

Sylvania City Council

June 20, 2023

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 Mrs. Westphal.
3. Additions to the agenda.
4. Approval of the Council meeting minutes from June 5, 2023.
5. Altara Drive Improvements.
 - a. Service Director's report on change order no. 1 (final).
 - b. Proposed Ordinance No. 56-2023, Authorizing the Mayor and Director of Finance to approve the Change Order No. 1 (Final) to the agreement with Helms & Sons Excavating, Inc. for this project.
6. Downtown Transportation Improvements.
 - a. Service Director's report on project proposal.
 - b. Proposed Ordinance No. 57-2023, Accepting the proposal of DGL Consulting Engineers, LLC for professional engineering services for final design engineering for this project.
7. Proposed Ordinance No. 58-2023, Authorizing the donation of 21 Monadnock Autolock 21" Expandable batons to the Owens Community College Police Academy.
8. Proposed Resolution No. 6-2023, Amending the procedure for Sylvania City Council's Appointments to the Board of Zoning Appeals, the Fire/EMS Advisory Board, and the SAJRD Board of Trustees.
9. Plan Commission's recommendation on Petition for Zoning Ordinance Amendment, SUP #1-2023, from the Masjid Saad Foundation/Toledo Islamic Academy for construction of outdoor wood classroom shelters (Set Public Hearing for August 21, 2023).
10. LPGA Dana Open Request.
11. Committee reports.
12. Committee referrals.

INFORMATION

- A. Board of Architectural Review Meeting Minutes from June 14, 2023.
- B. Municipal Planning Commission Meeting Minutes from June 14, 2023.

Minutes of the Meeting of Council
June 5, 2023

The Council of the City of Sylvania, Ohio met in regular session on June 5, 2023 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, Mary Westphal, Lyndsey Stough; (7) present; (0) absent.

Roll call:
7 present.

Pledge of Allegiance to the United States of America led by Ms. Stough.

Pledge of
Allegiance.

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

The following item has been added to the agenda:

- Item #14c. Sister City update from Mark Frye.
- Item #16a. Service Director’s report on vehicle purchase.
- Item #16b. Proposed Ordinance No. 55-2023, Vehicle Purchase for Service Dept.
- Item #17. SAJRD update from Mary Westphal.

Mr. Frye moved, Mrs. Westphal seconded to approve the agenda as amended; roll call vote being: Stough, Frye, Haynam, Hansen, McCann, Richardson, 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 May 15, 2023 meeting minutes. Mr. Frye moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of May 15, 2023 be approved; roll call vote being: McCann, Richardson, Haynam, Westphal, Frye, Stough, Hansen; (7) yeas; (0) nays. The motion carried.

Approval of the
May 15, 2023
meeting minutes.

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

Service Director’s report on project proposal was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 48-2023, a written copy of same having been previously furnished to each member of Council, “Accepting the proposal of DGL Consulting Engineers, LLC to prepare a Pedestrian Hybrid Beacon Safety Study for Highland Elementary, Sylvan Elementary and McCord Road Junior High Schools; appropriating funds therefore in the amount of \$24,000; and declaring an emergency.”; Mr. Richardson moved, Mrs. Westphal seconded for passage of Ordinance No. 48-2023 as an emergency measure; roll call vote being: Hansen, Haynam, Frye, McCann, Richardson, Westphal, Stough; (7) yeas; (0) nays. The motion carried.

Ordinance No.
48-2023,
“Accepting the
proposal of
DGL...
Pedestrian
Hybrid Beacon
Safety Study...”

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

Service Director's report on project proposal was placed on file. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 49-2023, a written copy of same having been previously furnished to each member of Council "Accepting the proposal of WE Realty Solutions, Ltd. to provide right-of-way acquisition services relative to the Monroe Street/Main Street/Summit Street Traffic Signal Improvement Project; appropriating funds therefore in the amount of \$14,300; and declaring an emergency."; Mr. Haynam moved, Mrs. Westphal seconded for passage of Ordinance No. 49-2023 as an emergency measure; roll call vote being: Frye, Hansen, Haynam, McCann, Richardson, Westphal, Stough; (7) yeas; (0) nays. The motion carried.

Ordinance No. 49-2023, "Accepting the proposal of WE Realty...ROW acquisition services..."

Service Director's report on project proposal was placed on file. Mr. McCann presented and read aloud by title only, proposed Ordinance No. 50-2023, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of DGL Consulting Engineers, LLC to prepare a right-of-way plat relative to the Monroe Street/Main Street/Summit Street Traffic Signal Improvement Project; appropriating funds therefore in the amount of \$2,875; and declaring an emergency."; Mr. McCann moved, Mrs. Westphal seconded for passage of proposed Ordinance No. 50-2023 as an emergency measure; roll call vote being: Hansen, Haynam, McCann, Richardson, Westphal, Stough, Frye; (7) yeas; (0) nays. The motion carried.

Ordinance No. 50-2023, "Accepting the proposal of DGL...ROW plat...traffic signal improvement project..."

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

Service Director's report on contract modification was placed on file. Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 51-2023, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to approve the amendment to the City's agreement with DGL Consulting Engineers, LLC to reflect the cost of redesigning a portion of the project for the Harroun Road/Flower Hospital/Ravine Drive intersection improvement project; increasing the proposal amount by \$66,758; appropriating funds therefore; and declaring an emergency."; Mrs. Westphal moved, Ms. Stough seconded for passage of Ordinance No. 51-2023 as an emergency measure; roll call vote being: Stough, Frye, Richardson, Westphal, McCann, Hansen, Haynam; (7) yeas; (0) nays. The motion carried.

Ordinance No. 51-2023, "...Amendment to City's agreement with DGL...Harroun/Flower/Ravine intersection..."

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

Service Director's report on the project was placed on file. Ms. Stough presented and read aloud by title only, proposed Ordinance No. 52-2023, a written copy of same having been previously furnished to each member of Council, "Authorizing the

Ordinance No. 52-2023, "... Senior Center

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expenditure of \$82,500 for the replacement of the Sylvania Senior Center heating, ventilating and air condition (“HVAC”) system; appropriating funds therefore; and declaring an emergency.”; Ms. Stough moved, Mr. Haynam seconded for passage of Ordinance No. 52-2023 as an emergency measure; roll call vote being: Haynam, Frye, McCann, Richardson, Westphal, Stough, Hansen; (7) yeas; (0) nays. The motion carried.

HVAC
System...”

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

Mr. Frye moved, Mr. Hansen seconded to approve the four (4) City vehicles (2002 F550 dump truck, 2003 F450 dump truck, 2011 Ford F150, 1999 Ford F150) to be offered for auction on GovDeals.com; roll call vote being: Hansen, Richardson, Stough, Haynam, Frye, McCann, Westphal: (7) yeas; (0) nays. The motion carried.

Authorize 4 City
vehicles to
auction on
GovDeals.com

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

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 53-2023, a written copy of same having been previously furnished to each member of Council, “Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2023; establishing one district for said purpose in accordance with the provisions of Section 727.012 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency.”; Mr. McCann moved, Ms. Stough seconded for passage of proposed Ordinance No. 53-2023 as an emergency measure; roll call vote being: Hansen, Haynam, McCann, Richardson, Westphal, Stough, Frye; (7) yeas; (0) nays. The motion carried.

Ordinance No.
53-2023, “...
Drainage
Ditches...
Assessment...”

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

Mr. Hansen presented and read aloud by title only, proposed Ordinance No. 54-2023, a written copy of same having been previously furnished to each member of Council, “Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2023; establishing one district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency.”; Mr. Hansen moved, Mr. Haynam seconded for passage of proposed Ordinance No. 54-2023 as an

Ordinance No.
54-2023, “...
Shade Trees...
Assessment...”

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emergency measure; roll call vote being: Frye, Hansen, Haynam, McCann, Richardson, Westphal, Stough; (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 12.

Mr. Richardson presented and read aloud by title only, proposed Resolution No. 5-2023, a written copy of same having been previously furnished to each member of Council, "Declaring the necessity of lighting the streets of the City of Sylvania, Ohio; determining the manner of providing street lighting and the basis for the property owner's share of the cost and annual assessment; and declaring an emergency."; Mr. Richardson moved, Mrs. Westphal seconded for passage of proposed Resolution No. 5-2023 as an emergency measure; roll call vote being: Hansen, Haynam, McCann, Richardson, Westphal, Stough, Frye; (7) yeas; (0) nays. The motion carried.

Resolution No. 5-2023, "...Lighting the Streets in the City of Sylvania... Assessment..."

Mayor Stough stated that Council will now consider agenda item 13.

Mr. Haynam presented the Petition for Zoning Ordinance Amendment Application SUP #1-2023, a written copy of same having been previously furnished to each member of Council; from Masjid Saad Foundation/Toledo Islamic Academy, 5225 W. Alexis Road, Sylvania, Ohio, to construct outdoor classroom wood shelters for the Toledo Islamic Academy; Mr. Haynam moved, Mrs. Westphal seconded for referral of SUP #1-2023 to the City of Sylvania Municipal Planning Commission for review; roll call vote being: Frye, Richardson, Hansen, Westphal, Haynam, Stough, McCann; (7) yeas; (0) nays. The motion carried.

Referral to Plan Comm.-SUP #1-2023, Masjid Saad/TIA classroom shelters.

Mayor Stough stated that Council will now consider agenda item 14.

Mr. Frye reported on the Finance Committee meeting held this date regarding the City of Sylvania's Investment Policy. Mr. Schroyer discussed the proposed investment policy document and compared it to the current policy. Possible changes to the current policy were discussed; Mr. Schroyer and Ms. Brinning will continue working on improving the current policy.

Finance Comm. Meeting Report by Mr. Frye.

Mrs. Westphal reported on the Employee & Community Relations Committee meeting held this date regarding Sylvania City Council's Board Appointment Policy. Discussion was focused on withdrawing Heritage Sylvania from the proposed legislation. After much discussion, Mr. Haynam moved, Mr. Hansen seconded to have the City's Administration prepare revised legislation removing Heritage Sylvania from the proposed legislation; roll call vote being: Frye, McCann, Richardson, Hansen, Westphal, Haynam, Stough; (7) yeas; (0) nays. The motion carried.

Employee & Community Relations Comm. Meeting Report by Mrs. Westphal.

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Mayor Stough stated that Council will now consider added agenda item 14c.

Mr. Frye reported on the annual Sister City Commission Meeting he attended in Port Huron on June 4, 2023. Sixteen people attended from Sylvania and Woodstock. Discussion held on having a Sister City float in the Woodstock Santa Claus parade and having a contest to create a logo for the commission.

Sister City
Commission
Update by Mr.
Frye.

Mayor Stough stated that Council will now consider added agenda item 16a/b.

Service Director's report on vehicle purchase was placed on file. Mr. McCann presented and read aloud by title only, proposed Ordinance No. 55-2023, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to accept the proposal of Valley Ford Trucks for the purchase of one 2023 Ford E-450 modified box truck for the Department of Public Service, Sewer Division; and declaring an emergency."; Mr. McCann moved, Mrs. Westphal seconded for passage of Ordinance No. 55-2023 as an emergency measure; roll call vote being: Stough, Frye, Richardson, Westphal, McCann, Hansen, Haynam; (7) yeas; (0) nays. The motion carried.

Ordinance No.
55-2023, "...
Valley Ford
Trucks...2023
Ford E450...
Sewer
Division..."

Mayor Stough stated that Council will now consider added agenda item 17.

Mrs. Westphal gave an update on the Sylvania Area Joint Recreation District. She stated the organization is doing very well. There are a few delays with products and parts with the Burnham Park upgrades; should be completed the end of June. Additional screening will be installed around the Pickle Ball courts to help with noise. New Pickle Ball court hours of use may be changed to 9am-8:30pm once approved by SAJRD.

Update on
SAJRD by Mrs.
Westphal.

Mayor Stough asked the Director of Public Service, Kevin Aller, for an update on current construction projects. Mr. Aller reported that the Monroe Street/Silica Bridge construction is currently on schedule. Upcoming closures for Monroe Street due to gas and water line installation will occur at night.

Construction
Project Update.

Mayor Stough stated all agenda items have been addressed.

Mr. Frye moved, Mrs. Westphal seconded to adjourn at 8:47 p.m. Roll call vote being: Richardson, Frye, Hansen, Westphal, Stough, Haynam, McCann; (7) yeas; (0) nays.

Adjournment.

Clerk of Council

Mayor



5a.

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

June 20, 2023

To: The Mayor and Members of Sylvania City Council

Re: **ALTARA DRIVE IMPROVEMENTS
CHANGE ORDER NO. 1 (FINAL)**

Dear Mr. Mayor and Council Members:

The Altara Drive Improvements Project was recently completed. The original contract amount with Helms and Sons Excavating on the project was \$367,185 and received Council approval on January 3, 2023 by Ordinance 1-2023. Now that the project is completed, the final installed quantities have been resolved and a change order is necessary to adjust the final contract price.

The installed quantities have resulted in a decrease to the original contract in the amount of \$8,223.11. The largest contributor to the decreased contract amount was switching waterline material types from ductile iron pipe to plastic pipe due to ductile iron pipe being in very short supply this construction season.

As a result, a total change order in the amount of \$8,223.11 is necessary to decrease the final contract amount from \$367,185 to \$358,961.89. Please call if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Kevin G. Aller".

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

ORDINANCE NO. 56-2023**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 (FINAL) TO THIS CITY'S AGREEMENT WITH HELMS AND SONS EXCAVATING, INC. FOR THE ALTARA DRIVE IMPROVEMENT PROJECT TO REFLECT THE FINAL INSTALLED QUANTITIES; DECREASING THE CONTRACT AMOUNT BY \$8,223.11; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 1-2023, passed January 3, 2023, accepted the bid of Helms and Sons Excavating, Inc. and awarded the contract for the Altara Drive Improvement Project to same, which bid was in the amount of \$367,185; and,

WHEREAS, the Director of Public Service, by report dated June 20, 2023, has recommended acceptance of Change Order No. 1 (Final) of Helms and Sons Excavating, Inc. for said Altara Drive Improvement Project that resolves the final installed quantities and results in a net decrease to the contract in the amount of \$8,223.11, for a final contract amount of \$358,961.89; and,

WHEREAS, the final installed quantities resulted in a net decrease to the contract in the amount of Eight Thousand Two Hundred Twenty-Three and 11/100 Dollars (\$8,223.11), for a total contract amount of \$358,961.89.

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

SECTION 1. That said change order decreasing the contract amount by the sum of Eight Thousand Two Hundred Twenty-Three and 11/100 Dollars (\$8,223.11), authorized to be appropriated be, and the same hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare

and for the further reason that the adjustments in the contract for said final installed quantities should be approved immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Vote on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2023, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

CITY OF SYLVANIA, OHIO

CHANGE ORDER Number 1 (Final)

Project Ordinance No.: 1-2023 Purchase Order No. 63429



Contract: Altara Drive Improvements

Title of Change Order: _____

Date: 6/14/2023

Description of Change: Final Installed Quantities (See Attached) = -\$8,223.11

RECOMMENDED FOR APPROVAL BY:  6/15/23
Kevin G. Aller, P.E. Date
Public Service Director

Original Contract Amt	\$	367,185	00	REVIEWED BY:	<u></u> Engineer
Previous Changes (+ or -)	\$	0	00	DATE:	<u>6/14/23</u>
This Change (+ or -)	\$	-8,223	11	SUBMITTED BY:	<u></u> Name of Contractor
Adjusted Contract Amt	\$	358,961	89	DATE:	<u>6/14/2023</u> Grant Heaster, Project Manager Contractor's Signature

City of Sylvania, Ohio

The above proposal is hereby approved.

The above proposal is hereby approved.

Craig A. Stough, Mayor

Date

Toby Schroyer, Finance Director

Date

TO OWNER:
 CITY OF SYLVANIA
 6730 MONROE STREET
 SYLVANIA, OHIO 43560

FROM CONTRACTOR:
 HELMS AND SONS EXCAVATING
 1753 LIMA AVENUE
 FINDLAY, OHIO 45640

APPLICATION NO: 3 (Final)
 PERIOD TO: 5/1/2023 TO 5/30/2023

PROJECT: ALTARA DRIVE IMPROVEMENTS SHEET: 1 OF 2

LINE NO.	BID ITEM NO.	DESCRIPTION OF WORK	UNIT	BID QUANTITY	UNIT PRICE	BID VALUE	ESTIMATED QUANTITY INSTALLED	VALUE	MATERIALS PRESENTLY STORED (NOT IN C)	TOTAL COMPLETED AND STORED TO DATE (D+E)	% (F/B)	BALANCE TO FINISH (B-F)
Sections 0001-0004 (Roadway, Erosion Control, Drainage, & Pavement)												
1	201	Clearing and Grubbing	LUMP	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100%	\$0.00
2	201	Tree Removed, 18" Size	EACH	3	\$835.00	\$2,505.00	3	\$2,505.00		\$2,505.00	100%	\$0.00
3	201	Tree Removed, 48" Size	EACH	1	\$2,300.00	\$2,300.00	1	\$2,300.00		\$2,300.00	100%	\$0.00
4	202	Storm Pipe Removed, 24" and Under	FT	319	\$10.00	\$3,190.00	319	\$3,190.00		\$3,190.00	100%	\$0.00
5	202	Pavement Removed, Concrete	SY	1205	\$12.50	\$15,062.50	1205	\$15,062.50		\$15,062.50	100%	\$0.00
6	202	Curb Removed	FT	739	\$2.50	\$1,847.50	741	\$1,852.50		\$1,852.50	100%	(\$5.00)
7	202	Curb Inlet Removed	EACH	3	\$300.00	\$900.00	3	\$900.00		\$900.00	100%	\$0.00
8	202	Concrete Walk Removed	SF	750	\$2.25	\$1,687.50	356	\$801.00		\$801.00	47%	\$886.50
9	202	Manhole Removed	EACH	2	\$300.00	\$600.00	2	\$600.00		\$600.00	100%	\$0.00
10	203	Excavation	CY	258	\$30.00	\$7,740.00	185	\$5,550.00		\$5,550.00	72%	\$2,190.00
11	204	Subgrade Compaction	SY	1,306	\$2.00	\$2,612.00	1,116	\$2,232.00		\$2,232.00	85%	\$380.00
12	204	Excavation of Subgrade	CY	250	\$18.00	\$4,500.00	234.67	\$4,224.06		\$4,224.06	94%	\$275.94
13	204	Granular Material, Type B	CY	250	\$35.00	\$8,750.00	234.67	\$8,213.45		\$8,213.45	94%	\$536.55
14	254	Pavement Planning, Asphalt Concrete	SY	1069	\$7.50	\$8,017.50	1069	\$8,017.50		\$8,017.50	100%	\$0.00
15	630	Removal of Ground Mounted Sign and Reerected	EACH	8	\$125.00	\$1,000.00	4	\$500.00		\$500.00	50%	\$500.00
16	653	Topsoil Furnished and Placed	CY	74	\$65.00	\$4,810.00	74	\$4,810.00		\$4,810.00	100%	\$0.00
17	659	Seeding and Mulching, Class 1, As Per Plan	SY	2004	\$1.50	\$3,006.00	2004	\$3,006.00		\$3,006.00	100%	\$0.00
18	659	Commercial Fertilizer	TON	0.18	\$600.00	\$108.00	0.18	\$108.00		\$108.00	100%	\$0.00
19	659	Water	MGAL	10.8	\$5.00	\$54.00	0	\$0.00		\$0.00	0%	\$54.00
20	SPEC	Curb Inlet Sediment Filter	EACH	3	\$75.00	\$225.00	0	\$0.00		\$0.00	0%	\$225.00
21	611	12" Conduit, Type B (707.45)	FT	336	\$80.00	\$26,880.00	336	\$26,880.00		\$26,880.00	100%	\$0.00
22	611	ODOT 3A Catch Basin	EACH	3	\$2,500.00	\$7,500.00	3	\$7,500.00		\$7,500.00	100%	\$0.00
23	611	ODOT Manhole No. 3	EACH	2	\$2,500.00	\$5,000.00	2	\$5,000.00		\$5,000.00	100%	\$0.00
24	611	6" Storm Service, Including 45° Bend (707.45), As Per Plan	FT	46	\$35.00	\$1,610.00	134	\$4,690.00		\$4,690.00	291%	(\$3,080.00)
25	304	Aggregate Base	CY	271	\$65.00	\$17,615.00	237	\$15,405.00		\$15,405.00	87%	\$2,210.00
26	407	Tack Coat for Intermediate Course	GAL	43	\$2.00	\$86.00	40	\$80.00		\$80.00	93%	\$6.00
27	441	Asphalt Concrete Intermediate Course, Type 2, (448), PG54-22	CY	74	\$210.00	\$15,540.00	80.275	\$16,857.75		\$16,857.75	108%	(\$1,317.75)
28	441	Asphalt Concrete Surface Course, Type 1, (448), PG64-22	CY	47	\$270.00	\$12,690.00	70.08	\$18,921.60		\$18,921.60	149%	(\$6,231.60)
29	452	6" Non-Reinforced Concrete Pavement	SY	157	\$75.00	\$11,775.00	138.8	\$10,410.00		\$10,410.00	88%	\$1,365.00
30	608	Concrete Walk	SF	750	\$8.50	\$6,375.00	356	\$3,026.00		\$3,026.00	47%	\$3,349.00
31	609	Concrete Curb (Type A, Lucas County)	FT	739	\$25.00	\$18,475.00	754	\$18,850.00		\$18,850.00	102%	(\$375.00)
SUBTOTAL SECTIONS 0001-0004						\$197,461.00		\$196,492.36		\$196,492.36		\$968.64

TO OWNER:
 CITY OF SYLVANIA
 6730 MONROE STREET
 SYLVANIA, OHIO 43560

FROM CONTRACTOR:
 HELMS AND SONS EXCAVATING
 1753 LIMA AVENUE
 FINDLAY, OHIO 45840

APPLICATION NO: 3 (Final)
 PERIOD TO: 5/1/2023 TO 5/30/2023

PROJECT: ALTARA DRIVE IMPROVEMENTS SHEET: 2 OF 2

LINE NO.	BID ITEM NO.	DESCRIPTION OF WORK	UNIT	BID QUANTITY	UNIT PRICE	BID VALUE	ESTIMATED QUANTITY INSTALLED	VALUE	MATERIALS PRESENTLY STORED (NOT IN C)	TOTAL COMPLETED AND STORED TO DATE (D+E)	% (F/B)	BALANCE TO FINISH (B-F)
Section 0005 (Sanitary)												
32	202	Sanitary Pipe Removed, 24" and Under	FT	311	\$4.00	\$1,244.00	346	\$1,384.00		\$1,384.00	111%	(\$140.00)
33	202	Sanitary Manhole Removed	EACH	1	\$350.00	\$350.00	2	\$700.00		\$700.00	200%	(\$350.00)
34	611	8" Conduit, Type B	FT	311	\$90.00	\$27,990.00	311	\$27,990.00		\$27,990.00	100%	\$0.00
35	611	Manhole, ODOT No. 3	EACH	1	\$5,500.00	\$5,500.00	1	\$5,500.00		\$5,500.00	100%	\$0.00
36	611	6" Sanitary Service, As Per Plan	FT	90	\$55.00	\$4,950.00	51	\$2,805.00		\$2,805.00	57%	\$2,145.00
SUBTOTAL SECTION 0005						\$40,034.00		\$38,379.00		\$38,379.00		\$1,655.00
Section 0006 (Water)												
37	54	8" Water Main Ductile Iron Pipe, ANSI-A21.51, Class	FT	745	\$115.00	\$85,675.00	0	\$0.00		\$0.00	0%	\$85,675.00
38	638	8" Line Valve & Valve Box	EACH	3	\$2,650.00	\$7,950.00	2	\$5,300.00		\$5,300.00	67%	\$2,650.00
39	638	Standard Hydrant Assembly	EACH	1	\$7,250.00	\$7,250.00	2	\$14,500.00		\$14,500.00	200%	(\$7,250.00)
40	638	Line Valve Box Removed	EACH	1	\$150.00	\$150.00	3	\$450.00		\$450.00	300%	(\$300.00)
41	638	8"x8"x8" Tee	EACH	1	\$1,000.00	\$1,000.00	0	\$0.00		\$1,000.00	100%	\$0.00
42	638	8"-90° Bend	EACH	2	\$800.00	\$1,600.00	0	\$0.00		\$0.00	0%	\$1,600.00
43	638	8"-45° Bend	EACH	2	\$550.00	\$1,100.00	4	\$2,200.00		\$2,200.00	200%	(\$1,100.00)
44	638	8"-11-1/4" Bend	EACH	4	\$550.00	\$2,200.00	4	\$2,200.00		\$2,200.00	100%	\$0.00
45	638	8" to 4" Reducer	EACH	1	\$775.00	\$775.00	1	\$775.00		\$775.00	100%	\$0.00
46	638	2" Temporary Blow-Off	EACH	4	\$200.00	\$800.00	2	\$400.00		\$400.00	50%	\$400.00
47	638	8" Plug	EACH	4	\$250.00	\$1,000.00	1	\$250.00		\$250.00	25%	\$750.00
48	638	4" Plug	EACH	1	\$450.00	\$450.00	0	\$0.00		\$0.00	0%	\$450.00
49	638	Short Water Service, As Per Plan	EACH	5	\$350.00	\$1,750.00	7	\$2,450.00		\$2,450.00	140%	(\$700.00)
50	SPEC	Fill and Plug Existing Conduit	FT	435	\$4.00	\$1,740.00	0	\$0.00		\$0.00	0%	\$1,740.00
100	638	CO#1 - 8" Water Main C900 Pipe, DR18	FT	734	\$93.00	\$68,262.00	734	\$68,262.00		\$68,262.00	100%	\$0.00
101	638	CO#1 - 12"x8" Tapping Sleeve, Valve, & Valve Box	EACH	1	\$7,375.00	\$7,375.00	1	\$7,375.00		\$7,375.00	100%	\$0.00
102	638	CO#1 - Abandon 6" Water Main (Brainard)	LUMP	1	\$1,335.00	\$1,335.00	1	\$1,335.00		\$1,335.00	100%	\$0.00
103	638	CO#2 - Water Main Bedding Premium	TON	211.58	\$6.35	\$1,343.53	211.58	\$1,343.53		\$1,343.53	100%	(\$0.00)
SUBTOTAL SECTION 0006						\$113,440.00		\$107,840.53		\$107,840.53		\$5,599.47
Section 0007 (Miscellaneous)												
51	614	Maintaining Traffic	LUMP	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100%	\$0.00
52	623	Construction Layout Stakes	LUMP	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100%	\$0.00
53	624	Mobilization	LUMP	1	\$5,000.00	\$5,000.00	1	\$5,000.00		\$5,000.00	100%	\$0.00
54	SPEC	Pre-Construction Video Taping	LUMP	1	\$750.00	\$750.00	1	\$750.00		\$750.00	100%	\$0.00
55	SPEC	Remove and Salvage Brick	LUMP	1	\$500.00	\$500.00	1	\$500.00		\$500.00	100%	\$0.00
SUBTOTAL SECTION 0007						\$16,250.00		\$16,250.00		\$16,250.00		\$0.00
TOTAL						\$367,185.00		\$358,961.89		\$358,961.89		\$8,223.11



6a.

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

June 20, 2023

To: The Mayor and Members of Sylvania City Council

Re: **Professional Engineering Services Proposal for Final Design Engineering
Downtown Transportation Improvements**

Dear Mr. Mayor and Council Members:

At the April 17, 2023 meeting City Council authorized the Service Department to request Letters of Interest (LOI's) from consultants to provide engineering services for the Downtown Transportation Improvements Project.

During the solicitation we received only one LOI from a team of consultants lead by DGL Consulting Engineers, LLC. This team performed the Preliminary Engineering services on the project in 2022.

The team assembled for Final Design services includes EDGE Group (landscape architecture), JDRM (lighting and electrical), Jones & Henry (water and sanitary sewer), and CT Consultants (geotechnical engineering). Subsequently the Service Department entered into scope of services and fee negotiations with DGL.

We have completed those negotiations and the DGL team has prepared a proposal in the amount of \$603,100 to complete the Final Design engineering scope of services.

We would recommend approval of the proposal in the amount of \$603,100 with DGL Consulting Engineers, LLC. Please call with any questions.

Sincerely,

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

66.

ORDINANCE NO. 57-2023

ACCEPTING THE PROPOSAL OF DGL CONSULTING ENGINEERS, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR FINAL DESIGN ENGINEERING RELATIVE TO THE DOWNTOWN TRANSPORTATION IMPROVEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$603,100; AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 46-2022, passed May 2, 2022, accepted the proposal of DGL Consulting Engineers, LLC to provide preliminary engineering services for the Downtown Transportation Improvement Project; and,

WHEREAS, the preliminary engineering phase of the project is complete; and,

WHEREAS, at the April 17, 2023 meeting of Sylvania City Council, the Director of Public Service was authorized to request Letters of Interest from consultants to provide engineering services for final design engineering relative to the Downtown Transportation Improvement Project; and,

WHEREAS, one Letter of Interest was received from a team of consultants lead by DGL Consulting Engineers, LLC (“DGL”), the same firm who performed the preliminary engineering services in 2022; and,

WHEREAS, DGL’s proposal includes using EDGE Group for landscape architecture, JDRM for lighting and electrical, Jones & Henry for water and sanitary sewer, and CT Consultants for geotechnical engineering on the project; and,

WHEREAS, the Director of Public Service, by report dated June 20, 2023, indicated that the scope of services and fee negotiations with DGL are complete and recommends approval and acceptance of the proposal in the amount of \$603,100 for the final design engineering for the Downtown Transportation Improvement Project.

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 Six Hundred Three Thousand One Hundred Dollars (\$603,100.00) for final design engineering for the Downtown Transportation Improvements, is hereby approved and accepted.

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

SECTION 3. That to provide funds for said engineering services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503 – Street Improvements** the amount of Six Hundred Three Thousand One Hundred Dollars (\$603,100.00).

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 preparation of the final engineering design for the Downtown Transportation 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, _____, 2023, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



**PROVIDING
CIVIL ENGINEERING
SOLUTIONS SINCE 1926**

TRANSPORTATION

TRAFFIC / SAFETY

FACILITY / SITE
DEVELOPMENT

SURVEY

CONSTRUCTION
SERVICES

June 15, 2023

Kevin G. Aller, PE
Service Director
City of Sylvania
6730 Monroe Street, Suite 101
Sylvania, Ohio 43560

Re: LUC – Downtown Transportation Improvements

Dear Mr. Aller:

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

Thank you for this opportunity to participate in your selection process and we look forward to future opportunities with you. Please contact me directly should you have any questions related to the material included herein.

Sincerely,

DGL Consulting Engineers, LLC

Richard J. McGuckin, PE, CPESC
Principal | Director of Transportation

T: 419.535.1015 | C: 419.343.5857 | E: rmcguckin@dgl-ltd.com
3455 Briarfield Blvd, Suite E | Maumee, Ohio 43537

23150

Maumee, Ohio
419.535.1015

Wauseon, Ohio
419.330.1360

Dublin, Ohio
614.356.7150

Kent, Ohio
440.387.4113

Port Clinton, Ohio
419.635.7541

dgl.ltd.com

DBE | SBE | LDBE | EBE

An Agreement for the Provision of Limited Professional Services

DGL Consulting Engineers, LLC (DGL) 3455 Briarfield Blvd., Suite E Maumee, Ohio 43537 P: 419.535.1015	Client: City of Sylvania 6730 Monroe Street, Suite 101 Sylvania, Ohio 43560
Project Name LUC – Downtown Transportation Improvements Project No. 23150	
Location City of Sylvania	
Scope of Services <i>See Appendix A thru F for Scope of Services.</i>	
Fee Arrangement <i>See Appendix A thru F for itemized fee proposals of prime and subconsultants.</i>	
DESIGN SERVICES	
DGL Consulting Engineers (prime and roadway services)	\$301,645.00
EDGE Group (landscape architecture services)	\$166,500.00
JDRM (lighting and electrical services)	\$40,000.00
Jones & Henry (Water and Sanitary Sewer design services)	\$86,500.00
CT Consultants (geotechnical services)	\$8,455.00
Total	\$603,100.00
Retainer Amounts	\$00.00 due with signed contract.
<i>Note: DGL can accept credit card payments with an additional 3% service fee.</i>	
Special Conditions	
Offered by: DGL Consulting Engineers, LLC	Accepted by: City of Sylvania
Signature	Signature Date
Printed Name / Title	Printed Name / Title <i>Signature indicates the authority to bind the company to the terms herein</i>

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

Scope of Services

Scope of Work

The Scope of Services was defined in the RFP announcement dated 04-24-23 by the City of Sylvania. Sheets 4 thru 6 of the 6 page announcement provided a thorough list of Final Design Service items requested by the City. These pages are included for reference in Appendix A.

A scoping kick off meeting was also held on May 26, 2023 using Microsoft Teams and included all the DGL Design Team members and the City of Sylvania (Kevin Aller and Joe Shaw). Meeting minutes from the call are also included in Appendix A for reference and confirmation of scope items.

The DGL itemized fee proposal is provided in Appendix B. This proposal is itemized using a typical ODOT fee spreadsheet and provides individual task items with assumed hours. ODOT's fee guidance was utilized in determining the hours. A low to medium complexity rating was assumed for most tasks.

The EDGE Group fee proposal is provided in Appendix C. The EDGE Group will be providing all landscape architecture services. I have not included their fee for Construction Engineering Support within our total design fee estimate.

The JDRM fee proposal is provided in Appendix D. JDRM will be providing electrical engineering for lighting and electrical distribution.

The Jones & Henry fee proposal is provided in Appendix E. Jones & Henry will be providing design services for the water and sanitary sewer improvements along Main Street. There are four optional services provided within the Jones & Henry proposal that are not included within our total design fee estimate.

The CT Consultants fee proposal is provided in Appendix F. CT will be performing geotechnical services for the project. Pavement borings will be taken along Main Street and Maplewood Avenue to assist with subgrade and pavement design.

Schedule

The anticipated schedule provided within the RFP will hold the October 2024 Sale Date. Every attempt will be made to maintain the intermediate submission dates.

DGL CONSULTING ENGINEERS, LLC (DGL) 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 DGL'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. DGL shall have the right to suspend/terminate services if payment is not received within 60 days after the invoice date and DGL 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, DGL 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. DGL will perform its services as expeditiously as is consistent with professional skill and care and the orderly progress of DGL's part of the Project. Regardless of any other term or condition of this Agreement, DGL 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 DGL 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

A condition is hidden if concealed by existing finishes or structure or is not capable of investigation by reasonable visual observation. If DGL 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) DGL has no reason to believe that such a condition exists, DGL shall not be responsible for the existing conditions or any resulting damages or losses resulting therefrom.

Hazardous Materials/Mold

DGL shall have no responsibility for the discovery, presence, handling, removal, disposal or exposure of persons to hazardous materials of any form including mold. DGL 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 DGL 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. DGL 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

In recognition of the relative risks and benefits of the Project to both the Client and DGL, the Client agrees, to the fullest extent permitted by law, to limit DGL'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 DGL'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 DGL 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 DGL's documents, DGL 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 DGL's original documents. In no event will DGL 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 DGL under this agreement, including electronic files, shall remain the property of DGL and may not be used by this Client for any other purpose without the written consent of DGL. Any such use or reuse shall be at the sole risk of Client who shall defend, indemnify and hold DGL 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 DGL and its subconsultants.

Defects in Service

The Client shall promptly report to DGL any defects or suspected defects in DGL'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 DGL shall relieve DGL 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

DGL 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 any one performing any construction Work, nor for construction means and methods or job-site safety.

Dispute Resolution

Any claim or dispute between the Client and DGL 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 DGL 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 DGL.

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.

7

ORDINANCE NO. 58-2023

AUTHORIZING THE DONATION OF 21 MONADNOCK AUTOLOCK 21” EXPANDABLE BATONS TO THE OWENS COMMUNITY COLLEGE POLICE ACADEMY; AUTHORIZING THE DONATION OF 21 MONADNOCK AUTOLOCK 21” EXPANDABLE BATONS TO THE NORTHWEST STATE COMMUNITY COLLEGE POLICE ACADEMY; DETERMINING SAID PROPERTY TO BE OF NO FURTHER USE TO THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sylvania previously purchased 42 monadnock autolock expandable batons that the Police Department that it is no longer using; and,

WHEREAS, the Chief of Police has recommended that 21 Monadnock Autolock 21” expandable batons be donated to the Owens Community College Police Academy and that 21 Monadnock Autolock 21” expandable batons be donated to the Northwest State Community College Police Academy.

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

SECTION 1. That it is hereby determined that the City of Sylvania no longer needs the 42 Monadnock Autolock 21” expandable batons and that 21 should be donated to the Owens Community College Police Academy and 21 should be donated to the Northwest State Community College Police Academy.

SECTION 2. That the Mayor and Director of Finance be, and they are hereby are, authorized to donate 21 Monadnock Autolock 21” expandable batons to the Owens Community College Police Academy and 21 Monadnock Autolock 21” expandable batons should be donated to the Northwest State Community College Police Academy as they are of no further use to the City.

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the equipment described above is no longer needed by the City and should be donated to the respective police academies set forth above 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, _____, 2023, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date



RESOLUTION NO. 6- 2023

A RESOLUTION AMENDING THE PROCEDURE FOR SYLVANIA CITY COUNCIL’S APPOINTMENTS TO THE BOARD OF ZONING APPEALS, THE FIRE/EMS ADVISORY BOARD, AND THE SYLVANIA AREA JOINT RECREATION DISTRICT BOARD OF TRUSTEES; AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 14-2008, passed October 6, 2008, established a procedure for Sylvania City Council’s appointments to the Historical Village Board (now known as Heritage Sylvania), the Board of Zoning Appeals, the Fire/EMS Advisory Board and the Sylvania Area Joint Recreation District Board of Trustees; and,

WHEREAS, Sylvania City Council wishes to revise its procedure for filling vacancies on the Board of Zoning Appeals, the Fire/EMS Advisory Board and the Sylvania Area Joint Recreation District Board of Trustees; and,

WHEREAS, the Employee and Community Relations Committee met on March 20, 2023 and June 5, 2023 and thereafter recommended that Council’s policy for filling vacancies on the above-listed boards and commissions be amended as set forth herein.

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

SECTION 1. That the Council of the City of Sylvania hereby authorizes and instructs the Clerk of Council to advertise vacancies on the Board of Zoning Appeals and the Sylvania Area Joint Recreation District for thirty days and to deliver all resumes received in response to said vacancy to Sylvania City Council’s Employee & Community Relations Committee for its review and recommendation to Council. Those persons selected for appointment to a board or commission, may be eligible for one automatic re-appointment. After the initial term and subsequent re-appointment term, if an appointee will be assuming a leadership position on the Board for his/her third term, the Chair of the Employee and Community Relations Committee can recommend a second automatic re-appointment; if the otherwise, the procedure to fill the seat will be the same as if there were a vacancy on the board/commission. This policy applies to any people currently serving on boards for more than two terms when their current term expires.

SECTION 2. Sylvania Codified Ordinance Chapter 156 provides for the establishment

of a Sylvania Area Fire/EMS Advisory Board. The Sylvania Area Fire/EMS Advisory Board is currently inactive, however, should the need to re-constitute the Board arise, the same procedures as outlined above shall be followed for Sylvania City Council appointments to the Sylvania Area Fire/EMS Advisory Board.

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

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

SECTION 5. That this 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 procedure set forth above should be enacted 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 this Charter.

Vote on passage as an emergency: Yeas _____ Nays _____

Passed, _____, 2023, as an emergency measure.

President of Council

ATTEST:

Clerk of Council
APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law



9

DEPARTMENT OF PUBLIC SERVICE
KEVIN G. ALLER, PE DIRECTOR

June 15, 2023

To: Mayor and Members of City Council

Re: Council Referral – SUP 1-2023
5225 W. Alexis Road

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of June 14, 2023, Council Referral for review and recommendation, Petition for Zoning Ordinance Amendment, SUP 1-2023, from the Masjid Saad Foundation/Toledo Islamic Academy, located at 5225 W. Alexis, Sylvania, Ohio 43560, for construction of outdoor wood classroom shelters:

..."Mr. Marciniak moved, Ms. Fischer seconded to recommend to Council to approve the amendment to the Special Use Permit as requested. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote."...

Sincerely,

Debra Webb, Secretary
Municipal Planning Commission

From: Judd Silverman <jsilverman@ToledoClassic.com>
Sent: Thursday, June 15, 2023 11:36 AM
To: Sanford, Bill <bsanford@cityofsylvania.com>
Subject: Dana Open / National Television Promotion



Hi Bill –

Thanks for your time over the phone this morning! As we discussed, each year the tournament is underpinned by the LPGA sanction agreement to pay for four days of national television on The Golf Channel. The cost this year is \$654K. In return for our investment the tournament receives approximately 50 national :30 second commercial units during the four days of coverage. Typically the cost of television and the purse of the tournament are covered by the title and presenting sponsors. Unfortunately this year we weren't able to secure a presenting sponsor so we have 22 - :30 second national TV ads available.

In an effort to turn a tough situation into a something positive for the community we've decided to use the 22 commercial units to promote Toledo and northwest Ohio! We're going to run two spots, one from the Toledo Regional Chamber of Commerce and one from Destination Toledo. In an effort to recoup some of our investment we've asked several organizations to make a donation toward supporting the effort to promote the community to a national audience. To date, we've received the following financial commitments: Destination Toledo (Lucas County) \$30k, City of Toledo \$30k, Toledo Community Foundation \$15k, MetroParks \$10k, Toledo Chamber \$5k, Port Authority \$5k, RGP \$5k, ConneCToledo \$5k. We hope the City of Sylvania will join these organizations by supporting the promotion.

I believe the promotion provides an opportunity to create awareness of Toledo as a destination to a national audience. By rotating the Toledo Regional Chamber of Commerce's commercial, with its holistic live, work, learn, play message, along with Destination Toledo's commercial, we will present a great image of the community! Thus, creating awareness that Toledo exists, and spark an interest in the audience to learn more. I believe it represents us as a place to live, work, learn and play. Please keep in mind that each telecast recognizes the City of Sylvania as the host community for the tournament.

I'm happy to report that the final round of this year's Dana Open will be televised live on CBS from 3:00-5:00 pm on Sunday, July 16th. Network television reaches 120 million homes as opposed to cable television that reaches 70 million homes. The first three rounds will be televised by The Golf Channel.

Please click on the link below to see Destination Toledo's new :30 second spot.

Click link to see Destination Toledo's :30 spot:
<https://f.io/1GOQLvZU>

Bill, we greatly appreciate the City of Sylvania's consideration to support the promotion! Please let me know if you have any questions.

Best regards, Judd

Judd Silverman
Executive Director
Dana Open LPGA Golf Tournament
3400 Executive Parkway Suite 1A
Toledo, OH 43606
419.531.3277 (p)
www.danaopen.com

A

Board of Architectural Review

Minutes of the regular meeting of June 14, 2023. Mr. Schaaf called the meeting to order.

Acting Secretary, Tim Burns, took the roll call. Members present: Mayor Craig Stough, Kate Fischer, Carol Lindhuber, Ken Marciniak and Jeff Schaaf (5) present.

Ms. Lindhuber moved, Ms. Fischer seconded to approve the Minutes of the May 10, 2023, 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 – Building Review – app. no. 14-2023 requested by Sam Muhsen, P.E. of Buehrer Group Architects & Engineering for Masjid Saad Foundation/Toledo Islamic Academy, 5225 West Alexis Road, Sylvania, Ohio 43560. Application is for two new outdoor wood frame shelters.

Mr. Muhsen was present.

Discussion took place about the materials that would be used.

Mr. Muhsen said that the colors would match the existing modular classrooms.

Design is within the limits of the Sylvania Code.

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

Item 4 – Regulated Sign – app. no. 13-2023 requested by Karrie Brock of Fast Signs for Stellar Blooms, 8248 Mayberry Square, Sylvania, Ohio 43560. Application is for one new window sign.

Sign is within the limits of the Sylvania Sign Code.

Ms. Lindhuber moved, Ms. Fischer 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.

Item 5 – Regulated Sign – app. no. 15-2023 requested by Debra Bodell at Glass City Signs for Sylvania Senior Center, 7140 Sylvania Avenue, Sylvania, Ohio 43560. Application is for a replacement monument sign.

Ms. Bodell was present.

Mr. Marciniak expressed concerns about the possible brightness of the lighting of the sign.

Ms. Bodell explained that the lighting is dimmable and that the owner is willing to abide by any restrictions, including dimming the lighting at a certain time of night; and that the owner is aware of the codes pertaining to lighting and will be considerate of neighboring properties.

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Sign is within the limits of the Sylvania Sign Code.

Ms. Fischer 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.

Item 6 – Regulated Sign – app. no. 16-2023 requested by Karrie Brock of Fast Signs for Sylvania 360 Studios, 5808 Monroe Street, Sylvania, Ohio 43560. Application is for a replacement pylon sign.

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.

Item 7 – Building Review – app. no. 17-2023 requested by Katie Fields of Inside the Five, 5703 Main Street, Sylvania, Ohio 43560. Application is for a proposed building addition.

Mr. Chris Moore, of Inside the Five, was present.

Mr. Marciniak asked how the new addition will affect the current number of parking spaces.

Mr. Moore said that it will reduce the parking by one half but that there is alternative parking within a short walk of the building.


Discussion took place regarding the design of the proposed addition and all members agreed that it will fit nicely in the area.

Design is within the limits of the Sylvania Code.

Ms. Fischer moved, Ms. Lindhuber 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.

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

Submitted by,



Timothy Burns, Acting Secretary
Municipal Planning Commission



Sylvania Municipal Planning Commission

Minutes of the regular meeting of June 14, 2023. Mr. Schaaf called the meeting to order.

Acting Secretary, Tim Burns, took the roll call. Members present: Mayor Craig Stough, Kate Fischer, Carol Lindhuber, Ken Marciniak and Jeff Schaaf (5) present.

Ms. Lindhuber moved, Ms. Fischer seconded to approve the Minutes of the May 10, 2023, 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. 2-2023 – Requested by Mike White of Buckeye Real Estate Group, LLC, for the properties located at 5118 and 5136 Allen Street, Sylvania, Ohio 43560.

Mr. White was present and explained that the lot split of the properties will create two equal lots of approximately 5,000 sq. ft; and that once approved he intends to build a home on each of the two lots.

Mr. Burns explained to the members that in order to build homes on these two lots, variances of both setback requirements and lot size requirements were needed; and that both variances have been approved by the Board of Zoning Appeals.

Mr. Marciniak asked if he built the home on Spring Street.

Mr. White responded that he did.

Mr. Marciniak said that the home was a nice addition to the area and that the building of the new homes on these two lots will also be a nice addition.

Mr. Marciniak moved, Ms. Lindhuber seconded to approve the lot split. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Council Referral – Petition for Zoning Ordinance Amendment, SUP #1-2023, from the Masjid Saad Foundation/Toledo Islamic Academy, located at 5225 W. Alexis, Sylvania, Ohio 43560, for construction of outdoor wood classroom shelters.

Mr. Sam Muhsen of Buehrer Group Architecture and Engineering was present.

Mr. Marciniak said that he went out to the property, and said that he didn't realize that it went back as far as it does. He added that he thinks that the additions will fit nicely.

Mr. Marciniak moved, Ms. Fischer seconded to recommend to Council to approve the amendment to the Special Use Permit as requested. Vote being: Stough, Lindhuber, Fischer, Marciniak and Schaaf (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

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

Submitted by,

A handwritten signature in black ink, appearing to read "Timothy S. Burns". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Timothy Burns, Acting Secretary
Municipal Planning Commission