporary Construction Easements and Warranty Deed of Right-of-way from the City of Sylvania relative to the Monroe & Silica and Silica Drive Bridge Improvements Projects.
8. Proposed Ordinance No. 54-2022, Authorizing the Lease between City of Sylvania and SAJRD for Burnham Park.
9. Zoning Ordinance Amendment Petition No. ZA-1-2022, a request from Hamid Brothers, LLC for property located at 5601-5609 West Alexis Road from M-1, "Light Industrial District" to B-1 "Limited Business and Office District"; for referral to the Planning Commission, and set the public hearing date for June 20, 2022 provided the Planning Commission's recommendation is received, and authorize the clerk to advertise same.
10. Committee reports.
11. Committee referrals.

INFORMATION

- A. April 2022 Bank Reconciliation.
- B. Board of Architectural Review minutes from May 11, 2022.
- C. Municipal Planning Commission minutes from May 11, 2022.

Minutes of the Meeting of Council
May 2, 2022

The Council of the City of Sylvania, Ohio met in regular session on May 2, 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 Mr. Hansen.

Pledge of
Allegiance.

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

The following items has been added to the agenda:
Item # 10c. SAJRD Update.

Mr. Frye moved, Mr. Haynam 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 April 18, 2022 meeting minutes. Mr. Frye moved, Mrs. Westphal seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of April 18, 2022 be approved; roll call vote being: Hansen, Haynam, Frye, McCann, Richardson, Stough, Westphal, (7) yeas; (0) nays. The motion carried.

Approval of the
April 18, 2022
meeting minutes.

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

Andi Erbskorn, Executive Director of Heritage Sylvania provided a Heritage Sylvania Master Plan Vision which included an increased presence on Main Street and the financial phases for the updates. She provided an update on the Lathrop House updates including heating, insulation and new roof and that the Historical Village is booked to capacity with school programs.

Heritage
Sylvania update.

Mayor Stough stated that agenda item # 10a and 10b will be addressed at this time.

Mr. Richardson stated the Streets Committee met on April 28, 2022 regarding the Downtown Streetscape Project. (Proposed Ordinance No. 46-2022). DGL Consulting Engineers provided an overview of other similar projects and the proposed rehabilitation plan for Main Street. Legislation of approval of the preliminary engineering services was advanced to Council.

Streets Comm.
Mtg regarding
Downtown
Streetscape
Preliminary
Engineering
Svcs.

Minutes of the Meeting of Council
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Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 46 -2022, a written copy of same having been previously furnished to each member of Council “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.”; Mr. Richardson moved, Mr. McCann seconded for passage of Ordinance No. 46-2022 as an emergency measure; roll call vote being: Westphal, Frye, Hansen, Haynam, McCann, Richardson, Stough: (7) yeas; (0) nays. The motion carried.

Ordinance No. 46-2022, “Accepting proposal DGL for Prelim Engineering Svcs..Downtown Streetscape Project...”

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 48 -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 Agreements with a Head Teacher, Teachers, and Aides for the Sylvania Safety City Program being conducted by the Sylvania Division of Police; providing funds therefore; and declaring an emergency.”; Mr. Frye moved, Mr. Haynam seconded for passage of Ordinance No. 48-2022 as an emergency measure; roll call vote being: Haynam, McCann, Richardson, Stough, Westphal, Frye, Hansen, (7) yeas; (0) nays. The motion carried.

Ordinance No. 48-2022, “... Agreements with Teachers and Aides for Safety City....”

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

Service Director’s report on the Main Street Reconstruction Consultant Letter of Interest Award was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 49 -2022, a written copy of same having been previously furnished to each member of Council “Accepting the proposal of Mannik Smith Group for Engineering Services relative to the Main Street Reconstruction Project; appropriating fund therefore in the amount of \$107,652; and declaring an emergency.”; Mr. Richardson moved, Mr. McCann seconded for passage of Ordinance No. 49-2022 as an emergency measure; roll call vote being: McCann, Richardson, Stough, Westphal, Frye, Hansen, Haynam: (7) yeas; (0) nays. The motion carried.

Ordinance No. 49-2022, “Accepting Mannik Smith Group...engineering services... Main Street Reconstruction.”

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

Minutes of the Meeting of Council
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Service Director's report on the Sylvania River Trail Phase 2- Elevated Walkway Bearing Seat Repairs was placed on file. Mr. Hansen presented and read aloud by title only, proposed Ordinance No. 50 -2022, a written copy of same having been previously furnished to each member of Council "Accepting the proposal of DGL Consulting Engineers, LLC to provide Professional Engineering Services for the Sylvania River Trail Phase 2 – Elevated Walkway Bearing Seat Repair Project; appropriating funds therefore in the amount of \$7,800; and declaring an emergency."; Mr. Hansen moved, Ms. Stough seconded for passage of Ordinance No. 50-2022 as an emergency measure; roll call vote being: Richardson, Stough, Westphal, Frye, Hansen, Haynam, McCann,: (7) yeas; (0) nays. The motion carried.

Ordinance No. 50-2022,
"Accepting DGL Consulting Engineers for Syl River Trail Phase 2-Elevated Walkway Bearing Seat Repair..."

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

Service Director's report on a Supplement to the Preliminary Engineering Services Agreement – Norfolk Southern Railway Company – Monroe & Silica Improvements was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 51 -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 Amendment to the Agreement for Preliminary Engineering Services with Norfolk Southern Railway Company relative to the Monroe & Silica Improvements Project; increasing the Contract amount by \$8,020; appropriating funds therefore; and declaring an emergency."; Mr. Richardson moved, Mrs. Westphal seconded for passage of Ordinance No. 51-2022 as an emergency measure; roll call vote being: Stough, Westphal, Frye, Hansen, Haynam, McCann, Richardson: (7) yeas; (0) nays. The motion carried.

Ordinance No. 51-2022,
"Authorizing an amendment to agreement for PE Services with Norfolk Southern RE: Monroe & Silica Improvements"

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

Mrs. Westphal provided a SAJRD update including the 2022 Events calendar at Centennial Terrace.

SAJRD Update.

Mayor Stough stated all agenda items have been addressed.

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Mr. Frye moved, Mr. Haynam seconded to adjourn at 8:35 p.m. Roll call vote being:
Frye, Hansen, Haynam, Westphal, McCann, Richardson, Stough, (7) yeas; (0) nays.

Adjournment.

Clerk of Council

Mayor

lea



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

May 16, 2022

To: The Mayor and Members of Sylvania City Council

Re: **MAPLEWOOD AVENUE RECONSTRUCTION
COUNCIL 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 Maplewood Avenue Reconstruction Project. A brief summary of these items are as follows:

- Project Change Order #3 (Part 1) – There are three (3) doors that swing open to the street within the project limits. A decision was made to install frost heave slabs at these locations to prevent the chance of doors sticking/scraping on the sidewalk during our freeze/thaw months. Slab sizes were 4' long by 3' wide by 3' deep. The price for each frost slab was \$1,250 (\$3,750 total).
- Project Change Order #3 (Part 2) – A sanitary sewer service investigation at the Council Chambers/Police Station building revealed a belly in a portion of the line underneath the roadway. The Service Department requested the belly portion of the service be replaced prior to roadway reconstruction work. There were several utility challenges to work through and the Contractor requested payment by Time & Material (T&M) method, which the Service Department found acceptable. The total cost of the T&M sanitary sewer service work was \$5,220.09. A supplemental breakdown of the T&M cost is enclosed.

The total cost of Part 1 and Part 2 changes within Project Change Order #3 is \$8,970.09.

We would recommend approval of Change Order No. 1, which will increase the contract amount from \$684,211.20 to \$693,181.29. Please call if you have any questions.

Sincerely,

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



American Structurepoint, Inc.

Change Order Details

Maplewood Avenue Reconstruction

Description	Reconstruction of approximately 415LF of Maplewood Avenue between Norfolk Southern Right of Way and Main St. This includes pavement reconstruction, new curb, sidewalk, storm sewers, and lighting
Prime Contractor	Helms and Sons Excavating 1753 Lima Avenue Findlay, OH 45840
Change Order	3
Status	Draft
Date Created	05/05/2022
Type	Changed Conditions
Summary	Add Frost Slabs; Force Account Sanitary work at police station
Change Order Description	<p>Part 1: There are three doors that swing open to the outside along the project corridor. To prevent the chance of frost heaving the slab and creating a situation that the door can't open, a decision was made to install frost slabs in front of the doors. Approximate dimensions are 4' L x 3' W x 3' D.</p> <p>A price of \$1250/each was submitted by HSX and found to be reasonable. This change order adds Line Item # 501 to compensate the contractor for all labor, equipment and material associated with this work.</p> <p>Part 2: After the construction contract was sold, the police department made the service department aware that they were experiencing sanitary sewer backups. After some investigation, it was discovered that there was a dip in the existing sanitary sewer outlet behind the police station. The city requested HSX to remove and replace the section of sewer that was affected. Due to the uncertainty of what would be encountered while performing this work and the lack of appropriate pay items already in the contract, it was agreed to track and pay the work as a force account. Documentation of labor, equipment and materials is attached to this change order.</p> <p>This change order adds Line Item # 502 to compensate the contractor for all labor, equipment and material associated with this sanitary sewer work.</p>

Awarded Project Amount \$684,211.20
Authorized Project Amount \$684,211.20
Change Order Amount \$8,970.09
Revised Project Amount \$693,181.29

New Items

Line Number	Item ID	Unit	Quantity	Unit Price	Extension
Section: 1 - Roadway					
0501	990E40000	EACH	3.000	\$1,250.000	\$3,750.00
Agreed Unit Price - Frost Slab					
Section: 5 - Other Utilities					
0502	990E20000	LS	1.000	\$5,220.090	\$5,220.09
Force Account					
Reason: Sanitary Sewer removal and installation behind police station					
2 items					Total: \$8,970.09

Attachments

Document	Name	Description	Submission Date
Force_Account_.pdf	Force Account .pdf		05/05/2022 03:17 PM EDT
3 attachments			

Document	Name	Description	Submission Date
Force_Account_Stone_Tickets.pdf	Force Account Stone Tickets.pdf		05/05/2022 03:17 PM EDT
TM-01_-_Sanitary_Sewer_Lateral_Repair__04262022-04292022_.pdf	TM-01 - Sanitary Sewer Lateral Repair (04262022-04292022).pdf		05/11/2022 06:37 AM EDT
3 attachments			



Bill #: TM-01
Sanitary lateral repair in front of police station.

Job Code: 122-1127
Maplewood Avenue
Reconstruction

Date Range: 04/26/2022 to 04/29/2022

Time and Material Billing Report

WO-01	Description	Reg Hours	Reg Rate	OT Hours	OT Rate	2OT Hours	2OT Rate	3rd Hours	3rd Rate	MarkUp	Total							
Labor	WO-01 (6" Sanitary Lateral T&M)			0.000														
LG	General Laborer	18.00	70.000							0.00	1,260.00							
OP1	Operator	18.00	84.440							0.00	1,519.92							
											2,779.92							
Equipment																		
EX.067	CAT 308 Hydraulic Excavator	3.00	119.000							15.00	410.55							
EX.070	Kobelco SK140SRLC-5 Hydraulic	6.00	92.950							15.00	641.36							
LD.096	Takeuchi TL8 Skidsteer Loader	6.00	39.500							15.00	272.55							
											1,324.46							
Material																		
2B0057	# 57 (1-#4)	19.490								15.00	299.22							
2B0304	# 304's	56.850								15.00	637.43							
2FERN06CX06P	6 CL X PL FERNCO	2.000								15.00	31.05							
2SDR35P006	6X14 SDR35 GJ SWR PIPE	22.000								15.00	148.01							
											1,115.71							
Cost Code																		
WO-01	Labor	2,779.92	Equipment	1,324.46	Material	1,115.71	Subcontractor	0.00	Supply	0.00	Rentals	0.00	Trucking	0.00	Other	0.00	Total	5,220.09
Grand Total	Labor	2,779.92	Equipment	1,324.46	Material	1,115.71	Subcontract	0.00	Supply	0.00	Rentals	0.00	Trucking	0.00	Other	0.00	Total	5,220.09

6b

ORDINANCE NO. 52 -2022

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 TO THIS CITY'S AGREEMENT WITH HELMS AND SONS EXCAVATING, INC. FOR THE MAPLEWOOD AVENUE RECONSTRUCTION PROJECT FOR ADDITIONAL WORK PERFORMED; INCREASING THE CONTRACT AMOUNT BY \$8,970.09; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 36-2022, passed March 21, 2022, accepted the bid of Helms and Sons Excavating, Inc. and awarded the contract for the Maplewood Avenue Improvement Project to same, which bid was in the amount of \$684,211.20; and,

WHEREAS, construction on the project has recently begun and the City requested two additional items of work be performed – the first was to install frost heave slabs where three doors swing open to the street to prevent the chance of doors sticking/scraping on the sidewalk during the freeze/thaw months and the second was to replace the belly portion of the sanitary sewer line for the Council Chambers/Police Building, which was discovered under the roadway; and,

WHEREAS, the Director of Public Service, by report May 16, 2022, has requested approval of Change Order No. 1 of Helms and Sons Excavating, Inc. for said Maplewood Avenue Reconstruction Project to perform the additional work requested on the project; and,

WHEREAS, the additional work performed resulted in a net increase to the contract in the amount of Eight Thousand Nine Hundred Seventy and 09/100 Dollars (\$8,970.09), for a total contract amount of \$693,181.29.

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 Eight Thousand Nine Hundred Seventy and 09/100 Dollars (\$8,970.09), 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 **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements**, the sum of Eight Thousand Nine Hundred Seventy and 09/100 Dollars (\$8,970.09).

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 additional work requested 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, _____, 2022, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council
APPROVED:

Director of Law

Mayor

Date

7a



DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

May 16, 2022

To: The Mayor and Members of Sylvania City Council

Re: **Right-of-Way Acquisition on City Owned Property (10-T, 19-WD, 19-T1, 19-T2, 19-T3, 27-WD)
LUC-Monroe & Silica (PID 107489) & LUC-Silica Drive Bridge Replacement (PID 111563)**

Dear Mr. Mayor and Council Members:

The construction plans for both the roadway widening and intersection improvements project (PID 107489) and bridge replacement project (PID 111563) have reached the Stage 3 level of plan development. The final right-of-way plans have been submitted and the City was authorized to begin the right-of-way acquisition phase of the project on February 18, 2022. As a reminder, construction is scheduled to begin in March 2023.

The City owns three (3) properties within the project limits along Monroe Street, and as such would like to dedicate the required right-of-way needed on these properties for the improvements. Specifically, Parcel 10 (6924 Monroe Street, northeast corner of Monroe Street & Parkwood Drive) requires one temporary easement, Parcel 19 (City Hall/Municipal Court) requires three temporary easements and one warranty deed right-of-way dedication, and Parcel 27 (5645 Main Street, parking lot east of the railroad tracks) requires one warranty deed right-of-way dedication.

We would request the approval and dedication of these warranty deeds and temporary construction easements.

Please call with any questions.

Sincerely,

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

WARRANTY DEED

City of Sylvania, the Grantor(s), in consideration of the sum of 1.00, to be paid by the City of Sylvania, Ohio, 6730 Monroe St., Sylvania, Ohio, 43560, the Grantee, does grant, with general warranty covenants, to Grantee, its successors and assigns forever, all right, title and interest in fee simple in the following described real estate:

PARCEL(S): 19-WD and 27-WD

LUC MONROE ST (PART 1 - PID 107489) & LUC-SILICA BRIDGE (PART 2 - 111563)

SEE EXHIBIT A ATTACHED

Lucas County Current Tax Parcel No. APN's 82-01837, 82-01991, 82-01997 and 82-02141
Prior Instrument Reference: Instrument 20140131-0003436, MF 97-213-A02, MF 97-213-A05 and Deed Volume 2449, Page 294 and Deed Volume 1551, Page 405, Lucas County Recorder's Office.

Grantor(s), for themselves and their successors and assigns, covenants with the Grantee, its successors and assigns, that they are the owner(s) of the above parcel(s), in fee simple, and have the right and power to convey the above parcel(s), and that the above parcel(s) are free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the above parcel(s) against all claims of all persons.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF THE City Of Sylvania by and through Craig A. Stough, the Mayor of the City Of Sylvania and Toby Schroyer, the Director of Finance of the City of Sylvania, have hereunto subscribed their names on the _____ day of _____, _____.

CITY OF SYLVANIA

By _____
CRAIG A. STOUGH
MAYOR

By _____
TOBY SCHROYER
DIRECTOR OF FINANCE

STATE OF OHIO, COUNTY OF LUCAS SS:

BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Craig A. Stough, who acknowledged being the Mayor of City Of Sylvania and Toby Schroyer, who acknowledged being the Director of Finance of the City of Sylvania, and who acknowledged the foregoing instrument to be the voluntary act and deed of said City Of Sylvania. No oath or affirmation was administered to Craig A. Stough or Toby Schroyer with regard to the notarial act.

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

NOTARY PUBLIC
My Commission expires: _____

This document was prepared by: The City of Sylvania

Approved: _____
Leslie B. Brining, Director of Law, City of Sylvania

EXHIBIT A

LPA RX 851 WD

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Rev. 06/09

Ver. Date 02/10/22

PID 107489

**PARCEL 19-WD
LUC-MONROE STREET
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, City of Sylvania, being part of the Northeast Quarter of Section 9, Town 9 South, Range 6 East, and Lots 4 thru 7 of Parkers Addition, a subdivision of record in Plat Volume 18, Page 38, out of a parcel of land conveyed to the City of Sylvania by deed of record in Instrument Number 20140131-0003436, Microfiche Slide 97-213-A02, Microfiche Slide 97-213-A05 and Deed Volume 2449, Page 294, and being on the left side of the centerline of right of way of Monroe Street and right side of the centerline of right of way of Judi Young Lane as shown on a centerline survey plat made in September 2021, for the City of Sylvania titled "LUC-MONROE ST (PART 1 – PID 107489 & LUC-SILICA BRIDGE (PART 2 – PID 111563))" and bounded and described as follows:

Commencing at a MAG nail shank found marking the intersection of the centerline of right of way of Monroe Street with the centerline of right of way of Silica Drive (Station 532+68.42 Monroe Street);

Thence North 88 Degrees 31 Minutes 41 Seconds East a distance of 36.96 feet with the centerline of right of way of Monroe Street to a point (Station 533+05.38 Monroe Street);

Thence North 01 Degrees 28 Minutes 19 Seconds West a distance of 37.13 feet perpendicular to said centerline, to the intersection of the Northerly existing right of way line of Monroe Street with the Easterly existing right of way line of Judi Young Lane, said point being the **True Point of Beginning** (Station 533+05.38, 37.13 feet left Monroe Street and 0+47.57, 40.00 feet right Judi Young Lane);

EXHIBIT A

LPA RX 851 WD

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1. Thence North 11 Degrees 48 Minutes 38 Seconds East a distance of 59.47 feet with said Easterly existing right of way line, to an iron pin set on the Northerly proposed right of way line of Monroe Street (Station 1+07.04, 40.00 feet right Judi Young Lane and Station 533+19.04, 95.00 feet left Monroe Street);

Thence with said Northerly proposed right of way line, the following two courses:

2. South 79 Degrees 57 Minutes 04 Seconds East a distance of 215.30 feet to an iron pin set (Station 535+30.00, 52.00 feet left Monroe Street);
3. North 88 Degrees 31 Minutes 41 Seconds East a distance of 470.65 feet, to an iron pin set on the Westerly existing right of way line of Norfolk Southern Railroad as conveyed to Pennsylvania Lines LLC by deed of record in Microfiche Slide 00-301-B09 (Station 540+00.65, 52.00 feet left Monroe Street);
4. Thence South 01 Degrees 13 Minutes 19 Seconds East a distance of 14.88 feet with said Westerly existing right of way line, to a point on the Northerly existing right of way line of Monroe Street, being the Southeasterly corner of said Sylvania parcel (Station 540+00.58, 37.13 feet left Monroe Street);
5. Thence South 88 Degrees 31 Minutes 41 Seconds West a distance of 695.21 feet with said Northerly existing right of way line and Southerly line of said Sylvania parcel, to the ***True Point of Beginning.***

The above described parcel contains 0.346 acres of land, more or less, of which the present road occupies 0.000 acres leaving a net take of 0.346 acres, more or less. Of the above described parcel 0.090 acres are part of Lucas County Auditor's Permanent Parcel Number 82-01837 of which the present road occupies 0.000 leaving a net take of 0.090 acres, more or less, 0.228 acres are part of Lucas County Auditor's Permanent Parcel Number 82-01991 of which the present road occupies 0.000 leaving a net take of 0.228 acres, and 0.028 acres are part of Lucas County Auditor's Permanent Parcel Number 82-01997 of which the present road occupies 0.000 acres leaving a net take of 0.028 acres, more or less.

The bearings in this description are for project use only and are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Said coordinates originated from GPS observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Monroe Street having a bearing of North 88 Degrees 31 Minutes 41 Seconds East is designated the Basis of Bearing for this description.

EXHIBIT A

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LPA RX 851 WD

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All references to records are to the Lucas County Recorder's Office located in the City of Toledo, Ohio.

Points referred to as set are $\frac{3}{4}$ inch diameter x 30 inch long re-bars with a 1 inch diameter aluminum cap marked "DGL PS #8029".

The above description is based on a land survey performed in July of 2019, by DGL Consulting Engineers and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.



Ronald J. Lumbrezer, P.S. #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd - Suite E
Maumee, Ohio 43537
19-WD

2/11/22
Date:

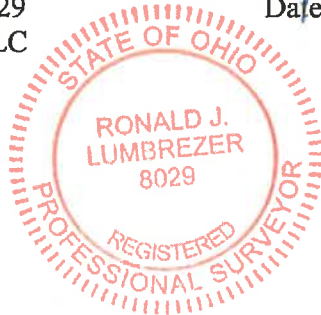


EXHIBIT A

LPA RX 851 WD

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Ver. Date 02/10/22

PID 107489

**PARCEL 27-WD
LUC-MONROE STREET
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, City of Sylvania, being part of the Northeast Quarter of Section 9, Town 9 South, Range 6 East, out of a parcel of land conveyed to the Village of Sylvania, Lucas County, Ohio by deed of record in Deed Volume 1551, Page 405, and being on the left side of the centerline of right of way of Monroe Street as shown on a centerline survey plat made in September 2021, for the City of Sylvania titled "LUC-MONROE ST (PART 1 – PID 107489 & LUC-SILICA BRIDGE (PART 2 – PID 111563))" and bounded and described as follows:

Commencing at monument box with a 1 inch iron pin found marking the intersection of the centerline of right of way line of Monroe Street with the centerline of right of way of Main Street, (Station 544+93.06 Monroe Street);

Thence South 88 Degrees 31 Minutes 41 Seconds West a distance of 442.64 feet with the centerline of right of way of Monroe Street, to a point on the Easterly line of Pennsylvania Lines LLC (Norfolk Southern Railroad), as conveyed by deed of record in Microfiche Slide 00-301-B09 (Station 540+50.42 Monroe Street);

Thence North 01 Degrees 13 Minutes 19 Seconds West a distance of 37.13 feet with the Easterly line of said Pennsylvania Lines parcel, to the Southwesterly corner of said Village of Sylvania parcel, being on the Northerly existing right of way line of Monroe Street and the **True Point of Beginning** (Station 540+50.58, 37.13 feet left Monroe Street);

1. Thence continuing North 01 Degrees 13 Minutes 19 Seconds West a distance of 14.88 feet with the line common to said Village of Sylvania and Pennsylvania Lines parcels, to

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an iron pin set on the Northerly proposed right of way line of Monroe Street (Station 540+50.65, 52.00 feet left Monroe Street);

2. Thence North 88 Degrees 31 Minutes 41 Seconds East a distance of 60.00 feet with said Northerly proposed right of way line, to an iron pin set on the line common to said Village of Sylvania parcel and a parcel of land conveyed to Brighty Investment Properties, LLC, by deed of record in Instrument Number 20210812-0042861 (Station 541+10.65, 52.00 feet left Monroe Street);
3. Thence South 01 Degrees 13 Minutes 19 Seconds East a distance of 14.88 feet with said common line, to the common corner thereof, being on the Northerly existing right of way line of Monroe Street (Station 541+10.59, 37.13 feet left Monroe Street);
4. Thence South 88 Degrees 31 Minutes 41 Seconds West a distance of 60.00 feet with said Northerly existing right of way line and Southern line of said Village of Sylvania parcel, to the *True Point of Beginning*.

The above described parcel contains 0.020 acres of land, more or less, of which the present road occupies 0.000 acres leaving a net take of 0.020 acres, more or less, contained within Lucas County Auditor's Permanent Parcel Number 82-02141.

The bearings in this description are for project use only and are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Said coordinates originated from GPS observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Monroe Street having a bearing of North 88 Degrees 31 Minutes 41 Seconds East is designated the Basis of Bearing for this description.

All references to records are to the Lucas County Recorder's Office located in the City of Toledo, Ohio.

Points referred to as set are ¾ inch diameter x 30 inch long re-bars with a 1 inch diameter aluminum cap marked "DGL PS #8029".

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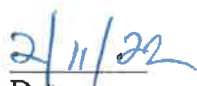
LPA RX 851 WD

Rev. 06/09

The above description is based on a land survey performed in July of 2019, by DGL Consulting Engineers and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.



Ronald J. Lumbrezer, P.S. #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd - Suite E
Maumee, Ohio 43537
27-WD


Date:

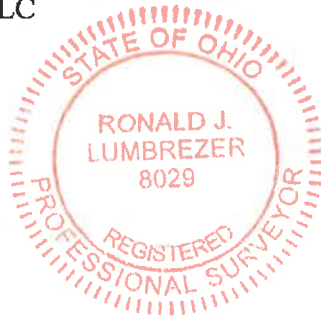


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Ver. Date 02/10/22

PID 107489

**PARCEL 19-T2
LUC-MONROE ST
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT A DRIVE AND GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, City of Sylvania, being part of the Northeast Quarter of Section 9, Town 9 South, Range 6 East, Lot 37 of Burnhams Addition, a subdivision of record in Plat Volume 19, Page 2 and Lot 4 of Parkers Addition, a subdivision of record in Plat Volume 18, Page 38, out of a parcel of land conveyed to the City of Sylvania by deed of record in Instrument Number 20140131-0003436, Microfiche Slide 97-213-A02, Microfiche Slide 97-213-A05 and Deed Volume 2449, Page 294, and being on the right side of the centerline of right of way Judi Young Lane as shown on a centerline survey plat made in September 2021, for the City of Sylvania titled "LUC-MONROE ST (PART 1 – PID 107489 & LUC-SILICA BRIDGE (PART 2 – PID 111563))" and bounded and described as follows:

Beginning at a point on the Easterly existing right of way line of Judi Young Lane, as shown on right of way plans made for the State of Ohio Department of Transportation titled "LUC-MONROE ST, PID 107489" (Station 2+30.00, 40.00 feet right Judi Young Lane);

1. Thence North 31 Degrees 45 Minutes 55 Seconds East a distance of 85.00 feet with said Easterly existing right of way line to a point (Station 3+15.00, 40.00 feet right Judi Young Lane);
2. Thence South 58 Degrees 14 Minutes 05 Seconds East a distance of 70.00 feet to a point (Station 3+15.00, 110.00 feet right Judi Young Lane);
3. Thence South 02 Degrees 42 Minutes 38 Seconds West a distance of 51.48 feet to a point (Station 2+70.00, 135.00 feet right Judi Young Lane);
4. Thence North 87 Degrees 17 Minutes 22 Seconds West a distance of 51.48 feet to a point (Station 2+45.00, 90.00 feet right Judi Young Lane);

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5. Thence North 74 Degrees 56 Minutes 02 Seconds West a distance of 52.20 feet to the *Point of Beginning*.

The above described parcel contains 0.135 acres of land, more or less, of which the present road occupies 0.000 acres leaving a net take of 0.135 acres, more or less. Of the above described parcel 0.084 acres are part of Lucas County Auditor's Permanent Parcel Number 82-01837 of which the present road occupies 0.000 leaving a net take of 0.084 acres, more or less, and 0.051 acres are part of Lucas County Auditor's Permanent Parcel Number 82-01991 of which the present road occupies 0.000 acres leaving a net take of 0.051 acres, more or less.

The bearings in this description are for project use only and are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Said coordinates originated from GPS observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Judi Young Lane having a bearing of North 31 Degrees 45 Minutes 55 Seconds East is designated the Basis of Bearing for this description.

All references to records are to the Lucas County Recorder's Office located in the City of Toledo, Ohio.

Points referred to as set are ¾ inch diameter x 30 inch long re-bars with a 1 inch diameter aluminum cap marked "DGL PS #8029".

The above description is based on a land survey performed in July of 2019, by DGL Consulting Engineers and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.


Ronald J. Lumbrezer, P.S. #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd - Suite E
Maumee, Ohio 43537
19-T2


Date:



EXHIBIT A

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PID 107489

**PARCEL 19-T3
LUC-MONROE ST
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
CONSTRUCT/REPAIR STREET LIGHTING ELECTRIC FEED
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

|Surveyor's description of the premises follows|

Situated in the State of Ohio, City of Sylvania, being part of the Northeast Quarter of Section 9, Town 9 South, Range 6 East, out of a parcel of land conveyed to the City of Sylvania by deed of record in Microfiche Slide 97-213-A02, Microfiche Slide 97-213-A05 and Deed Volume 2449, Page 294, and being on the left side of the centerline of right of way of Monroe Street as shown on a centerline survey plat made in September 2021, for the City of Sylvania titled "LUC-MONROE ST (PART 1 – PID 107489 & LUC-SILICA BRIDGE (PART 2 – PID 111563))" and bounded and described as follows:

Beginning at a point on the Northerly proposed right of way line of Monroe Street, acquired as Parcel 19-WD by right of way plans made for the State of Ohio Department of Transportation titled "LUC-MONROE ST, PID 107489" (Station 539+14.00, 52.00 feet left Monroe Street);

1. Thence North 01 Degrees 28 Minutes 19 Seconds West a distance of 133.00 feet perpendicular to said Northerly proposed right of way line to a point (Station 539+14.00, 185.00 feet left Monroe Street);
2. Thence North 88 Degrees 31 Minutes 41 Seconds East a distance of 22.00 feet parallel with and 133.00 feet Northerly of said Northerly proposed right of way line to a point (Station 539+36.00, 185.00 feet left Monroe Street);
3. Thence South 01 Degrees 28 Minutes 19 Seconds East a distance of 133.00 feet perpendicular to said Northerly proposed right of way line, to a point on said Northerly proposed right of way line (Station 539+36.00, 52.00 feet left Monroe Street);
4. Thence South 88 Degrees 31 Minutes 41 Seconds West a distance of 22.00 feet with said Northerly proposed right of way line, to the ***Point of Beginning***.

EXHIBIT A

LPA RX 887 T


The above described parcel contains 0.067 acres of land, more or less, of which the present road occupies 0.000 acres leaving a net take of 0.067 acres, more or less. Of the above described parcel 0.018 acres are part of Lucas County Auditor's Permanent Parcel Number 82-01991 of which the present road occupies 0.000 leaving a net take of 0.018 acres, more or less, and 0.049 acres are part of Lucas County Auditor's Permanent Parcel Number 82-01997 of which the present road occupies 0.000 acres leaving a net take of 0.049 acres, more or less.

The bearings in this description are for project use only and are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Said coordinates originated from GPS observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Monroe Street having a bearing of North 88 Degrees 31 Minutes 41 Seconds East is designated the Basis of Bearing for this description.

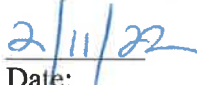
All references to records are to the Lucas County Recorder's Office located in the City of Toledo, Ohio.

Points referred to as set are 3/4 inch diameter x 30 inch long re-bars with a 1 inch diameter aluminum cap marked "DGL PS #8029".

The above description is based on a land survey performed in July of 2019, by DGL Consulting Engineers and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.



Ronald J. Lumbrezer, P.S. #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd - Suite E
Maumee, Ohio 43537
19-T3


Date: 2/11/22

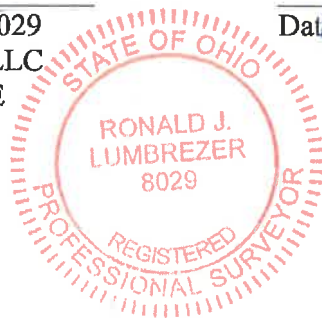


EXHIBIT A

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Ver. Date 02/10/22

PID 107489

**PARCEL 10-T
LUC-MONROE ST
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
TO PERFORM GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, City of Sylvania, being part of the Northeast Quarter of Section 9, Town 9 South, Range 6 East, out of a parcel of land conveyed to The Village of Sylvania, Ohio by deed of record in Deed Volume 1901, Page 496, and being on the left side of the centerline of right of way of Monroe Street as shown on a centerline survey plat made in September 2021, for the City of Sylvania titled "LUC-MONROE ST (PART 1 – PID 107489 & LUC-SILICA BRIDGE (PART 2 – PID 111563)" and bounded and described as follows:

Beginning at an iron pin set at the intersection of the Northerly existing right of way line of Monroe Street with the line common to said Village parcel and a parcel of land conveyed to The Board of Education of the Sylvania Exempted Village School District by deed of record in Deed Volume 639, Page 157, acquired as Parcel 12-WD1 by right of way plans made for the State of Ohio Department of Transportation titled "LUC-MONROE ST, PID 107489" (Station 527+64.25, 40.00 feet left Monroe Street);

1. Thence North 61 Degrees 52 Minutes 26 Seconds West a distance of 164.25 feet with said Northerly existing right of way line and Southerly line of said Village parcel to a point (Station 526+00.00, 40.00 feet left Monroe Street);
2. Thence South 67 Degrees 22 Minutes 16 Seconds East a distance of 156.58 feet to a point on the line common to said Village and School District parcels (Station 527+55.86, 55.00 feet left Monroe Street);
3. Thence South 01 Degrees 05 Minutes 59 Seconds East a distance of 17.19 feet with said common line to the ***Point of Beginning***.

The above described parcel contains 0.028 acres of land, more or less, of which the present road occupies 0.000 acres leaving a net take of 0.028 acres, more or less, contained within Lucas County Auditor's Permanent Parcel Number 82-01727.

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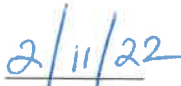
The bearings in this description are for project use only and are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Said coordinates originated from GPS observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Monroe Street having a bearing of South 61 Degrees 52 Minutes 26 Seconds East is designated the Basis of Bearing for this description.

All references to records are to the Lucas County Recorder's Office located in the City of Toledo, Ohio.

Points referred to as set are ¾ inch diameter x 30 inch long re-bars with a 1 inch diameter aluminum cap marked "DGL PS #8029".

The above description is based on a land survey performed in July of 2019, by DGL Consulting Engineers and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.


Ronald J. Lumbrezer, P.S. #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd - Suite E
Maumee, Ohio 43537
10-T


Date:

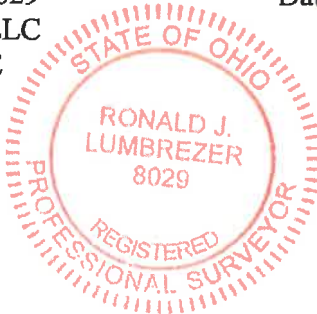


EXHIBIT A

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PID 107489

**PARCEL 19-T1
LUC-MONROE ST
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
REMOVE A DRIVE AND GRADING
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, City of Sylvania, being part of the Northeast Quarter of Section 9, Town 9 South, Range 6 East, and Lots 5 and 6 of Parkers Addition, a subdivision of record in Plat Volume 18, Page 38, out of a parcel of land conveyed to the City of Sylvania by deed of record in Instrument Number 20140131-0003436, Microfiche Slide 97-213-A02, Microfiche Slide 97-213-A05 and Deed Volume 2449, Page 294, and being on the left side of the centerline of right of way of Monroe Street as shown on a centerline survey plat made in September 2021, for the City of Sylvania titled "LUC-MONROE ST (PART 1 – PID 107489 & LUC-SILICA BRIDGE (PART 2 – PID 111563))" and bounded and described as follows:

Beginning at an iron pin set on the Northerly proposed right of way line of Monroe Street, acquired as Parcel 19-WD by right of way plans made for the State of Ohio Department of Transportation titled "LUC-MONROE ST, PID 107489" (Station 535+30.00, 52.00 feet left Monroe Street);

1. Thence North 01 Degrees 28 Minutes 19 Seconds West a distance of 55.00 feet perpendicular to said Northerly proposed right of way line to a point (Station 535+30.00, 107.00 feet left Monroe Street);
2. Thence North 88 Degrees 31 Minutes 41 Seconds East a distance of 50.00 feet parallel with and 55.00 feet Northerly of said Northerly proposed right of way line to a point (Station 535+80.00, 107.00 feet left Monroe Street);
3. Thence South 01 Degrees 28 Minutes 19 Seconds East a distance of 55.00 feet perpendicular to said Northerly proposed right of way line, to a point on said Northerly proposed right of way line (Station 535+80.00, 52.00 feet left Monroe Street);
4. Thence South 88 Degrees 31 Minutes 41 Seconds West a distance of 50.00 feet with said Northerly proposed right of way line to the ***Point of Beginning***.

EXHIBIT A

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The above described parcel contains 0.063 acres of land, more or less, of which the present road occupies 0.000 acres leaving a net take of 0.063 acres, more or less, contained within Lucas County Auditor's Permanent Parcel Number 82-01991.


The bearings in this description are for project use only and are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Said coordinates originated from GPS observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Monroe Street having a bearing of North 88 Degrees 31 Minutes 41 Seconds East is designated the Basis of Bearing for this description.

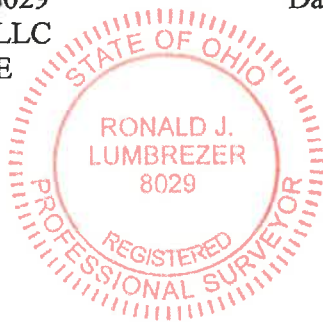
All references to records are to the Lucas County Recorder's Office located in the City of Toledo, Ohio.

Points referred to as set are 3/4 inch diameter x 30 inch long re-bars with a 1 inch diameter aluminum cap marked "DGL PS #8029".

The above description is based on a land survey performed in July of 2019, by DGL Consulting Engineers and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.


Ronald J. Lumbrezer, P.S. #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd - Suite E
Maumee, Ohio 43537
19-T1


Date:



7b

ORDINANCE NO. 53 -2022

ACCEPTING TEMPORARY CONSTRUCTION EASEMENTS AND WARRANTY DEEDS OF RIGHT-OF-WAY FROM THE CITY OF SYLVANIA RELATIVE TO THE MONROE & SILICA AND SILICA DRIVE BRIDGE IMPROVEMENT PROJECTS; AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE SAID DOCUMENTS ON BEHALF OF THE CITY; AND DECLARING AN EMERGENCY.

WHEREAS, the construction plans for both the roadway widening and intersection improvements and bridge replacement project have reached Stage 3 level of plan development; and,

WHEREAS, the final right-of-way plans have submitted and the City was authorized to begin the right-of-way acquisition phase; and,

WHEREAS, the City owns three properties within the project limits along Monroe Street that requires additional right-of-way dedication and/or temporary construction easements; and,

WHEREAS, the properties affected are: 6924 Monroe Street (northeast corner of Monroe Street & Parkwood Drive), which requires one temporary construction easement, 6700-6730 Monroe Street (Municipal Court/City Hall), which requires three temporary easements and one warranty deed right-of-way dedication and 5645 Main Street (parking lot east of the railroad tracks), which requires one warranty deed right-of-way dedication; and,

WHEREAS, the Director of Public Service, by report dated May 16, 2022, has recommended approval of the temporary construction easements and dedication of the right-of-way necessary to construct the improvements, which are attached hereto as "Exhibit A."

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to execute said Warranty Deeds and Temporary Construction Easements relative to the Monroe & Silica and Silica Drive Bridge Improvement Projects.

SECTION 2. That the Warranty Deeds and Temporary Construction Easements, as described on “Exhibit A” be, and the same hereby are, accepted from the City of Sylvania, the grantor.

SECTION 3. That recorded deed shall be filed with the Director of Finance, and will be maintained by him as a part of the records of this City.

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the temporary construction easements and Deeds tendered should be accepted forthwith so that other matters relative to clearing title to the acquired property and the overall project will not be delayed. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote 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

8

ORDINANCE NO. 54 -2022

AUTHORIZING LEASE BETWEEN THE CITY OF SYLVANIA, AS LESSOR, AND THE SYLVANIA AREA JOINT RECREATION DISTRICT, AS LESSEE, FOR BURNHAM PARK; DETERMINING SAID CITY OWNED PROPERTY NOT TO BE NEEDED FOR MUNICIPAL PURPOSES DURING THE TERM OF THE PROPOSED LEASE; AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO SIGN SUCH A LEASE ON BEHALF OF THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, in 2014, the City and the Sylvania Area Joint Recreation District (“SAJRD”)

entered into a Lease Agreement for the operation and maintenance of Plummer Pool and Burnham Park; and,

WHEREAS, SAJRD has recently been awarded a grant for improvements at Burnham Park by the Ohio Department of Natural Resources (“ODNR”) and, as part of the grant process, was required to submit the Lease to the ODNR for its review and approval; and,

WHEREAS, ODNR has required that the cancellation provision be revised from the language of the original lease and also that the term of the lease be extended to ensure operation of the park for at least 15 years from the grant award; and,

WHEREAS, the proposed revised Lease for Burnham Park only is attached hereto as “Exhibit A.”

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are authorized to enter into Lease with SAJRD, in the form and substance of “Exhibit A” attached hereto.

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 the Agreement should be authorized immediately so that SAJRD can receive the grant funds awarded by the ODNR. 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

REAL PROPERTY LEASE

Between

CITY OF SYLVANIA

and

SYLVANIA AREA JOINT RECREATION DISTRICT

THIS AGREEMENT made this ____ day of _____, 2022, by and between the City of Sylvania, an Ohio municipal corporation, hereinafter referred to as CITY and the Sylvania Area Joint Recreation District, a recreation district duly established under Ohio Revised Code Section 755.14(C), hereinafter referred to as SAJRD.

WTINESSETH:

WHEREAS, the CITY is a municipal corporation and a political subdivision duly organized and existing under the constitution and laws of the State of Ohio and a charter adopted pursuant to such constitution and laws; and,

WHEREAS, SAJRD is a joint recreation district duly established on March 28, 1988 and existing under Section 755.14(C) of the Revised Code of the State of Ohio; and,

WHEREAS, the CITY is the owner of certain real estate located on Maplewood Avenue known as Burnham Park and Plummer Pool.

WHEREAS, the City and SAJRD entered a certain Real Property Lease dated January 28, 2014 for Plummer Pool and Burnham Park ("Original Lease").

WHEREAS, the City and SAJRD have determined that it is in the best interests of the parties to enter two separate leases for Plummer Pool and Burnham Park, so that upon the full execution of the Lease and the Lease for Plummer Pool, the Original Lease shall be considered terminated and of no further force and effect without further documentation.

NOW, THEREFORE, in consideration of the promises set forth herein, and for and on behalf of their successors and assigns, the parties agree that the CITY hereby leases to SAJRD for recreational purposes as hereinafter set forth, the real estate known as Burnham Park and described on "Exhibit A," for the sum of One Dollar(\$1.00) per year and other valuable consideration, said premises of value at least equal to that amount, on the following terms and conditions:

1. Purpose. Said property is leased to SAJRD to be operated and maintained for use by the general public for park recreation.

2. Term. This Lease shall initially be in effect for a period of sixty (60) months from January 1, 2014 through December 31, 2018. Thereafter, for 3 successive terms of five (5) years each unless (a) notwithstanding the foregoing, neither party shall have the right to cancel this Lease without the written approval of ODNR. If ODNR does not approve the cancellation of this Lease, the Lease shall continue for another five (5) year term at which time the parties may exercise their right of cancellation, subject to ODNR's right to notice and approval. If the Lease continues for two renewal terms of five (5) years each, either of the parties may thereafter cancel this Lease in accordance with this paragraph. THE CITY, SAJRD or its successor, twelve (12) months prior to the commencement of any said five (5) year terms, shall give to the other and the Ohio Department of Natural Resources ("ODNR") written notice of cancellation of this agreement. The written notice to THE CITY shall be addressed and delivered to 6730 Monroe St., Sylvania, Ohio 43560. The written notice to SAJRD shall be addressed and delivered to 7060 Sylvania Avenue, Sylvania, Ohio 43560. The written notice to ODNR shall be addressed and delivered to _____.

3. Assignment. SAJRD shall not assign this Lease without the prior written consent of the CITY, nor shall SAJRD use or permit the use of said property for other than park and/or pool related recreation purposes as hereinabove stated.

4. Property Taxes. Currently, the property is tax exempt for real property taxes, if any status is changed as a result of SAJRD's operation, SAJRD shall be responsible for payment of real property taxes resulting from its operation.

5. Repairs and Replacements. SAJRD shall be responsible for 100% of repair and/or replacement costs.

6. Maintenance. SAJRD will be responsible for all operation, care and maintenance of the property, except as it relates to the water tower and cellular company cabinets, the City of Sylvania Water Department building in the southeast corner of the property and snow and ice removal in the parking areas. SAJRD will provide grass cutting and landscaping for the entire site, including around the water tower and cellular company cabinets and the City of Sylvania Water Department building. The CITY will continue to maintain and operate those specific areas and also provide for snow and ice removal in the parking areas, including the parking areas shared with Plummer Pool.

7. Tree Maintenance. The CITY will assist SAJRD with tree maintenance requirements as requested and will provide this service at no cost to SAJRD. SAJRD will provide CITY a detailed plan to remove and trim trees (using the Recreation District's Maintenance team as a consultant and the CITY's Tree Department for removal and trimming) to help improve aesthetics & usability of the park.

8. Security. SAJRD will be responsible for any and all necessary security that may be required as a result of the use of the property for park recreation.

9. Insurance. SAJRD shall maintain general liability insurance on the property, the minimum limits of which shall be One Million Dollars (\$1,000,000.00) per occurrence, and One Million Dollars (\$1,000,000.00) in the aggregate.

10. Indemnification. SAJRD shall hold the CITY harmless from any and all claims and demands by any person or persons arising from the failure of SAJRD to perform any obligation of this Lease and arising from any occurrence during SAJRD's use of said property. SAJRD shall maintain the CITY as an additional insured on SAJRD's liability insurance policy for said property provided SAJRD's insurer is agreeable to same.

The CITY shall hold SAJRD harmless from and against any and all claims and demands by any person or persons arising from the failure of the CITY to perform any obligation arising under this Lease Agreement.

11. Non-discrimination. SAJRD agrees that it will refrain from all discriminatory actions based on race, sex or religion in dealing with patrons or employees at the Property.

12. Return of Property. SAJRD shall cease the use of the property at the end of the agreed term if not renewed or at the end of the renewal term in as good condition as the property is, reasonable wear, tear and unavoidable casualty excepted. It is agreed that any improvements added or made shall remain with the property.

13. Miscellaneous. This Agreement represents the entire agreement between the parties with respect to the matters set forth herein. This Agreement shall be construed and enforced in accordance with the laws of the State of Ohio. This Agreement may be executed in one complete copy hereof.

During the existence of this agreement or any renewal or extension thereof, CITY shall not assign or otherwise dispose of its interest in this agreement or its real estate described on Exhibit A without the written consent of SAJRD or any successor in interest to SAJRD.

14. Resolutions and Ordinances. The City has authorized this Agreement and the signing thereof by Ordinance No. _____, passed _____ by the Council of the City of Sylvania. SAJRD has authorized this Agreement and the signing thereof by Resolution _____ adopted _____.

PETITION FOR ZONING ORDINANCE AMENDMENT

9

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

Application No. ZA-1-22
Date 5/5/22

Petitioner Name(s): HAMID BROTHERS LLC

Petitioner Address: 8634 PLUM HOLLOW PT
HOLLAND OH 43528

Email: chuckhamid2004@yahoo.com Telephone: 734 621 9391

Location of property for which zoning amendment is requested:

5601-5609 WEST ALEXIS RD, SYLVANIA OH 43560

Purpose of amendment request: TO OPEN RETAIL SHOPS

Current Zoning: M1

Requested Zoning: B1

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

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

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

By: [Signature] 05-05-22
SHAKEEB HAMID

Date referred by Council: 5/16/22

Date of Commission Action: _____

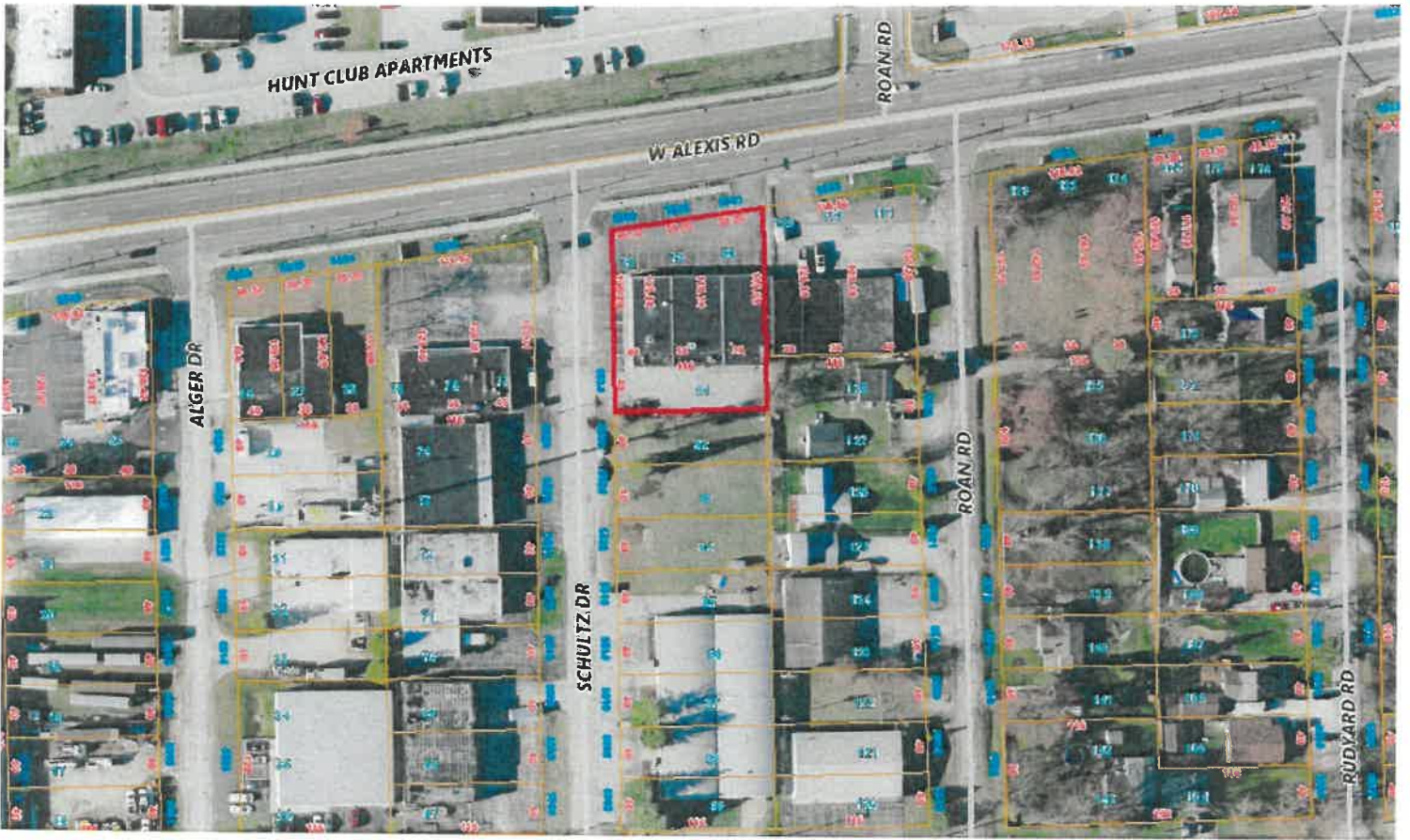
Date of Council Action: _____

Action: _____

For Office Use Only

Date: 5/5/2022 Check #: 0010 Cash: - Fee: \$ 100⁰⁰

Paid To
5/5/2022



PARCEL ID: 8282257

MARKET AREA: 6002C
HAMID BROTHERS LLC
TAX YEAR: 2022

ASSESSOR#: 45080050

ROLL: RP_OH
5601 W ALEXIS RD
STATUS: Active

Summary - General

Tax District SYLVANIA CITY - SYLVANIA CSD
Class COMMERCIAL
Land Use 425 : C - NEIGHBORHOOD SHOPPING CENTER
Market Area 6002C - [Click here to view map](#)
Zoning Code 31-M1 - [Click here for zoning details](#)
Zoning Description Light Industrial District
Water and Sewer CITY WATER / CITY SEWER
Traffic MAIN - MAJOR ARTERY
Street Type CONCRETE OR BLACKTOP

Owner HAMID BROTHERS LLC

Property Address 5601 W ALEXIS RD
SYLVANIA OH 43560

Mailing Address 8634 PLUM HOLLOW PT
HOLLAND OH 43528

Legal Desc. WHETSTONE PARK LOT 78 THRU 81 ← Legal

Certified Delinquent Year

Census Tract 81

Summary - Most Recent Sale

Prior Owner DAMAS PARKING COMPANY INC.
Sale Amount \$120,000
Deed 17104943
Sales Date 06-JUL-2017

Summary - Values

	35% Values	100% Values	35% Roll	100% Roll
Land	28,350	81,000	0	0
Building	26,110	74,600	0	0
Total	54,460	155,600	0	0

Tax Credits


Homestead Exemption NO
Owner Occupied Credit NO
CAUV NO
Agricultural District NO

City of Sylvania
Bank Reconciliation
April 2022

A

Ending balance for March 2022	35,711,247.99
Add: Monthly Receipts	<u>4,943,773.86</u>
Subtotal	\$ 40,655,021.85
Less: Monthly Disbursements	<u>3,261,184.10</u>
Ending balance for April 2022	\$ 37,393,837.75
Less:	
CD Metamora Bank	\$ (2,209,253.18)
Star Ohio	(82,426.25)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
5/3rd Securities	(10,254,097.72)
SJS Account	(5,878,981.83)
UBS Financial	(10,517,223.89)
Premier Bank (CD)	(2,112,245.16)
Key Bank (CD)	-
Sylvania Township Bonds	(80,000.00)
	\$ 6,224,693.68
Payroll - Cadet Pension	170.63
	<u>\$ 6,224,864.31</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
	<u>2,050.00</u>
Petty Cash Balance	\$ 2,050.00

BANK BALANCE	
EOM 5/3rd Bank Balance	\$ 6,692,606.77
Deposit in Transit:	
Income Tax	695.03
General Deposit	17,330.24
Subtotal	\$ 6,710,632.04
Less: Outstanding Checks (2)	485,767.73
Adjusted Bank Balance	\$ 6,224,864.31
(2)	
March Outstanding Checks	\$ 556,980.48
Checks written this month	831,929.31
Subtotal	<u>\$ 1,388,909.79</u>
Checks Cleared this month	<u>(903,142.06)</u>
April Outstanding Checks	\$ 485,767.73


Toby Schroyer
Director of Finance, City of Sylvania

B

Board of Architectural Review

Minutes of the regular meeting of May 11, 2022. Mr. Schaaf called the meeting to order.

Members present: Mayor Craig Stough, Carol Lindhuber, Ken Marciniak, Kate Fischer and Jeff Schaaf (5) present. Zoning Administrator, Timothy Burns also present.

Ms. Fischer moved, Mr. Marciniak seconded to approve the Minutes of the April 13, 2022, meeting as submitted. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Regulated Sign – app. no. 6-2022 requested by Jen Holland of Fast Signs for Taste, 5689 Main Street, Sylvania, Ohio 43560. Application is for two wall signs and one window sign.

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

Item 4 – Building Review – app. no. 7-2022 requested by Carter Bean of Bean Architects for Rooster's, 5702 Monroe Street, Sylvania, Ohio 43560. Application is for an exterior renovation.

Mr. Beans was present and gave a brief description of the changes that would be made to the exterior of the building which included painting the current beige portions of the building to Sherwin Williams Gauntlet Gray, and painting most the current blue portions to Sherwin Williams Black Fox, including the roof and awnings; and that the blue neon lighting strip on the top of the building would be changed to red. He also said that they would be adding an outdoor patio area shown on the north side of the building

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

Item 5 – Regulated Sign – app. no. 8-2022 requested by Breann Dandar of True Aerial Signs for Pho Noodle, 7629 Sylvania Avenue, Sylvania, Ohio 43560. Application is for a wall sign.

Ms. Dandar was present and said that they would be installing new channel letters and that they will use the existing cabinet on the bottom and will replace the face.

Sign is within the limits of the Sylvania Sign Code.

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

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission

Sylvania Municipal Planning Commission

Minutes of the regular meeting of May 11, 2022. Mr. Schaaf called the meeting to order.

Members present: Mayor Craig Stough, Carol Lindhuber, Ken Marciniak, Kate Fischer and Jeff Schaaf (5) present. Zoning Administrator, Timothy Burns also present.

Ms. Lindhuber moved, Ms. Fischer seconded to approve the Minutes of the April 13, 2022, meeting as submitted. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Lot Split app. no. 1-2022 – submitted by Peter A. Dewhirst, Esq. for Steve K. Jindal and Farzat Swade for the property located at 6540 Brint Road, Sylvania, Ohio 43560.

Mr. Dewhirst was present.

Mr. Burns stated that the lot split has been reviewed by the City's Engineer (Joseph Shaw); and that the approval for the lot split should be subject to Mr. Shaw's comments, dated May 3, 2022.

Mr. Dewhirst stated that they have agreed to Mr. Shaw's comments, and that Ray Jones of FWB, Inc. is already working on new drawings, that will include an adjustment to the original design that was submitted. He said the eastern portion of the front lot (Parcel A) will be attached to the back lot (Parcel B), making it a "backwards p", or "flagpole" design; and that an ingress-egress easement will be given to the front lot (Parcel A) which will be increased from the 20' shown in the submittal to 25'; and that there will be a Common Driveway Maintenance Agreement, between the two lots, sharing the obligation of the maintenance for the driveway.

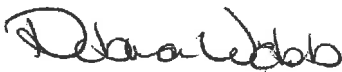
Mr. Burns stated that the property current has a Special Use Permit (SUP) for a Daycare; and that the City is working on vacating the SUP.

Mr. Dewhirst stated that the SUP is no longer needed as the owner is not operating a Daycare.

Mr. Marciniak motioned, Ms. Lindhuber seconded, to approve the Lot Split with an adjustment of the easement from 20' to 25', and also subject to the requirements stated by the City's Engineer in his comments. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission