

## **Sylvania City Council**

November 20, 2023

### **6:45 p.m. Zoning & Annexation Committee Meeting**

Procedure for Issuing Event Permits

### **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 Ms. Stough.
3. Additions to the agenda.
4. Approval of the Council meeting minutes from November 6, 2023.
5. 2024 Budget.
  - a. Proposed Ordinance No. 88-2023, To make appropriations for current expenditures and other expenditures of the City of Sylvania, Ohio, for the fiscal year ending December 31, 2024. (Second Reading)
6. Proposed Ordinance No. 91-2023, Amending Section 129.05 of the Codified Ordinances of the City of Sylvania, 1979; authorizing the adoption of the revised Statement of Investment Policy consistent with Section 129.05 of the Codified Ordinances.
7. Elden Ditch Watershed Improvements (Phase 1).
  - a. Service Director's report on Change Order No. 1 for this project.
  - b. Proposed Ordinance No. 92-2023, Authorizing the Mayor and Director of Finance to approve Change Order No. 1 to the City's agreement with Jim Palmer Excavating, Inc. for this project to reflect the cost of tree removal modifications.
8. Balfour Road Waterline Improvements.
  - a. Service Director's letter requesting authorization to advertise for bids for this project.
9. Proposed Ordinance No. 93-2023, Authorizing the Chief of Police of the City of Sylvania, Ohio to enter into a Memorandum of Understanding with Lucas County Children Services and Community Partners to address child abuse and neglect cases.
10. Sylvania City Council Appointments.
  - a. Proposed Resolution No. 16-2023, Re-Appointing Mary Westphal to the Board of Trustees of Sylvania Area Joint Recreation District (SAJRD) for the calendar year 2024.
  - b. Proposed Resolution No. 17-2023, Re-Appointing Brian Kezur to the Board of Trustees of Sylvania Area Joint Recreation District (SAJRD) for a term expiring December 31, 2026.

- c. Proposed Resolution No. 18-2023, Re-Appointing Danny Royer to the Zoning Board of Appeals for a term expiring December 31, 2026.
  - d. Proposed Resolution No. 19-2023, Re-Appointing Stephen Risher to the Zoning Board of Appeals for a term expiring December 31, 2026.
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- 11. Notice from the Ohio Division of Liquor Control of Transfer D5/D6, “Spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30 a.m. AND, Sale of intoxicating liquor on Sunday for the same sales privileges (barring any local option elections that might impact privileges) the permit holder has Monday through Saturday.” Permit from MyWay Cantina, LLC, d/b/a MyWay Cantina, 5676/78/80 Mayberry Square, Sylvania, Ohio 43560 to Stratosphere is the Limit, LLC, d/b/a Backstage, same address.
  - 12. Set time for the Organizational Meeting of Council on Tuesday, January 2, 2024 as required by Charter (last Organizational Meeting was held at 7:15 p.m. prior to City Council Meeting).
  - 13. Committee reports.
    - a. Report of the Zoning & Annexation Committee meeting held this date.
  - 14. Committee referrals.

### **INFORMATION**

NONE

Minutes of the Meeting of Council  
November 6, 2023

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The Council of the City of Sylvania, Ohio met in regular session on November 6, 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 Maplewood Boy Scout Pack #154.

Pledge of  
Allegiance.

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

Additions to the  
Agenda.

The following item has been added to the agenda:  
Item # 4a. Fire Department update by Chief Michael Ramm.

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

Agenda approval.

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

Mr. Frye presented the October 16, 2023 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 October 16, 2023 be approved; roll call vote being: Hansen, Stough, McCann, Frye, Richardson, Haynam, Westphal; (7) yeas; (0) nays. The motion carried.

Approval of the  
October 16, 2023  
meeting minutes.

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

Sylvania Township Fire Chief Michael Ramm gave a brief update on the fire department's vehicle purchases. Chief Ramm also mentioned that he is not witnessing any issues with the 911 Dispatching system.

Syl. Twp. Fire  
Chief Ramm -  
department  
update.

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

Mr. Frye gave a brief report on the Finance Committee meeting to discuss the City's 2024 Budget Process held on October 19, 2023 at 8:00 a.m. in City Hall, Finance Conference Room.

Report on  
10/19/23 Finance  
Comm. Mtg.

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 88-2023, a written copy of same having been previously furnished to each member of Council "To make appropriations for current expenditures and other expenditures of the City of Sylvania, Ohio for the fiscal year ending December 31, 2024; and declaring an emergency."; Mr. Frye moved, Mr. Haynam seconded for the first reading of Ordinance No. 88-2023 as an emergency measure; roll call vote being: Richardson, Hansen, McCann, Frye, Haynam, Westphal, Stough; (7) yeas; (0) nays. The motion carried.

Ordinance No.  
88-2023, "...  
2024 Budget,  
First Reading..."

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

Mr. Richardson pushed back from table.

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

Service Director's report on agreement was placed on file. Ms. Stough presented and read aloud by title only, proposed Ordinance No. 89-2023, 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 Klumm Bros. Landscaping, LLC; appropriating funds therefore in the amount of \$19,000; and declaring an emergency."; Ms. Stough moved, Mr. McCann seconded for passage of Ordinance No. 89-2023 as an emergency measure; roll call vote being: Hansen, Westphal, Haynam, Stough, McCann, Frye; (6) yeas; (0) nays. The motion carried.

Ordinance No. 89-2023, "... Klumm Bros... Demolition of 5123 Harroun Road..."

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 90-2023, a written copy of same having been previously furnished to each member of Council "Accepting the proposal of Klumm Bros. Landscaping, LLC to abate the nuisance at 5647 Dellbrook Drive, Sylvania, Ohio, at a cost of ten thousand five hundred dollars (\$10,500); authorizing said company to proceed with the abatement; appropriating the necessary funds therefore; and declaring an emergency."; Mr. Haynam moved, Mrs. Westphal seconded for passage of Ordinance No. 90-2023 as an emergency measure; roll call vote being: Hansen, McCann, Frye, Haynam, Stough, Westphal; (6) yeas; (0) nays. The motion carried.

Ordinance No. 90-2023, "... Klumm Bros... Demolition of 5647 Dellbrook Drive..."

Mr. Richardson returned to the table.

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

Mr. Frye gave a brief report on the Finance Committee meeting held this date to review the City's Investment Policy. Mr. Frye moved, Ms. Stough seconded for authorization of the administration to prepare legislation updating the current Investment Policy; roll call vote being: Haynam, Hansen, Westphal, Richardson, Frye, McCann, Stough; (7) yeas; (0) nays. The motion carried.

Report on Finance Committee Meeting held this date.

Minutes of the Meeting of Council  
November 6, 2023

Mayor Stough stated all agenda items have been addressed.

Mr. Frye moved, Mr. McCann seconded to adjourn at 7:55 p.m. Roll call vote being:  
Frye, Stough, Hansen, Westphal, Haynam, Richardson, McCann; (7) yeas; (0) nays.

Adjournment.

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Clerk of Council

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Mayor

**ORDINANCE NO. 88-2023**

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENDITURES AND OTHER EXPENDITURES OF THE CITY OF SYLVANIA, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024; AND DECLARING AN EMERGENCY.**

WHEREAS, it is provided by State law and the Sylvania City Charter that an annual appropriation ordinance shall be passed by Council; and,

WHEREAS, attached hereto is "Exhibit A" entitled "2024 Budget Summary of Estimated Expenditures" which exhibit identifies by a four-digit department code number and name each Account in a Fund identified by a three-digit code and name to which appropriations within such Fund are made by this ordinance; and

WHEREAS, attached hereto is "Exhibit B" entitled "2024 Budget Summary of Revenues (2021 - 2024)" which exhibit lists the specific sources of revenue and the actual amounts received by the City from each source within each Fund for the years 2021 and 2022, and the estimated amounts expected to be received by the City from each source for each Fund for the years 2023 and 2024, referred to herein as "estimated resources."

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

SECTION 1. That to provide for the current expenditures and other expenditures of the City of Sylvania for the fiscal year ending December 31, 2024, the following appropriations are hereby authorized.

SECTION 2. That there be and is hereby appropriated from the GENERAL FUND the sum of \$17,732,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Account. Estimated resources for 2024 for said Fund, as shown in "Exhibit B" total \$17,745,000.

SECTION 3. That there be and is hereby appropriated from the STREET CONSTRUCTION, MAINTENANCE AND REPAIR FUND the sum of \$1,350,000 to the respective Accounts of said Fund listed in "Exhibit A" in the amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund, as shown in "Exhibit B", total \$1,350,000.

SECTION 4. That there be and is hereby appropriated from the CITY PERMISSIVE TAX FUND the sum of \$350,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Accounts. Estimated Resources for 2024 for this Fund as shown in "Exhibit B" total \$350,000.

SECTION 5. That there be and is hereby appropriated from the STATE HIGHWAY IMPROVEMENT FUND the sum of \$75,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$90,000.

SECTION 6. That there be and is hereby appropriated from the LAW ENFORCEMENT TRUST FUND the sum of \$2,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total 10,000.

SECTION 7. That there be and is hereby appropriated from the DRUG LAW ENFORCEMENT TRUST FUND the sum of \$2,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$10,000.

SECTION 8. That there be and is hereby appropriated from the INDIGENT DRIVERS ALCOHOL TREATMENT FUND the sum of \$40,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$40,000.

SECTION 9. That there be and is hereby appropriated from the INDIGENT DRIVERS ALCOHOL MONITOR FUND the sum of \$30,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$30,000.

SECTION 10. That there be and is hereby appropriated from the FEDERAL EQUITABLE SHARING FUND the sum of \$90,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$10,000. There is a sufficient balance as of January 1, 2024 in this Fund to be considered as available for appropriation.

SECTION 11. That there be and is hereby appropriated from the INDIGENT SUPPORT FUND the sum of \$40,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$40,000.

SECTION 12. That there be and is hereby appropriated from the GENERAL OBLIGATION DEBT SERVICE FUND the sum of \$1,500,000 to the respective Account of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$1,700,000.

SECTION 13. That there be and is hereby appropriated from the CAPITAL IMPROVEMENT FUND the sum of \$9,400,000 to the respective Accounts of said Fund listed in "Exhibit A" in the amount and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$9,100,000. There is a sufficient balance as of January 1, 2024 in this Fund to be considered as available for appropriation.

SECTION 14. That there be and is hereby appropriated from the AMERICAN RESCUE PLAN FUND the sum of \$1,500,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$40,000. There is a sufficient balance as of January 1, 2024 in this Fund to be considered as available for appropriation.

SECTION 15. That there be and is hereby appropriated from the COURT CAPITAL IMPROVEMENT FUND the sum of \$150,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$150,000.

SECTION 16. That there be and is hereby appropriated from the TAX INCREMENT FINANCING FUND the sum of \$100,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$100,000.

SECTION 17. That there be and is hereby appropriated from the SPECIAL ASSESSMENT SERVICES TREE REPAIR & REPLACEMENT FUND the sum of \$258,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$260,000.



SECTION 18. That there be and is hereby appropriated from the SPECIAL ASSESSMENT SERVICE STREET LIGHTING FUND the sum of \$336,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$400,000.

SECTION 19. That there be and is hereby appropriated from the SPECIAL ASSESSMENT SERVICES DITCH & DRAINAGE FUND the sum of \$330,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$330,000.

SECTION 20. That there be and is hereby appropriated from the WATER FUND the sum of \$7,097,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$5,200,000. There is a sufficient balance as of January 1, 2024 in this Fund to be considered as available for appropriation.

SECTION 21. That there be and is hereby appropriated from the SEWER FUND the sum of \$4,274,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$5,300,000.

SECTION 22. That there be and is hereby appropriated from the RESOURCE RECOVERY FUND the sum of \$240,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$240,000.

SECTION 23. That there be and is hereby appropriated from the MEDICAL CARE – SELF INSURED FUND the sum of \$2,400,000 to the Account of said Fund listed in "Exhibit A" in the amount and for the respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$2,400,000.

SECTION 24. That there be and is hereby appropriated from the POLICE PENSION FUND the sum of \$550,000 to the respective Account of said Fund listed in "Exhibit A" in the amount and for respective purpose shown for such Account. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$640,000.

SECTION 25. That there be and is hereby appropriated from the PROPERTY ROOM FUND the sum of \$5,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$8,000.

SECTION 26. That there be and is hereby appropriated from the INCOME TAX FUND the sum of \$10,003,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$10,100,000.

SECTION 27. That there be and is hereby appropriated from the UNCLAIMED MONIES FUND the sum of \$5,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$5,000.

SECTION 28. That there be and is hereby appropriated from the JOINT ECONOMIC DEVELOPMENT DISTRICT FUND the sum of \$60,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for the respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$70,000.

SECTION 29. That there be and is hereby appropriated from the POLICE COMMUNITY AFFAIRS FUND the sum of \$10,000 to the respective Accounts of said Fund listed in "Exhibit A" in the several amounts and for respective purposes shown for such Accounts. Estimated resources for 2024 for this Fund as shown in "Exhibit B" total \$10,000.

SECTION 30. Estimated resources for the PARKS-RECREATION FOUNDATION FUND for 2024 as shown in "Exhibit B" total \$2,000.

SECTION 31. That "Exhibit C" attached hereto is illustrative of the transfers anticipated within the 2024 Operating Budget.

SECTION 32. That the Director of Finance be and he is hereby authorized and directed to draw warrants against any of the foregoing appropriations upon proper certificates or vouchers therefore, approved by any officer or officers authorized by law to approve the same, or by any Ordinance or Resolution of Council to make expenditures or as otherwise provided by law.

SECTION 33. That the Director of Finance be and he is hereby authorized to make all operating transfers as delineated in the 2024 Budget, shown on "Exhibit A".

SECTION 34. It is hereby found and determined that all formal actions of the 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 action, were in meetings open to the public, in compliance with all requirements including Section 121.22 of the Ohio Revised Code.

SECTION 35. 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 36. 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 immediate provision should be made for the enactment of appropriations for the payment of current expenditures for the calendar year of 2024. 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.

Passed, \_\_\_\_\_, 2023, as an emergency measure. Yeas \_\_\_ Nays \_\_\_

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law

**2024 B U D G E T**  
**Comparison of Revenue to Disbursements**

Fund	Fund No.	Est. Revenue	Est. Disbursements
General	110	17,745,000	17,732,000
Street C M & R	222	1,350,000	1,350,000
City Perm.Auto Tax	223	350,000	350,000
State Hwy. Improvement	224	90,000	75,000
Law Enforcement Trust	225	10,000	2,000
Drug Law Enforcement	226	10,000	2,000
Ind.Drivers Alchl.Treatment	227	40,000	40,000
Ind Drivers Alchl Monitor	228	30,000	30,000
Equitable Fed.Sharing	229	10,000	90,000
Indigent Support Fund	231	40,000	40,000
G.O. Debt Service	331	1,700,000	1,500,000
Capital Improvement	401	9,100,000	9,400,000
American Rescue Plan	402	40,000	1,500,000
Court Capital Improvement	405	150,000	150,000
Tax Increment Financing	406	100,000	100,000
S A Serv. - Trees	501	260,000	258,000
S A Serv - Street Lighting	502	400,000	336,000
S A Serv - Drainage	503	330,000	330,000
Water	701	5,200,000	7,097,000
Sewer	702	5,300,000	4,274,000
Resource Recovery	705	240,000	240,000
Medical Care - Self Insured	707	2,400,000	2,400,000
Police Pension	801	640,000	550,000
Property Room	802	8,000	5,000
Income Tax	804	10,100,000	10,003,000
Unclaimed Monies	805	5,000	5,000
Joint Econ Development Dist.	806	70,000	60,000
Escrow Fund	808	0	0
Police Community Affairs	810	10,000	10,000
Parks-Recreation Foundation	811	2,000	0
<b>Totals</b>		<b>55,730,000</b>	<b>57,929,000</b>

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**Exhibit "A"**

**2024 BUDGET  
SUMMARY OF ESTIMATED EXPENDITURES**

Dept.	Name	Personal Services	Fringe Benefits	Contract Services	Materials & Supplies	Capital Outlay	Transfers	Totals
<b>110 General Fund</b>								
7110	Police Law Enforcement	3,345,000	884,000	241,000	287,000			4,757,000
7115	Fire Prev. & Insp.	4,000	2,000					6,000
7125	Police/Fire Comm.	200,000	80,000	450,000	6,000			736,000
7215	Cemetery			6,000				6,000
7220	Pymt.Co.Brd.Health			170,000				170,000
7310	Parks & Forestry	560,000	232,000	144,000	64,000			1,000,000
7320	Community Programs			450,000				450,000
7415	Zoning	86,000	34,000	3,000	3,000			126,000
7515	Garb.& Refuse Collection	62,000	10,000	1,005,000	23,000			1,100,000
7620	Street Cleaning	117,000	18,000	29,000	18,000			182,000
7710	Mayor's Office	175,000	88,000	3,000	34,000			300,000
7715	Finance Admin.	205,000	76,000	64,000	7,000			352,000
7725	Legal Admin.	121,000	40,000	1,000	4,000			166,000
7726	Prosecutors' Office	277,000	111,000	59,000	8,000			455,000
7730	Service Admin.	98,000	54,000	6,000	19,000			177,000
7735	Legislation	190,000	34,000	11,000	7,000			242,000
7740	Municipal Court	1,205,000	502,000	362,000	81,000			2,150,000
7745	Civil Serv.Comm.			2,000	8,000			10,000
7750	Lands & Buildings	37,000	7,000	55,000	16,000			115,000
7755	Engineering	98,000	50,000	1,000	1,000			150,000
7765	Elections			5,000				5,000
7775	Delq.Land Advertg.			2,000				2,000
8000	Transfers						4,472,000	4,472,000
8020	Information Technology	230,000	73,000	98,000	202,000			603,000
	<b>Totals</b>	<b>7,010,000</b>	<b>2,295,000</b>	<b>3,167,000</b>	<b>788,000</b>		<b>4,472,000</b>	<b>17,732,000</b>

**2024 BUDGET  
SUMMARY OF ESTIMATED EXPENDITURES**

Dept. Code	Name	Personal Services	Fringe Benefits	Contract. Services	Materials & Supplies	Capital	Debt Service	Transfers	Totals
222	Street C M & R								
7610	Street C M & R	790,000	317,000	64,000	104,000				1,275,000
7635	Traffic Signs.Etc			42,000	33,000				75,000
	Totals	790,000	317,000	106,000	137,000				1,350,000
223	City Perm. Tax								
7611	Permissive Tax Maint.			41,000	190,000	119,000			350,000
224	State Hwy.Improv.								
7612	State Hwy.Maint.			35,000	40,000				75,000
225	Law Enforcement Trust Fund								
7126	Police & Fire Comm.				2,000				2,000
226	Drug Law Enforcement Fund								
7126	Drug Law Enforcement				2,000				2,000
227	Ind.Alcohol Treatment Fund								
7740	Ind.Alcohol Treatment			40,000					40,000
228	Ind.Alcohol Monitor Fund								
7740	Ind.Alcohol Monitor Fund			30,000					30,000
229	Federal Equitable Sharing Fund								
7126	Drug Law Enforcement				90,000				90,000
231	Indigent Support								
7740	Domestic/Thelf ISFC			40,000					40,000

**2024 BUDGET  
SUMMARY OF ESTIMATED EXPENDITURES**

Dept. Code	Name	Personal Services	Fringe Benefits	Contract. Services	Materials & Supplies	Capital	Debt Service	Transfers	Totals
<b>331 G.O. Retirement Fund</b>									
7910	Bond & Note Retirement			10,000			1,490,000		1,500,000
<b>401 Capital Impr.Fund</b>									
7110	Police Law Enforcement					203,000			203,000
7310	Parks & Forestry					410,000			410,000
7510	Storm Drains & Sewers					103,000			103,000
7610	Street C M & R					7,908,000			7,908,000
7615	Sidewalks					35,000			35,000
7635	Traffic Signals					100,000			100,000
7750	Lands & Buildings				450,000				450,000
8020	Information Tech.					191,000			191,000
	<b>Totals</b>				450,000	8,950,000			9,400,000
<b>402 American Rescue Plan Fund</b>									
7610	Downtown Transportation Improvements					1,500,000			1,500,000
<b>405 Court Capital Improvement Fund</b>									
7740	Municipal Court				100,000		50,000		150,000
<b>406 Tax Increment Financing Fund</b>									
7610	TIF District Improvements					100,000			100,000
<b>501 Spec.Assess. Trees</b>									
7440	Tree Maintenance	98,000	34,000	109,000	17,000				258,000
<b>502 Spec.Assess. Street Lighting</b>									
7130	S.A. Street Lighting	3,000	2,000	331,000					336,000
<b>503 S.A. Ditches &amp; Drains</b>									
7510	Ditches & Drains	192,000	33,000	65,000	40,000				330,000
<b>701 Water Fund</b>									
7520	Water Admin.	293,000	76,000	78,000	262,000				709,000
7525	Distribution	565,000	221,000	3,743,000	111,000	1,543,000	205,000		6,388,000
	<b>Totals</b>	858,000	297,000	3,821,000	373,000	1,543,000	205,000		7,097,000

**2024 BUDGET  
SUMMARY OF ESTIMATED EXPENDITURES**

Dept. Code	Name	Personal Services	Fringe Benefits	Contract. Services	Materials & Supplies	Capital	Debt Service	Transfers	Totals
<b>702 Sewer Fund</b>									
7530	Sewer Admin.	295,000	75,000	122,000	144,000				636,000
7540	Sewer Collection	384,000	174,000	2,307,000	60,000	713,000			3,638,000
	<b>Totals</b>	<b>679,000</b>	<b>249,000</b>	<b>2,429,000</b>	<b>204,000</b>	<b>713,000</b>			<b>4,274,000</b>
<b>705 Resource Recovery</b>									
7314	Compost	122,000	20,000	65,000	33,000				240,000
<b>707 Medical Care - Self Insured</b>									
8030	Medical Care		2,025,000	375,000					2,400,000
<b>801 Police Pension</b>									
7135	Police Pension		550,000						550,000
<b>802 Property Room</b>									
7170	Property Room				5,000				5,000
<b>804 Income Tax Fund</b>									
7760	Tax Adm.	285,000	114,000	55,000	349,000				803,000
8000	Transfers Out							9,200,000	9,200,000
	<b>Totals</b>	<b>285,000</b>	<b>114,000</b>	<b>55,000</b>	<b>349,000</b>			<b>9,200,000</b>	<b>10,003,000</b>
<b>805 Unclaimed Fund</b>									
7520	Refunds							5,000	5,000
<b>806 Joint Econ Dev Dist</b>									
7520	Refunds			30,000				30,000	60,000



**2024 BUDGET  
SUMMARY OF ESTIMATED EXPENDITURES**

Dept. Code	Name	Personal Services	Fringe Benefits	Contract. Services	Materials & Supplies	Capital	Debt Service	Transfers	Totals
808	Escrow Fund								
7520	Escrow				0				0
810	Police Community Affairs								
7160	Police Community Affairs				6,000				6,000

Exhibit "B"

**2024 ESTIMATED REVENUE  
SUMMARY OF REVENUE 2021-2024**

	<u>2021 Actual</u>	<u>2022 Actual</u>	<u>2023 Estimate</u>	<u>2024 Estimate</u>
<u>General Fund (110)</u>				
Real Estate Taxes	922,151	1,113,548	1,300,000	1,300,000
City Income Taxes	3,028,635	3,277,868	3,700,000	3,750,000
Other Taxes	54,960	65,825	70,000	70,000
Shared revenue	915,169	1,166,559	1,100,000	1,100,000
Charges for Services	651,881	679,738	720,000	850,000
Fees, Licenses, Permits	347,559	331,545	360,000	360,000
Interest Earnings	100,514	99,654	130,000	260,000
Fines & Forfeits	1,256,329	1,076,788	1,200,000	1,145,000
Other revenue	300,966	326,897	260,000	300,000
Transfers In	6,204,648	6,941,804	8,010,000	8,610,000
<b>Totals</b>	<b>13,782,811</b>	<b>15,080,226</b>	<b>16,850,000</b>	<b>17,745,000</b>
 <u>Street C. M. &amp; R. Fund (222)</u>				
Veh. Reg. & Gasoline Tax	1,037,955	980,429	1,090,000	1,080,000
Other Revenue	40,792	17,456	30,000	20,000
Transfers In	0	0	200,000	250,000
<b>Totals</b>	<b>1,078,748</b>	<b>997,885</b>	<b>1,320,000</b>	<b>1,350,000</b>
 <u>Permissive Tax Fund (223)</u>				
Permissive Vehicle Tax	313,391	320,779	360,000	350,000
Other Revenue	0	0	0	0
<b>Totals</b>	<b>313,391</b>	<b>320,779</b>	<b>360,000</b>	<b>350,000</b>
 <u>State Highway Imp.Fund (224)</u>				
Veh. Reg. & Gasoline Tax	84,159	79,494	90,000	90,000
<b>Totals</b>	<b>84,159</b>	<b>79,494</b>	<b>90,000</b>	<b>90,000</b>
 <u>Law Enforcement Trust (225)</u>				
Contraband-Sales-Proceeds	2,421	0	10,000	10,000
<b>Totals</b>	<b>2,421</b>	<b>0</b>	<b>10,000</b>	<b>10,000</b>
 <u>Drug Law Enforcement (226)</u>				
Drug Enforcement Fines	2,334	1,414	5,000	10,000
<b>Totals</b>	<b>2,334</b>	<b>1,414</b>	<b>5,000</b>	<b>10,000</b>

**2024 ESTIMATED REVENUE  
SUMMARY OF REVENUE 2021-2024**

	<u>2021 Actual</u>	<u>2022 Actual</u>	<u>2023 Estimate</u>	<u>2024 Estimate</u>
<u>Ind. Drivers Alcohol Treatment Fund (227)</u>				
Municipal Court Fines	30,351	26,754	50,000	40,000
Totals	30,351	26,754	50,000	40,000
<u>Ind. Drivers Alcohol Monitor Fund (228)</u>				
Municipal Court Fines	29,500	22,360	40,000	30,000
Totals	29,500	22,360	40,000	30,000
<u>Equitable Federal Sharing Fund (229)</u>				
Shared revenue	727,208	0	9,000	8,000
Transfers In	116	575	1,000	2,000
Totals	727,324	575	10,000	10,000
<u>Indigent Support Fund (231)</u>				
Fines & Fees	43,387	33,573	50,000	40,000
Total	43,387	33,573	50,000	40,000
<u>G.O. Debt Service (331)</u>				
Real Estate Taxes	553,291	668,129	800,000	800,000
Shared revenue	80,735	92,142	100,000	100,000
Other revenue	0	0	0	0
Bond Proceeds	0	0	0	0
Note Proceeds	0	0	0	0
Transfers In	900,000	900,000	900,000	800,000
Totals	1,534,026	1,660,271	1,800,000	1,700,000
<u>Capital Improvement Fund (401)</u>				
City Income Tax	969,163	1,047,954	1,200,000	1,200,000
Shared revenue	327,436	872,245	6,040,000	3,320,000
Interest Earnings	169,369	116,288	160,000	320,000
Other revenue	252,353	407	100,000	160,000
Transfers In	0	2,250,000	3,300,000	4,100,000
Totals	1,718,321	4,286,894	10,800,000	9,100,000
<u>American Rescue Plan Fund (402)</u>				
Shared revenue	1,011,424	1,019,500	0	0
Interest Earnings	5,007	11,683	20,000	40,000
Totals	1,016,430	1,031,183	20,000	40,000

**2024 ESTIMATED REVENUE  
SUMMARY OF REVENUE 2021-2024**

	<u>2021 Actual</u>	<u>2022 Actual</u>	<u>2023 Estimate</u>	<u>2024 Estimate</u>
<u>Court Capital Improvement Fund (405)</u>				
Fines & Forfeits	90,996	79,244	160,000	150,000
Other revenue	7,500	27,174	0	0
Totals	98,496	106,418	160,000	150,000
<u>Tax Increment Financing Fund (406)</u>				
Real Estate Taxes	0	0	0	100,000
Totals	0	0	0	100,000
<u>S.A. Serv. - Trees (501)</u>				
Special Assessments	245,159	243,453	260,000	260,000
Miscellaneous revenue	0	0	0	0
Totals	245,159	243,453	260,000	260,000
<u>S.A. Street Lighting Fund (502)</u>				
Special Assessments	424,444	421,738	400,000	400,000
Reimbursements-Damages	0	0	0	0
Totals	424,444	421,738	400,000	400,000
<u>S.A. Ditches &amp; Drainage Fund (503)</u>				
Special Assessments	303,534	305,263	330,000	330,000
Miscellaneous	0	0	0	0
Transfers In	0	0	0	0
Totals	303,534	305,263	330,000	330,000
<u>Water Fund (701)</u>				
Charges for Services	4,651,533	4,660,261	4,770,000	4,880,000
Interest Earnings	64,683	45,764	80,000	160,000
Other revenue	123,679	107,380	150,000	160,000
Totals	4,839,894	4,813,405	5,000,000	5,200,000
<u>Sewer Fund (702)</u>				
Charges for Services	3,179,698	3,237,139	3,950,000	3,940,000
Interest Earnings	4,959	6,292	10,000	20,000
Other revenue	894,730	1,703,662	1,840,000	1,340,000
Totals	4,079,387	4,947,093	5,800,000	5,300,000

**2024 ESTIMATED REVENUE  
SUMMARY OF REVENUE 2021-2024**

	<u>2021 Actual</u>	<u>2022 Actual</u>	<u>2023 Estimate</u>	<u>2024 Estimate</u>
<u>Resource Recovery (705)</u>				
Other revenue	97,237	103,901	110,000	120,000
Transfers In	105,000	105,000	120,000	120,000
<b>Totals</b>	<b>202,237</b>	<b>208,901</b>	<b>230,000</b>	<b>240,000</b>
<u>Medical Care - Self Insured (707)</u>				
Miscellaneous revenue	258,619	90,292	80,000	90,000
Other revenue	1,788,165	2,031,058	2,320,000	2,310,000
<b>Totals</b>	<b>2,046,784</b>	<b>2,121,350</b>	<b>2,400,000</b>	<b>2,400,000</b>
<u>Police Pension Fund (801)</u>				
Real Estate Taxes	405,746	489,961	580,000	570,000
Shared revenue	59,206	67,570	70,000	70,000
<b>Totals</b>	<b>464,952</b>	<b>557,531</b>	<b>650,000</b>	<b>640,000</b>
<u>Property Room (802)</u>				
Miscellaneous revenue	455	-68	8,000	8,000
<b>Totals</b>	<b>455</b>	<b>-68</b>	<b>8,000</b>	<b>8,000</b>
<u>Income Tax Fund (804)</u>				
City Income Tax	8,116,739	8,785,649	10,000,000	10,050,000
Misc. revenue	286	275	0	50,000
<b>Totals</b>	<b>8,117,026</b>	<b>8,785,924</b>	<b>10,000,000</b>	<b>10,100,000</b>
<u>Unclaimed Monies Fund (805)</u>				
Miscellaneous revenue	2,855	2,753	5,000	5,000
<b>Totals</b>	<b>2,855</b>	<b>2,753</b>	<b>5,000</b>	<b>5,000</b>
<u>Joint Economic Development District (806)</u>				
Income Tax	47,091	65,030	70,000	70,000
<b>Totals</b>	<b>47,091</b>	<b>65,030</b>	<b>70,000</b>	<b>70,000</b>

**2024 ESTIMATED REVENUE  
SUMMARY OF REVENUE 2021-2024**

	<u>2021 Actual</u>	<u>2022 Actual</u>	<u>2023 Estimate</u>	<u>2024 Estimate</u>
<u>Escrow Fund (808)</u>				
Miscellaneous Revenue	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
 <u>Police Community Affairs (810)</u>				
State Shared revenue				
Other revenue	5,130	9,591	7,000	10,000
<b>Totals</b>	<b>5,130</b>	<b>9,591</b>	<b>7,000</b>	<b>10,000</b>
 <u>Parks-Recreation Foundation (811)</u>				
Interest Earnings	0	0	2,000	2,000
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>2,000</b>	<b>2,000</b>

**2024 ESTIMATED REVENUE  
SUMMARY OF REVENUE 2021-2024**

	<u>2021 Actual</u>	<u>2022 Actual</u>	<u>2023 Estimate</u>	<u>2024 Estimate</u>
<u>Reconciliation of Funds</u>				
110 - General	13,782,811	15,080,226	16,850,000	17,745,000
222 - Street CM & R	1,078,748	997,885	1,320,000	1,350,000
223 - Permissive Tax	313,391	320,779	360,000	350,000
224 - State Highway Improvemer	84,159	79,494	90,000	90,000
225 - Law Enforcement	2,421	0	10,000	10,000
226 - Drug Law	2,334	1,414	5,000	10,000
227 - Ind Drivers Alcohol Trmt	30,351	26,754	50,000	40,000
228 - Ind Drivers Alcohol Monitor	29,500	22,360	40,000	30,000
229 - Equitable Federal Sharing	727,324	575	10,000	10,000
231 - Indigent Support	43,387	33,573	50,000	40,000
331 - G.O. Debt Service	1,534,026	1,680,271	1,800,000	1,700,000
401 - Capital Improvement	1,718,321	4,288,894	10,800,000	9,100,000
402 - American Rescue Plan	1,016,430	1,031,183	20,000	40,000
405 - Municipal Court Improvemt	98,498	106,418	160,000	150,000
406 - Tax Increment Financing	0	0	0	100,000
501 - S.A. Serv. - Trees	245,169	243,453	260,000	260,000
502 - S.A. Street Lighting	424,444	421,738	400,000	400,000
503 - S.A. Ditches & Drainage	303,534	305,263	330,000	330,000
701 - Water Fund	4,839,894	4,813,405	5,000,000	5,200,000
702 - Sewer Fund	4,947,093	4,947,093	5,800,000	5,300,000
705 - Resource Recovery	202,237	208,901	230,000	230,000
707 - Medical Care	2,046,784	2,121,350	2,400,000	2,400,000
801 - Police Pension	464,952	557,531	650,000	640,000
802 - Property Room	455	-68	8,000	8,000
804 - Income Tax	8,117,026	8,785,924	10,000,000	10,100,000
805 - Unclaimed Monies	2,855	2,753	5,000	5,000
806 - Joint Econ Dev Dist.	47,091	65,030	70,000	70,000
808 -Escrow Fund	0	0	0	0
810 - Community Affairs	5,130	9,591	7,000	10,000
811 - Parks-Rec Foundation	0	0	2,000	2,000
<b>Grand Total</b>	<b>42,108,353</b>	<b>46,129,790</b>	<b>56,727,000</b>	<b>55,730,000</b>

Exhibit "C"

2024 INTERFUND TRANSFERS

Fund	Transfer From	Fund	Transfer To
General	250,000	Streets C M & R	250,000
General	4,100,000	Capital Improvement	4,100,000
General	120,000	Resource Recovery	120,000
General	2,000	Fed Equitable Sharing	2,000
Income Tax	8,600,000	General	8,600,000
Income Tax	600,000	Debt Service	600,000
Joint Economic Dev Dist	7,000	General	7,000
Joint Economic Dev Dist	20,000	Income Tax	20,000
Joint Economic Dev Dist	3,000	Capital Improvement	3,000
Totals	13,702,000		13,702,000



6

**ORDINANCE NO. 91-2023**

**AMENDING SECTION 129.05 OF THE CODIFIED ORDINANCES OF THE CITY OF SYLVANIA, 1979; AUTHORIZING THE ADOPTION OF THE REVISED STATEMENT OF INVESTMENT POLICY CONSISTENT WITH SECTION 129.05 OF THE CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 108-96, passed by Sylvania City Council on September 16, 1996, adopted an Investment and Cash Management Policy; and,

WHEREAS, Ordinance No. 111-2000, passed by Sylvania City Council on December 4, 2000, authorized an Agreement between Public Financial Management (“PFM”) and the City of Sylvania whereby PFM would provide numerous investment and financial planning services; and,

WHEREAS, Ordinance No. 18-2001, passed February 20, 2001, amended Section 129.05 to increase the percentage of available money for investment from 30% to 50%; and,

WHEREAS, the existing Section 129.05 of the Sylvania Codified Ordinances, 1979, by subsection (a) thereof creates a Treasury Investment Board consisting of the Mayor, Director of Finance and the Director of Law and by subsection (d) thereof directs the Treasury Investment Board to adopt an Investment and Cash Management Policy for the City consistent with Section 129.05; and,

WHEREAS, the Finance Committee met on April 3, 2023, May 1, 2023, June 5, 2023, and November 6, 2023 to review the Statement of Investment Policy and thereafter recommended approval of the amendments to Sylvania Codified Ordinance Section 129.05 to substitute the President of Sylvania City Council for the Director of Law on the Treasury Investment Board and also to provide for all modifications to the Statement of Investment Policy to be approved by Sylvania City Council attached hereto as “Exhibit A;” and,

WHEREAS, the Finance Committee has also recommended the approval of the revised Statement of Investment Policy, a copy of which is attached hereto as “Exhibit B.”

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

**SECTION 1.** That Section 129.05 - Treasury Investment Board, of the Codified Ordinances of Sylvania, 1979, be, and the same hereby is, amended to read as set forth on “Exhibit A.”

**SECTION 2.** That the Mayor, President of City Council, and Director of Finance be, and they hereby are, authorized to execute the Statement of Investment Policy in the form and substance of the policy attached hereto as “Exhibit B.”

**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 this ordinance must be immediately effective to provide for adoption of the revised Investment Policy and to make necessary changes to the Codified Ordinances. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote on passage as an emergency: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2023, as an emergency measure.

ATTEST:

\_\_\_\_\_  
President of Council  
APPROVED AS TO FORM:

\_\_\_\_\_  
Clerk of Council  
APPROVED:

\_\_\_\_\_  
Director of Law

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**129.05 TREASURY INVESTMENT BOARD.**

- (a) There is hereby created a Treasury Investment Board of the City, which Board shall consist of the Mayor, Director of Finance, and President of Sylvania City Council. The Director of Law shall be an ex-officio member with no voting rights.

\* \* \*

- (d) The Treasury Investment Board shall review and provide recommended changes to the Statement of Investment Policy, dated November 20, 2023, to Sylvania City Council not less than every three years. The Statement of Investment Policy shall be adopted by ordinance and modifications must be approved by Sylvania City Council.

(Ord. \_\_\_\_-2023. Passed 11-\_\_\_\_-2023.)

“Exhibit A”

# ***Statement of Investment Policy***

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**City of Sylvania, Ohio**

**November 20, 2023**

*Statement of Investment Policy*

City of Sylvania, Ohio

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## ***Statement of Investment Policy***

### **City of Sylvania, Ohio**

#### ***Purpose***

Effective cash management is recognized as essential to good fiscal management. An active cash management program and sound investment practices will be pursued to take advantage of investment interest as a viable and material source of revenue. The purpose of this policy is to set forth the investment and operational policies for the management of the public funds of the City of Sylvania, Ohio (the "City"). These policies have been adopted by and can be changed only by a majority vote of City Council.

These policies are designed to ensure the prudent management and preservation of public funds, the maintenance of liquidity to assure availability of operating and capital funds when needed, and an investment return competitive with comparable funds and financial market indices.

#### ***Scope of the Investment Policy***

This investment policy is a comprehensive policy that governs the overall administration and investment management of those funds held in the investment portfolio of the City. This policy shall apply to such funds from the time of receipt until the time the funds ultimately leave the City's accounts. The guidance set forth herein is to be strictly followed by all those responsible for any aspect of the management and administration of these funds.

The investment and depository practices of the city are governed by Section 129.05 of the Sylvania Codified Ordinances.

#### ***Investment Objectives***

The City's portfolio shall be managed to accomplish the following hierarchy of objectives:

1. Preservation of Principal -The single most important objective of the City investment program is the preservation of principal of those funds within the portfolio.
2. Maintenance of Liquidity- The portfolio shall be managed in such a manner that assures that funds are available over the course of budgetary and economic cycles to meet those immediate and/or future operating requirements of the City.
3. Maximize Return- The portfolio shall be managed to consistently attain a market rate of return throughout budgetary and economic cycles as outlined in the Performance Standards. Whenever possible, and consistent with risk limitations and prudent investment management, the city will seek to augment returns above the market rate of return through the implementation of active portfolio management strategies within the context and parameters set forth by objectives 1 and 2 above.

### ***Delegation of Authority***

Investment authority shall reside with the City's Treasury Investment Board, which consists of three members; the Mayor, the President of City Council, and the Director of Finance. The Director of Law shall be an ex-officio member with no voting rights. The Board shall report to City Council as necessary but no less than semi-annually.

The Treasury Investment Board shall be provided with various investment strategies by the Director of Finance that align with this Investment Policy for consideration and potential approval. The Director of Finance will have responsibility for the investment process and shall carry out all the operational requirements of this Investment Policy utilizing strategies approved by the Treasury Investment Board. These operational requirements include cash management, wire transfers, and investment activities.

If the Director of Finance reasonably believes that an approved strategy may cause a risk to the Preservation of Principal and/or Maintenance of Liquidity as described in this Investment Policy due to changes in market conditions, the Director shall immediately notify the other Board members and make recommendations on changes in the strategy(s) to eliminate that risk. If the other Board members do not respond in a timely manner the Director of Finance may act in accordance with this Investment Policy and such act shall be considered as having been directed or ordered by the said Board provided the Treasury Investment Board is notified of such action within one day after such act.

### ***Portfolio Determination***

The City's Treasury Investment Board shall annually evaluate the expected future cashflow requirements for the City's operations and capital expenditures over the upcoming five years to determine the funds available to be invested in various investment instruments.

### ***Investment Advisors and Portfolio Managers***

In making investments authorized by this Investment Policy, the City may retain the services of an investment advisor and portfolio managers, provided the advisor and managers are licensed by the Division of Securities under section 1707.141 of the Ohio Revised Code (ORC) and is registered with the SEC under the Investment Advisors Act of 1940. This advisor shall be independent so the advisor may provide recommendations on portfolio decisions that are in the City's best interest. Such investment advisor must possess experience in public funds investment management, specifically with state and local government investment portfolios, or the advisor is an eligible institution mentioned in Section 135.03 of the ORC.

### ***Standard of Prudence***

The standard of prudence to be applied to the investment of the City portfolio shall be the industry standard "Prudent Person Rule", which states:

*"investments shall be made with judgment and care, under circumstances then prevailing which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."*

### ***Ethics and Conflict of Interest***

Members of the Treasury Investment Board and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or impair their ability to make impartial decisions. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the City.

### ***Authorized Investments***

Investment instruments authorized for purchase by the City include those described in the ORC (Sections 135.14, 135.18, 135.181, 135.35), as summarized below:

- A. **U.S. Treasury Obligations.** United States Treasury bills, notes, or any other obligation or security issued by the United States Treasury or any other obligation guaranteed as to principal and interest by the United States.
- B. **Federal Agency Obligations.** Bonds, notes debentures, or other obligations or securities issued by any federal government agency or instrumentality. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.
- C. **Commercial Paper.** Unsecured short-term debt of an entity defined in Division (D) of Section 1705.01 of the Ohio revised code.
- D. **Municipal Obligations.** Bonds and other obligations of the State of Ohio or the political subdivisions of the State of Ohio.
- E. **Certificate of Deposits.** Time certificates of deposits in an eligible institution defined in Section 135.32 of the Ohio Revised Code.
- F. **Money Market Mutual Funds.** No-load money market mutual funds consisting exclusively in U.S. Treasury or Federal Agency obligations (as described above) or repurchase agreements secured by such obligations. Investments in money market mutual funds must be made through eligible institutions as defined in ORS Section 135.03.
- G. **STAR Ohio**

### ***Portfolio Diversification***

The City's portfolio shall be structured to diversify investments to reduce the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or specific type of security. The Treasury Investment Board shall notify City Council within 15 days if any maturity, issuer or type of security exceeds fifty percent (50%) of the City's portfolio.

### ***Maximum Maturity***

Maintenance of adequate liquidity to meet the cash flow needs of the City is essential. Accordingly, the portfolio will be structured in a manner that ensures sufficient cash is available to meet anticipated liquidity needs. Selection of investment maturities must be consistent with the cash requirements of the City in order to avoid the forced sale of securities prior to maturity.

All investments must mature within five years from the date of settlement, unless the investment is matched to a specific obligations or debt of the City and is specifically approved by the Treasury Investment Board after consultation with City Council. Notwithstanding this limitation, in no case will City funds be invested in securities with a term to maturity that exceeds the expected disbursement date of those funds.



### ***Prohibited Investments and Investment Practices***

The City is expressly prohibited from the following investments and investment practices. This is not an exclusive list.

1. Investment in stripped principal or interest obligations;
2. Derivative securities that are, financial instruments, contracts or obligations whose value or return is based upon or linked to another asset or index, or both, separate from the financial instrument;
3. Variable rate notes or structured notes;
4. Collateralized mortgage obligations (CMOs) and real estate mortgage investment conduits (REMICS);
5. Reverse repurchase agreements; or
6. Purchases on margin or short sales.

### ***Internal Controls***

The Director of Finance shall establish and utilize a system of internal controls governing the administration and management of the City portfolio. Such controls shall be designed to prevent and control losses of City funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by any personnel.

### ***Depository Selection and Review***

The Treasury Investment Board shall designate depositories for the purchase of holding City deposits and providing security safekeeping for the City's portfolio. The depository shall pledge collateral for the City deposits in accordance with requirements of ORC Section 135.18 and 135.181.

The selected depository and custodial bank(s) shall provide updated financial information to the City on an as requested basis.

### ***Eligible Banks and Broker/Dealers***

All brokers, dealers and other financial institutions conducting investment business, initiating transactions, or executing transactions initiated by the City, having read this policy shall sign the Investment Policy thereby acknowledging their comprehension and receipt.

### ***Competitive Selection of Investment Instruments***

The City will accept the offer that provides (a) the highest rate of return within the maturity required; and (b) optimizes the investment objective of the overall portfolio. It will be the responsibility of the personnel involved with each purchase/sale to produce and retain records of each transaction.

**Performance Standards**

The City portfolio will be designed to achieve the objectives listed in this policy. Investment performance shall be tracked by the Director of Finance and compared to appropriate indices to evaluate the success of the investment program. The portfolio will be compared to an index of U.S. Treasury securities having a similar duration. Other similarly situated local and regional communities may also be utilized to evaluate the performance.

**Reporting**

The Director of Finance shall maintain an inventory of all obligations and securities purchased. At least semi-annually, a report shall be furnished by the Director of Finance to the Treasury Investment Board and City Council. The report shall include general information on the City's investment portfolio, the returns over the past two fiscal years, anticipated future returns over the upcoming two years, and a comparison of the City's duration as described in the Performance Standards described above.

**Investment Policy Adoption**

The Treasury Investment Board shall review this policy every three years and make recommendations to City Council. The Board shall meet as required to carry out the policy but no less than semi-annually.

This foregoing investment and cash management policy is hereby amended this 20<sup>th</sup> day of November 2023, pursuant to Section 129.05(d) of the Sylvania Codified Ordinances.

Approved by the Treasury Investment Board

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
President of City Council

\_\_\_\_\_  
Director of Finance

\_\_\_\_\_  
Director of Law



7a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

November 20, 2023

To: The Mayor and Members of Sylvania City Council

Re: **ELDEN DITCH WATERSHED IMPROVEMENTS (PHASE 1) – CHANGE ORDER NO. 1**

Dear Mr. Mayor and Council Members:

Construction is underway in Veteran's Memorial Park for the Elden Ditch Watershed Improvements (Phase 1) project.

During a pre-construction walk-through on August 22<sup>nd</sup> with Jim Palmer Excavating it was determined there should be modifications made to the scheduled tree removals. Specifically:

- An existing 24" tree at the southerly construction limits marked for removal could remain.
- An existing 48" tree west of the underground detention system would need to be removed.
- An existing 30" tree northwest of MH-3 would need to be removed.
- An existing dead tree west of the storm sewer replacement would need to be removed to eliminate a fall hazard.

As a result, a total change order in the amount of \$4,200 is necessary to increase the contract amount from \$293,872.19 to \$298,072.19 to cover the tree removal modifications.

Please call if you have any questions.

Sincerely,

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

7b.

**ORDINANCE NO. 92-2023**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO APPROVE CHANGE ORDER NO. 1 TO THIS CITY'S AGREEMENT WITH JIM PALMER EXCAVATING, INC. FOR THE ELDEN DITCH WATERSHED IMPROVEMENTS PROJECT (PHASE 1) TO REFLECT THE COST OF TREE REMOVAL MODIFICATIONS; INCREASING THE CONTRACT AMOUNT BY \$4,200; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 43-2023, passed May 1, 2023, accepted the bid of Jim Palmer Excavating, Inc. and awarded the contract for the Elden Ditch Watershed Improvements Project (Phase 1) to same, which bid was in the amount of \$293,872.19; and,

WHEREAS, during a pre-construction walk-through, some modifications to the tree removal schedule were proposed, to-wit: an existing 24" tree at the southerly construction limits marked for removal could remain; an existing 48" tree west of the underground detention system would need to be removed; an existing 30" tree northwest of MH-3 would need to be removed; and an existing dead tree west of the storm sewer replacement would need to be removed to eliminate a fall hazard; and,

WHEREAS, the Director of Public Service, by report dated November 20, 2023, has recommended approval of Change Order No. 1 of Jim Palmer Excavating, Inc. for said Elden Ditch Watershed Improvements (Phase 1) Project to reflect the tree removal modifications; and,

WHEREAS, the total anticipated cost increase is estimated to result in a net increase to the contract in the amount of Four Thousand Two Hundred Dollars (\$4,200.00), for a total contract amount of \$298,072.19.

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 Four Thousand Two Hundred Dollars (\$4,200.00), authorized to be appropriated be, and the same

hereby is, approved, and the Mayor and the Director of Finance be, and they hereby are, authorized to sign said change order on behalf of this City, thereby indicating such approval and changing the total contract amount.

SECTION 2. That, to provide funds for said change order for improvements, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7510-53501 – Storm Sewer Improvements**, the sum of Four Thousand Two Hundred Dollars (\$4,200.00).

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

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the adjustments in the contract for said 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 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, \_\_\_\_\_, 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 01**

Project Ordinance No.: 43-2023      Purchase Order No. 64048

Contract: Elden Ditch Watershed Improvements (Phase 1)

Title of Change Order: Additional Tree and Plaque Removals

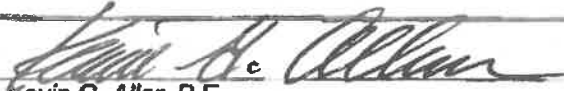
Date: 11/03/2023

Description of Change: **Additional Tree Removal**      **\$4,200.00**

**TOTAL**      **\$4,200.00**

(See Attached)

RECOMMENDED FOR APPROVAL BY:

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

11/6/23  
 Date

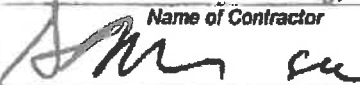
Original Contract Amt	\$	293,872	19
Previous Changes (+ or -)	\$	0	00
This Change (+ or -)	\$	4,200	00
Adjusted Contract Amt	\$	298,072	19

REVIEWED BY: **Darren J. Schimmoeller, PE**  
Digitally signed by Darren J. Schimmoeller  
 DN: cn=Darren J. Schimmoeller, email=Darren.Schimmoeller@cityofsylvania.com, o=American Road & Builders Builders, CN=Darren J. Schimmoeller  
 Date: 2023.11.03 10:01:23 -0500

DATE: 11/3/23

**Darren J. Schimmoeller**  
 Engineers Signature

SUBMITTED BY: **Jim Palmer Excavating, Inc.**  
 Name of Contractor

DATE: 11/3/23   
 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



# American Structurepoint - OH

## Change Order Details

Elden Ditch Watershed Improvements Ph. 1

**Description** The installation of an underground detention system under the maintenance drive behind the ballfields in Veteran's Memorial Field in Sylvania, Ohio including upstream and downstream storm sewer improvements.

**Prime Contractor** Jim Palmer Excavating, Inc.  
12701 S Dixie Highway  
Bowling Green, OH 43402

**Change Order** 1

**Status** Pending

**Date Created** 11/03/2023

**Type** Owner Requested Change

**Summary** Added tree removals

**Change Order Description** Line Item 100 - Tree Removal: Upon field review of the site, it was determined that tree removals would be modified. A 24" tree at the south end was marked for removal but was decided to leave it undisturbed. It was also decided that other trees which were planned to remain would be removed: 48" west of retention system, 30" northwest of MH-3, and a dead tree west of the elliptical pipe. Total change equated to \$4200. This is being added as a new Line Item 100.

**Awarded Project Amount** \$293,872.19

**Authorized Project Amount** \$293,872.19

**Change Order Amount** \$4,200.00

**Revised Project Amount** \$298,072.19

## New Items

Line Number	Item ID	Unit	Quantity	Unit Price	Extension
<b>Section: 1 - Removals</b>					
0100	201E11000	LS	1.000	\$4,200.000	\$4,200.00
CLEARING AND GRUBBING					
<b>Reason:</b> Additional tree removals					
1 item				Total: \$4,200.00	





DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

November 20, 2023

To: The Mayor and Members of Sylvania City Council

Re: **Balfour Road Waterline Improvements**

Dear Mr. Mayor and Council Members:

The bidding documents for the above referenced projects are complete.

The Service Department will be replacing over 3,000 feet of 4" and 6" waterlines on Balfour Road and Marshall Road (Balfour Road to Acres Road) with new 8" and 12" lines. Each property will be provided a new service from the water main to the curb box and driveways will be replaced within the right-of-way where the new main crosses each driveway. Once the waterline work is completed all roadways within the work limits will be milled and resurfaced.

The estimated construction cost is \$999,140 and this was a programmed capital improvement expense for 2024. The Service Department will open bids in December and recommend the award to the lowest and most qualified contractor in January 2024.

We would request that the Clerk of Council be authorized to advertise for bids.

Sincerely,

Kevin G. Aller, P.E.

Director of Public Service

**ORDINANCE NO. 93-2023**

**AUTHORIZING THE CHIEF OF POLICE OF THE CITY OF SYLVANIA, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH LUCAS COUNTY CHILDREN SERVICES AND COMMUNITY PARTNERS TO ADDRESS CHILD ABUSE AND NEGLECT CASES; AND DECLARING AN EMERGENCY.**

WHEREAS, Ohio Revised Code Sections 2151.422 to 2151.4234 requires the County Sheriff and each Chief of the local political subdivisions, the most senior Juvenile Judge, the County Prosecutor, the Executive Director of the County Department of Job and Family Services, the local animal cruelty reporting agency, the Children’s Advocacy Center, and the Clerk of Juvenile Court to enter into a Memorandum of Understanding to delineate roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases every two years; and,

WHEREAS, the Chief of Police has recommended the City enter into the Memorandum of Understanding to identify procedures for collaborative service provisions needed to ensure child safety, permanence and well-being, and the minimum requirements of screening, assessment/investigation, and service planning, to meet mandates included in children services legislation passed by the 134<sup>th</sup> General Assembly, a copy of which 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 Chief of Police be, and she hereby is, authorized to enter into, on behalf of this City, a Memorandum of Understanding in the form and substance of said “Exhibit A” with Lucas County Children Services and community partners.

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 Memorandum of Understanding should be entered into 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

## MEMORANDUM OF UNDERSTANDING TO ADDRESS CHILD ABUSE AND NEGLECT

### I. STATEMENT OF PURPOSE

This memorandum of understanding (hereinafter MOU) to address child abuse and neglect is required by sections 2151.4220, 2151.4221, 2151.4222, 2151.4223, 2151.4225, 2151.4226, 2151.4228, 2151.4229, 2151.4230, 2151.4231, 2151.4232, 2151.4233, and 2151.4234 of the Ohio Revised Code and section 5101:2-33-26 of the Ohio Administrative Code. It is an agreement among Lucas County Children Services and community partners that delineates roles and responsibilities for referring, reporting, investigating, and prosecuting child abuse and neglect cases. The MOU also identifies procedures for collaborative service provisions needed to ensure child safety, permanence, and well-being, and the minimum requirements of screening, assessment/investigation, and service planning, to meet mandates included in children services legislation passed by the 134<sup>th</sup> Ohio General Assembly. Two primary goals of this MOU are:

- The elimination of all unnecessary interviews of children who are the subject of reports of child abuse or neglect;
- When feasible, conducting only one interview of a child who is the subject of a report of child abuse or neglect.

Throughout the state each County Department of Job and Family Services (CDJFS)/Public Children Services Agency (PCSA) provides the following services to their communities:

**Screening:** The capacity to accept and screen referrals of suspected child abuse, neglect, and/or dependency includes but is not limited to the following: Receiving referrals 24 hours/day, 7 days/week; Recording and retaining referral information; Following Ohio's screening guidelines based on Ohio Administrative and Revised Code and categorizing the child maltreatment type; Adherence to a protocol for making screening and differential response pathway decisions regarding referrals of suspected child abuse, neglect, and/or dependency within 24 hours from the time of the referral; Documenting case decisions; And assigning a response priority of emergency or non-emergency to any screened in report.

**Assessment and Investigation:** The capacity to investigate and assess accepted reports of suspected child abuse, neglect, and/or dependency, includes responding to emergency reports within one (1) hour and non-emergency reports within twenty-four (24) hours; Conducting an initial Safety Assessment using a standardized CAPM (Comprehensive Assessment Planning Model) tool within the timeline prescribed in the Ohio Administrative Code; Completing a more in-depth CAPM Family Assessment including a clinical and actuarial risk assessment within forty-five (45) working days with the option of a fifteen (15) day extension for extenuating circumstances as prescribed in the Ohio Administrative Code; Working collaboratively with other investigative agencies when appropriate; Making traditional response case dispositions within required timeframes; Evaluating the need for protective, prevention, or supportive services and/or court

involvement; and documenting all activities and case determinations.

**Service Provision:** The capacity to provide services that ameliorate, eliminate, or reduce future child maltreatment and the conditions which led to abuse, neglect, or dependency includes providing service planning and case management coordination; Identifying and stating the concern and behavior change(s) needed for reunification to occur through the use of the CAPM Family Case Plan; Monitoring the family's case progress, measuring service outcomes, re-assessing safety and risk, and evaluating permanency options by using the CAPM Case Review and Semi-Annual Review tools; And adhering to existing visitation, documentation, and case closure protocols.

## **II. ROLES AND RESPONSIBILITIES OF EACH PARTICIPATING AGENCY**

### **A. CDJFS/PCSA (If a combined agency or stand-alone PCSA)**

The Lucas County Children Services is the lead agency for the investigation of child abuse, neglect, or dependency in Lucas County. The Lucas County Children Services will coordinate and facilitate meetings, establish standards and protocol for joint assessment/investigation with law enforcement, cross-referrals, collection of forensic evidence, confidentiality, and training of signatories as required by statute. Child Protective Services staff and management will also participate in meetings and trainings as deemed appropriate at the discretion of the Director.

### **B. LAW ENFORCEMENT**

The County Sheriff and each Chief of the local political subdivisions will have responsibility for: taking referrals/reports alleging child abuse and neglect from any source within their respective jurisdiction; Referring reports to Lucas County Children Services as soon as possible or within 12 hours for non-emergency reports and upon receipt for emergency reports for investigation of the circumstances; Determining whether allegations of abuse or neglect rise to the level of criminal conduct; Cooperating with Lucas County Children Services in a joint and thorough investigation when the information contained in the report lends itself to allege a present danger; Assisting Lucas County Children Services in hazardous situations where the provision of protective services or the investigation of child abuse or neglect is impeded; Coordinating with Lucas County Children Services on interviews with principals of the case when there are serious criminal implications; Notifying Lucas County Children Services of any legal action involving an alleged perpetrator of child abuse or neglect; Responding to Lucas County Children Service's requests for information regarding the status of the legal action; Providing police record checks for Lucas County Children Services as necessary or requested as permitted by law; Consulting with Lucas County Children Services prior to removal of a child from their home when possible; Handling and coordinating

investigations involving a child fatality or near fatality which may have resulted from abuse or neglect.

### **C. JUVENILE COURT**

The most senior Juvenile Judge in point of service of the county or their representative, selected by the Judge, if more than one, will be responsible for attending meetings concerning the MOU, entering into agreements with the other signatories of the MOU regarding the court's responsibility to timely hear and resolve child abuse, neglect, and dependency matters, signing the MOU, and updating the MOU or approving any amendment.

The juvenile court has a duty to exercise jurisdiction over adults and children to hear and decide matters as permitted by the Ohio Revised Code Chapters 2151 and 2152. The court is responsible for issuing orders regarding the care, protection, health, safety, mental and physical best interest of children. The Juvenile Judge shall ensure that due process of law is achieved; Hear evidence and issue findings of fact and conclusions of law as to any abused, neglected, or dependent child; Order timely and safe permanency dispositions for children; Preserve the family environment whenever possible while keeping the child(ren)'s health and safety paramount.

### **D. COUNTY PROSECUTOR**

The County Prosecutor shall report suspected cases of child abuse and neglect to Lucas County Children Services or appropriate law enforcement agency. The County Prosecutor shall represent Lucas County Children Services in legal actions to protect a child from further harm resulting from child abuse or neglect unless the Prosecutor has granted consent for the appointment of an In-house PCSA Attorney pursuant to Ohio Revised Code chapters 309 and 305.

The prosecuting attorney may inquire into the commission of crimes within the county. The prosecuting attorney shall prosecute, on behalf of the state, all complaints, suits, and controversies in which the state is a party, except for those required to be prosecuted by a special prosecutor or by the attorney general. The County Prosecutor is to determine, based upon the facts, whether criminal culpability exists and if enough evidence exists for a matter to be prosecuted. The prosecutor will be available to law enforcement and Lucas County Children Services staff for questions or assistance in the investigation of child abuse and neglect cases and eliminate the need for testimony at the municipal court level by allowing for direct presentation to the Grand Jury, when feasible, to minimize trauma to child victims. The prosecuting attorney agrees to aid Lucas County Children Services in protecting the confidential nature of children services records and investigations; As well as the special protection afforded to the identity of the reporting source.

**E. COUNTY DEPARTMENT OF JOB & FAMILY SERVICES**

If the Lucas County Department of Job and Family Services is a separate agency from Lucas County Children Services, employees within the county agency are expected to report suspected cases of child abuse and neglect to Lucas County Children Services or appropriate law enforcement agency upon receipt; Collaborate with Lucas County Children Services to assist families in caring for their children; Assure that children at risk of abuse and neglect receive protective services; Assure service coordination for families already involved with the Lucas County Children Services; Promote ongoing communication between Lucas County Department of Job and Family Services and Lucas County Children Services regarding mutual clients, including minors under the protective supervision or in the custody of the Agency and/or minor parents; Assist Lucas County Children Services upon request in obtaining case or assistance group information regarding a family when the Lucas County Children Services is assessing Title IV-E eligibility or completing an assessment/investigation of a child at risk or alleged to be abused; Assist Lucas County Children Services in obtaining addresses and attempts to locate parents whose whereabouts are unknown, pursuant to OAC 5101:2-33- 28; And where applicable and permitted assist Lucas County Children Services in locating suitable relatives or kin that may be available as familial support for the child(ren) or as a placement option.

**F. LOCAL ANIMAL CRUELTY REPORTING AGENCY**

The local animal cruelty reporting agencies are to investigate reports of animal abuse and neglect within the county and, pursuant to ORC 2151.421, report suspected cases of child abuse and neglect that may be observed during the commission of their duties to Lucas County Children Services or local law enforcement.

**G. CHILDREN'S ADVOCACY CENTER**

The Children's Advocacy Center (CAC) will establish internal protocols regarding the investigation of CAC cases, participate in training as needed, work jointly and cooperatively in their established role with the other team members in the investigation of CAC cases, and attend and exchange information when meeting with Lucas County Children Services, law enforcement, and other signatories of this agreement.

## H. CLERK OF JUVENILE COURT

The Clerk of County Common Pleas Court will collaborate with Lucas County Children Services, County Prosecutor, and local law enforcement to establish standards and processes for the filing and acceptance of abuse, neglect, and dependency pleadings; Notice to the necessary parties; Service of process; How to send and receive communications from the Clerk; Defining acceptable methods of communication; Best practices for handling emergency/ex parte motions and orders which require the removal of children and need to be acted upon in an expeditious manner; Date and timestamp process and any cut-offs; Determine how and when to expect decisions or entries to be communicated; Provide periodic training for those involved in the investigation of child abuse and neglect and the signatories of this MOU; Be available to Lucas County Children Services management staff or the Prosecutor should questions arise.

## III. SCOPE OF WORK

The key objective of this MOU is to clearly define the roles and responsibilities of each agency in the provision of child protective services.

### A. Mandated reporters and penalty for failure to report

Persons identified as mandated reporters per Ohio Revised Code section 2151.421, while acting in official or professional capacity, shall immediately report knowledge or reasonable cause to suspect the abuse or neglect of a child in accordance with that section. Reports shall be made to Lucas County Children Services or a law enforcement officer.

**The penalty for the failure of a person required to report any suspected case of child abuse and/or neglect pursuant to ORC section 2151.421 shall be a misdemeanor of the fourth degree.** The penalty is a misdemeanor of the first degree if the child who is the subject of the required report that the offender fails to make suffers or faces the threat of suffering the physical or mental wound, injury, disability or condition that would be the basis of the required report when the child is under the direct care or supervision of the offender who is then acting in the offender's official or professional capacity or when the child is under the direct care or supervision of another person over whom the offender, while acting in the offender's official or professional capacity, has supervisory control. Failure to report suspected child abuse and/or neglect may also result in civil liability in the form of compensatory or exemplary damages.

Lucas County Children Services will report any known violations of Orc 2151.421 to the Lucas County Prosecutor's office.



## **B. System for receiving reports**

Reports of child abuse or neglect shall be made to Lucas County Children Services or any law enforcement officer with jurisdiction in Lucas County. Lucas County Children Services has staff available to receive reports by telephone or in person twenty-four (24) hours a day, seven (7) days a week. Telephone number: 419-213-3400

The reports shall contain the following information (ORC 2151.421):

1. The names and addresses of the child and his parents or custodian;
2. The child's age and the nature and extent of the child's injuries, abuse or neglect (including any evidence of previous injuries, abuse or neglect); or known or suspected threats of injury, abuse or neglect including history of domestic violence;
3. Any other information which might be helpful in establishing the cause of the injury, abuse or neglect.

When a law enforcement officer receives a report of possible abuse or neglect of a child or the possible threat of abuse or neglect of a child, the law enforcement officer shall refer the report to the appropriate PCSA unless an arrest is made at the time of the report that results in the appropriate PCSA being contacted concerning the alleged incident involving the child.

When Lucas County Children Services screens in a report of child abuse, Lucas County Children Services shall notify the appropriate law enforcement agency of the report, unless law enforcement is present and an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child abuse.

When Lucas County Children Services screens in a report of child neglect, and an active safety threat is identified within the first seven days of the assessment/investigation, Lucas County Children Services shall notify the appropriate law enforcement agency within the first seven days of the assessment/investigation unless an arrest is made at the time of the report that results in the appropriate law enforcement agency being notified of the child neglect.

### **C. Responding to mandated reporters**

When Lucas County Children Services receives a referral from a mandated reporter who provides their name and contact information, Lucas County Children Services shall forward an initial mandated reporter notification to the referent within seven days. The notification will be provided, in accordance with the mandated reporter's preference. Information shared with the mandated reporter shall include the information permitted by ORC 2151.421(K):

- Whether the agency or center has initiated an investigation of the report;
- Whether the agency or center is continuing to investigate the report;
- Whether the agency or center is otherwise involved with the child who is the subject of the report;
- The general status of the health and safety of the child who is the subject of the report;
- Whether the report has resulted in the filing of a complaint in juvenile court or of criminal charges in another court.

When Lucas County Children Services closes an investigation/assessment reported by a mandated reporter, Lucas County Children Services shall forward an outcome mandated reporter notification to the referent. The notification will be provided in accordance with the mandated reporter's preference. Information shared with the mandated reporter shall be that permitted by ORC 2151.421 to include a notification that the agency has closed the investigation along with a point of contact.

### **D. Roles and responsibilities for handling emergency cases of child abuse, neglect, and dependency**

#### **1. PCSA's Response Procedure**

When Lucas County Children Services determines that a report is emergent, Lucas County Children Services shall attempt a face-to-face contact with the child subject of the report/ alleged child victim within one hour of the receipt of the report.

If Lucas County Children Services identifies an active safety threat at any point during the assessment/investigation, the caseworker or supervisor shall implement a safety response.

In all situations, Lucas County Children Services will give consideration to providing services designed to protect the child in her/his own home.

Lucas County Children Services may implement a safety plan pursuant to OAC prior to initiating removal proceedings. A safety plan may occur in the home or in an out-of-home setting. If the child cannot be protected in his/her own home, a safety plan is not appropriate and removal is necessary, Lucas County Children Services will pursue obtaining a custody order through the Juvenile Court. Law enforcement may also remove the child if, in the opinion of the peace officer and/or the reporting physician, removal is considered essential to protect the child from further abuse or neglect.

When possible, the peace officer will avoid removing a child from his/her residence or from the place of the occurrence of the abuse or neglect pending contact with the Lucas County Children Services caseworker. When contact with the Lucas County Children Services caseworker or her/his immediate supervisor is not possible, the officer may take a child into custody when there are reasonable grounds to believe that a child is suffering from illness or injury and is not receiving proper care or is in immediate danger from his surroundings and immediate removal is necessary.

Lucas County Children Services is able to obtain an ex parte emergency order by telephone from a juvenile magistrate or judge if there is probable cause to believe the child is at immediate risk of physical or emotional harm. An agreement has been reached between law enforcement and Lucas County Children Services regarding the enforcement of ex parte orders from the Lucas County Juvenile Court. Lucas County Children Services must then follow up with a formal complaint and a request for a hearing before the end of the next business day after the day on which the child is taken into custody.

## **2. Law Enforcement and Children's Advocacy Center Response Procedure**

### **Joint Interviews in Child Sexual Abuse Investigations**

In order to minimize trauma to the alleged child victim, Lucas County Children Services and law enforcement subscribers are committed to conducting joint interviews in child sexual abuse, severe physical abuse and severe neglect investigations and assessments. As stated above, joint interviews will take place whenever deemed necessary by Lucas County Children Services and/or by the law enforcement agency. When any party is unable to reach agreement with either Lucas County Children Services or law enforcement regarding a

commitment to ensure that a joint interview takes place, they are strongly encouraged to provide feedback to the appropriate agency regarding this issue. The concerned party should contact the immediate supervisor of the individual involved, and proceed up the chain of command until the issue is resolved.

### **3. Children in Need of Medical Attention Special Response Procedures**

In situations where law enforcement is involved and there is a child who appears to have been physically abused or who otherwise needs immediate medical attention, the child should be taken directly to the hospital by the peace officer. An immediate telephone report must subsequently be made to LCCS. A caseworker will meet the officer at the hospital and will evaluate, from discussions with the parent(s), the child(ren), or others, what actions need to be taken for the child's safety. Consideration will be given to exploring available services to provide support to the family.

#### **E. Standards and procedures to be used in handling and coordinating investigations of reported cases of child abuse and/or neglect**

Methods to be used in interviewing the child who is the subject of the report and who allegedly was abused and/or neglected, alleged perpetrators, and other family members and witnesses/collaterals will be discussed and agreed upon in advance by the Lucas County Children Services and the corresponding law enforcement agency.

To the extent possible investigative interviews of children who are the alleged victims of reports of abuse and/or neglect where criminal activity is suspected, including reports of human trafficking, are cooperatively planned by Lucas County Children Services and the law enforcement agency of the jurisdiction.

Every effort will be made by the signatories of this MOU to prevent or reduce duplicate interviews of the victims or witnesses. When feasible, to reduce

trauma complete only one interview with the alleged child victim/ child subject of the report. Lucas County Children Services agrees to be the lead agency in scheduling the time, place, and location of joint interviews as well as notifying all participants.

Before starting the interview, the participants will determine who is to be present in the room, who will be asking the questions, what areas are to be covered, and who will be the scribe for the interview. Audio and video recordings may be used when necessary.

When law enforcement or the prosecutor's office interviews a participant in a criminal investigation and a representative of Lucas County Children Services is not present, the interviews conducted by law enforcement or the prosecutor's office may be used by Lucas County Children Services to meet the agency investigative requirements set forth in rule. Law enforcement or the prosecutor's office will forward a written summary of the interview to Lucas County Children Services upon request.

The Lucas County Children Services agrees not to proceed without the advice and consent of the prosecutor's office when a criminal investigation is being conducted concurrently. Lucas County Children Services will not jeopardize a criminal investigation but will work with law enforcement to protect the safety of the child victim or witnesses. Law enforcement will be the lead agency in the collection of forensic evidence and will coordinate with the necessary facilities to obtain and store such evidence properly.

Lucas County Children Services shall follow up with law enforcement to ensure timely assistance and to complete mandated assessment/investigation activities within the forty-five-day timeframe. The timeframe can be extended in special circumstances to a maximum of sixty days if law enforcement needs additional time; however, Lucas County Children Services must make a disposition within the sixty-day timeframe.

**F. Standards and procedures addressing the categories of persons who may interview the child who is the subject of the report and who allegedly was abused or neglected**

The categories of personnel who may conduct interviews of children who are the subjects of reports of alleged abuse, neglect, and/or dependency are limited to the following:

- Casework and supervisory staff of Lucas County Children Services
- Law enforcement personnel
- County or city prosecuting attorneys, assistant prosecuting attorneys, in-house JFS legal counsel if applicable, and their investigative staff
- Children's Advocacy Center Staff
- Medical professionals in order to determine diagnosis and treatment and to provide ongoing supportive services

**G. Standards and procedures for Lucas County Children Services requests for law enforcement assistance**

Lucas County Children Services may request the assistance of law enforcement during an assessment/investigation if one or more of the following situations exist:

- An exigent circumstance.
- Lucas County Children Services has reason to believe that the child is in immediate danger of serious harm.
- Lucas County Children Services has reason to believe that the worker is, or will be, in danger of harm.
- Lucas County Children Services has reason to believe that a crime is being committed, or has been committed, against a child.
- Lucas County Children Services worker must conduct a home visit after regular Lucas County Children Services business hours, and a law enforcement escort is requested as a standard operating procedure.
- Lucas County Children Services is removing a child from his or her family via an order of the court, and the assistance of law enforcement is needed as Lucas County Children Services has reason to believe the family will challenge the removal.
- Lucas County Children Services is working with a client who has a propensity toward violence, and the assistance of law enforcement is needed to ensure the safety of all involved.
- Lucas County Children Services is working with a family that has historically threatened to do harm to PCSA staff.

**H. Specialized Investigations or Circumstances**

To the extent possible, investigative interviews of children who are the alleged child victims/child subjects of the report of abuse and neglect where criminal activity is suspected, including reports of human trafficking, physical and sexual abuse, domestic violence, child endangering, or the

like, are cooperatively planned by Lucas County Children Services and the law enforcement agency of jurisdiction.

## **1. Out-of-Home Care**

Lucas County Children Services conducts an out-of-home care investigation in response to a child abuse or neglect report that includes an alleged perpetrator who meets one or more of the following criteria:

- Is a person responsible for the alleged child victim's care in an out-of-home care setting as defined in rule 5101:2-1-01 of the Administrative Code.
- Is a person responsible for the alleged child victim's care in out-of-home care as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim by virtue of his/her employment by or affiliation to an organization as defined in section 2151.011 of the Revised Code.
- Has access to the alleged child victim through placement in an out-of-home care setting.

Lucas County Children Services follows the procedures for conducting out-of-home care investigations as described in section 5101:2-36-04 of the OAC.

In addition, when Lucas County Children Services receives such a report, Lucas County Children Services shall immediately contact the out-of-home care setting administrator or designee, or the board of directors, county commissioners or law enforcement if the administrator is alleged to be the perpetrator or the PCSA designee responsible for foster care or adoption in order to:

- Share information regarding the allegation;
- Determine responsibility for informing the parents, guardian, or custodian of the alleged child victim;
- Discuss what actions have been taken to protect the alleged child victim, and;
- Share the investigative activities that will follow.

If another agency is required by statute or administrative rule to conduct its own investigation to address issues other than child abuse/neglect (i.e., internal management or licensure issues), Lucas County Children Services will, when at all possible, attempt to coordinate the interview of the alleged child victim. Upon completion of the investigation, Lucas County Children Services will contact the administrator or designee of the out-of-home care setting or the Lucas County Children Services designee for family foster care or adoptions, and the appropriate licensing authority and supervising authorities to share information in accordance with OAC rule 5101:2-33-21.

## **2. Third-Party Investigations**

In accordance with section 5101:2-36-08 of the OAC, Lucas County Children Services shall request a third-party investigation be conducted by a local law enforcement agency or a PCSA in a contiguous county when there is potential for a conflict of interest because one of the following parties is a principal of the report:

- Any employee of an organization or facility that is licensed or certified by the Ohio Department of Job and Family Services (ODJFS) or another state agency and supervised by the PCSA.
- A foster caregiver, pre-finalized adoptive parent, adoptive parent, relative, or kinship caregiver who is recommended, approved, or supervised by the PCSA.
- A type B family childcare home or type A family childcare home licensed by ODJFS when the CDJFS has assumed the powers and duties of the county children services function defined in Chapter 5153. of the Revised Code.
- Any employee or agent of ODJFS or the PCSA as defined in Chapter 5153. of the Revised Code.
- Any authorized person representing ODJFS or the PCSA who provides services for payment or as a volunteer.
- A foster caregiver or an employee of an organization or facility licensed or certified by ODJFS and the alleged child victim is in the custody of, or receiving services from, the PCSA that accepted the report.
- Any time a PCSA determines that a conflict of interest exists. The PCSA shall document in the case record if a conflict of interest is identified.

Lucas County Children Services, pursuant to 5101:2-36-08(D) operates an in-house unit to assess/investigate reports of child abuse and neglected which require a third party. Lucas County Children Services does refer out any cases where an agency employee is named as a principal in the report.

When needed Lucas County Children Services shall request a third-party to conduct an investigation within 24 hours of identification of the need.

## **3. Child Fatality- Suspected cause of death is abuse or neglect**

Lucas County Children Services accepts referrals on all reports of suspected child abuse or neglect that results in the death or near death of a child. Lucas County Children Services will not investigate



deaths to children that are due to natural causes or where child abuse or neglect is not suspected. Lucas County Children Services will work with Lucas County Law Enforcement in any criminal investigation.

Lucas County Children Services is governed by ORC section 307.622 and actively participates on the County's child fatality review board in order to collaborate with county agencies to reduce and prevent child fatality.

Lucas County Children Services has an internal review process for cases involving deaths resulting from child abuse or neglect where the agency had involvement with the family within the past 24 months.

In the event of a request for information on the death of the child, Lucas County Children Services will consult with the Lucas County Prosecutor's office prior to releasing any information on the case.

**4. Child Fatality- Death of a child in the custody of Lucas County Children Services**

Lucas County Children Services follows section 5101:2-33-14 of the OAC following the death of a child in its custody including notifying law enforcement of the child's death within one hour and notifying the local health department and the child fatality review board.

If any county law enforcement is alerted to the death of a child and becomes aware that the child is in the custody of Lucas County Children services, law enforcement will call the intake line at 419-213-3400 to report the child's death.

Lucas County Children Services will determine if the referral can be investigated by the specialized investigation unit or if the investigation will need to be referred as a third-party investigation. In any event, Lucas County will work with local law enforcement in their investigation.

Lucas County Children Services has an internal review process for cases involving deaths resulting from child abuse or neglect where the agency had involvement with the family within the past 24 months.

In the event of a request for information on the death of the child, Lucas County Children Services will consult with the Lucas County Prosecutor's office prior to releasing any information on the case.

**5. Allegations of withholding medically indicated treatment from disabled infants with life-threatening conditions**

Lucas County Children Services follows the procedures described in

section 5101:2-36-07 of the OAC for responding to these reports.

The withholding of medically indicated treatment is the refusal to provide appropriate nutrition, hydration, medication, or other medically indicated treatment from a disabled infant with a life-threatening condition.

Medically indicated treatment includes the medical care most likely to relieve, or correct, the life-threatening condition. Nutrition, hydration, and medication, as appropriate for the infant's needs, are medically indicated for all disabled infants; in addition to, the completion of appropriate evaluations or consultations necessary to assure that sufficient information has been gathered to make informed medical decisions on behalf of the disabled infant.

In determining whether treatment is medically indicated, reasonable medical judgments made by a prudent physician, or treatment team, knowledgeable about the case and its treatment possibilities are considered. The opinions about the infant's future "quality of life" are not to bear on whether a treatment is judged to be medically indicated. Medically indicated treatment does not include the failure to provide treatment to a disabled infant if the treating physician's medical judgment identifies any of the situations listed in OAC section 5101:2-36-07(A)(3)(a-d).

**6. Allegations of child abuse and/or neglect constituting a crime against a child, including human trafficking, and require a joint assessment/investigation with law enforcement**

Lucas County Children Services collaborates with local law enforcement on investigation of abuse and/or neglect which constitutes a crime against a child including deference to the law enforcements request to not interview the alleged perpetrator and/or joint interviews of the child victim.

While assisting local law enforcement with the criminal investigation, Lucas County Children services will follow OAC timeframes when completing its activities surrounding the disposition of the report.

**7. Reports of cases involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court becoming dependent, neglected, unruly, and/or delinquent**

Lucas County Children Services reports concerns for adults who aid, abet, induce, cause, encourage or contribute to a child or a ward of the juvenile court becoming dependent, neglected, unruly, and/or delinquent. The Lucas County Prosecutor upon sufficient evidence will bring forth an appropriate criminal action against the individual.

The County agencies stand committed to holding those adults who contribute to a child or a ward of the juvenile court becoming a delinquent and/or unruly child accountable for their actions.

**8. Reports involving individuals who aid, abet, induce, cause, encourage, or contribute to a child or a ward of the juvenile court by leaving the custody of any person, department, or public or private institution without the legal consent of that person, department, or institution**

When Lucas County Children Services is made aware of a situation where a child leaves the custody of any person, department or public or private institution without the legal consent of that person, department or institution, Lucas County Children Services will contact the County or City Prosecutor's Office to request that the child be charged as an "unruly child" pursuant to section 2151.02 of the ORC.

If there is reason to believe that a child could be the victim of a violation of section 2905.01 (kidnapping), 2905.02 (abduction), 2905.03 (unlawful restraint), 2905.04 (child stealing) or 2919.23 (interference with custody), Lucas County Children Services shall do the following:

- Refer the report and/or make a report to the law enforcement agency of the appropriate jurisdiction;
- Upon the request of the law enforcement agency, provide assistance and cooperation in the case and/or access to all information concerning the child that LUCAS COUNTY CHILDREN SERVICES possesses that may be relevant. Lucas County Children Services shall document in the case.

**9. Receiving and responding to reports of missing children**

Upon learning that a minor child has either run away from or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent, Lucas County Children Services shall:

- Refer the reporter to the law enforcement agency in the appropriate jurisdiction.
- Contact the law enforcement agency for entry into the National Crime Information Center (NCIC) database if the child is in Lucas County Children Services custody.
- Contact the National Center for Missing and Exploited Children (NCMEC) if the child is in Lucas County Children Services custody.

Upon request of law enforcement, Lucas County Children Services shall provide assistance and cooperation in the investigation of a

missing child, including the immediate provision of any information possessed by Lucas County Children Services that may be relevant in the investigation.

Law enforcement shall notify Lucas County Children Services upon learning that a minor child who is alleged to be in the children services system or who is known or suspected to be abused or neglected has either run away from or is otherwise missing from the home or the care, custody, and control of the child's parents, custodial parent, legal guardian, or non-custodial parent.

## **I. Standards and procedures for removing and placing children**

### **1. Emergency**

Emergency removal of a child from home is necessary when the child is at imminent risk of harm and in need of protection from abuse, neglect, or dependency.

Juv. R 6 orders can be issued in-person, by phone, video conference, or otherwise. Reasonable grounds must exist to believe the child's removal is necessary to prevent immediate or threatened physical or emotional harm. Prior to taking the child into custody the judicial fact finder must make a determination that reasonable efforts were made to notify the child's parents, guardian, or custodian, or there were reasonable grounds to believe doing so would jeopardize the safety of the child, or lead to the removal of the child from the jurisdiction.

Findings must be made that the agency either did or did not make reasonable efforts to prevent the removal of the child from their home with a brief description of services provided and why those did not prevent the removal or allow the child to return home, and if temporary custody is granted to the PCSA an additional finding that it would be contrary to the welfare and best interest of the child to continue in the home. If granted, a shelter care hearing must be scheduled the next business day (but not later than seventy-two hours) after the emergency order has been issued. If the ex parte motion is denied, the matter must be set for a shelter care hearing within ten days from the filing date.

### **2. Non-emergency**

Upon receiving a report alleging child abuse, neglect, and/or dependency, Lucas County Children Services commences an investigation in accordance with the requirements of section 2151.421 of the ORC. If the final case decision rises to the level of court involvement, Lucas County Children Services shall file a complaint alleging the child(ren) to be abused, neglected, or dependent per ORC 2151.27.

Reasonable oral or written notice of the time, place, and purpose of the hearing must be provided to the parents, guardian, or custodian unless they cannot be found. The same parties are also entitled to notification that a case plan may be prepared, the general requirements, and possible consequences of non-compliance with the case plan.

The parties will be served with the complaint and summons to appear before the juvenile court. Unrepresented parties are advised by the juvenile court of their right to counsel. Counsel is appointed for children when abuse is alleged. A guardian ad litem is appointed to all children subjects of abuse, neglect, or dependency proceedings. A separate guardian ad litem may be appointed to minor parents or parents who appear mentally incompetent.

The judicial fact finder must determine whether there is probable cause that the child is abused, neglected, or dependent, the child is in need of protection, whether or not there is an appropriate relative or kin willing to assume temporary custody of the child, reasonable efforts were made by Lucas County Children Services to prevent the removal or continued removal or to make it possible for the child to return home safely, and for temporary custody orders to Lucas County Children Services that it would be contrary to the welfare and best interest of the child to continue in the home. All other temporary orders should be requested and considered at this time.

Lucas County Children Services may file a non-emergency complaint in dependency, neglect or abuse when removal of the child is not necessary. In event of a non-emergency filing, no hearing regarding the need for shelter care is necessary. The first hearing to be held will be the adjudication hearing unless a request for emergency hearing is made.

#### **IV. TRAINING**

Cross system training is to be provided to and a plan developed by all signatories of this MOU to ensure parties understand the mission and goals identified in this MOU and are clear about the roles and responsibilities of each agency. Periodic trainings events will be coordinated by Lucas County Children Services as the lead agency and notification of the trainings will be provided to the signatories of this agreement. By agreeing to participate in the county MOU process signatories express a commitment to attend training opportunities when presented.

Individual county entities may request training from Lucas County Children Services prior to a training being promoted by Lucas County Children Services.

#### **V. CONFLICT RESOLUTION**

Not Applicable (*if selected this section is not relevant.*)

When a conflict occurs among county partners, the effect is often broader than the individuals directly involved in the dispute. As disputes are often inevitable, this MOU must set forth the local process by which disputes will be resolved so as not to disrupt program effectiveness.

As the mandated agency responsible for the provisions of child protective services, the ultimate decision on how to handle abuse, neglect investigations lie with Lucas County Children Services. Every effort will be made to take into account other subscribers' requests and concerns relating to services.

Criminal investigations and prosecution remain the responsibility of the prosecuting attorney and appropriate law enforcement agencies. Lucas County Children Services will assist these agencies, but in no way, interfere or jeopardize a criminal investigation or prosecution.

For cases that come before the court as it relates to decisions and orders, the Juvenile Judge's rulings are final.

In the event internal conflict resolution efforts fail and a statutorily required participant refuses to sign or engage in the MOU process, the PCSA is to consult with the County Prosecutor to explore available remedies.

## **VI. CONFIDENTIALITY STATEMENT**

Any report made in accordance with ORC section 2151.421 is confidential. Both the information and the name of the person who made the report under section 2151.421 shall not be released to the public for use and shall not be used as evidence in any civil action or proceeding brought against the person who made the report.

Children services records are not public records and are exempt from Ohio's Sunshine Laws under ORC 149.43. Children Services records are confidential in nature and should be treated accordingly.

ORC section 2151.423 requires Lucas County Children Services to disclose confidential information discovered during an investigation conducted pursuant to section 2151.421 or 2151.422 of the Ohio Revised Code to any federal, state, or local government entity that needs the information to carry out its responsibilities to protect children from abuse or neglect. Likewise, law enforcement, Children's Advocacy Center, and other entities are expected to release information to Lucas County Children Services for the purpose of carrying out its responsibility of protecting children from abuse and/or neglect.

The confidentiality provisions of this MOU will survive the expiration or termination of this agreement.

Information regarding the report and/or investigation of alleged abuse or neglect may be shared only when dissemination is authorized by OAC section 5101:2-33-21 and in accordance with the procedures outlined in OAC section 5101:2-33-21.

The unauthorized dissemination of confidential information is a misdemeanor and is punishable by law.

In the event of unauthorized dissemination of information, the party who learns of the breach of confidentiality will notify the Director of Lucas County Children Services as soon as possible. The notification will be sent to the Director in writing describing the circumstances surrounding the breach. The notification will specify the confidential information released, who is responsible for disseminating the confidential information, how it was disseminated, and the parties who have access to the information without authorization. The Director of Lucas County Children Services shall then refer this information to the prosecutor at their discretion.

## **VII. TERMS AND CONDITIONS AND STATUTORY REQUIREMENTS**

This MOU must be retained for a period of at least seven years per the state of Ohio records retention schedule. Please refer to Lucas County Children Services records retention policy for information on forms to be completed and processes to be followed for the destruction of records.

The required members shall review and evaluate the terms and conditions of the MOU every biennium. All required members to the MOU will sign the new or updated agreement. Lucas County Children Services is to submit the MOU to the Board of County Commissioners for review and approval with enough time for any revisions to be made prior to December thirty-first of the year.

This MOU does not inhibit good faith compliance with a subpoena issued by a Grand Jury or in a criminal case. Dissemination of records pursuant to the State's discovery obligations is authorized. However, work product and other privileges are expected to be upheld.

Failure to follow the procedure set forth in the MOU by the concerned officials is not grounds for, and shall not result in, the dismissal of any charges or complaint arising from any reported case of abuse or neglect or the suppression of any evidence obtained as a result of reported child abuse or child neglect and does not give, and shall not be construed as giving, any rights or any grounds for appeal or post-conviction relief to any person.

This MOU shall be governed by and construed in accordance with applicable state and federal laws and regulation. In the event any portion of this MOU is inconsistent with state or federal law, that portion shall be without effect as if stricken from the document and the remaining portion shall remain in full force and effect.

## **VIII. SIGNATURES OF EACH PARTICIPATING AGENCY**

The signature section authorizes the participating parties of the agreement to begin enactment of MOU protocols and activities. The participating members agree to follow the terms of this MOU and to meet at minimum once every biennium to review terms and conditions, evaluate if updates are needed, and sign a new or amended MOU.

If any individual serving as a signatory changes mid-term, Lucas County Children Services is to provide the new required member with the current memorandum. The new member remains bound by the most recently approved version of the memorandum. Their signature is to be obtained and submitted on or before the next biennial review.

A required member to this agreement may terminate their involvement in the MOU for good cause upon giving reasonable written notice to the other required members in this MOU.

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\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

\_\_\_\_\_  
**Agency, Name, Title** **Date**  
Is this agency a participating member of the CAC referenced in Section II(G)? Yes No

**IX. Refusal to Sign**  Not Applicable *(if selected, this section is not relevant.)*

The **Lucas County Children Services** attests they attempted to obtain the signature of all required participating agencies as set forth in Section II of this memorandum and as mandated through section 2151.4210 of the Revised Code. However, the following agency(ies) or individual(s) refused to sign this MOU. **[Option to repeat the following block of information in the event more than one agency/individual refuses to sign]**

Date: **[Enter date of refusal]**

Agency, Name, Title: **[Enter the name of the agency, required individual, and their title.]**

Reason the individual refused to sign:

**[Enter the reason the individual refused to sign the text box and the attempts to solve the identified barrier.]**

**X. Board of County Commissioners**

The **Lucas County Children Services** shall submit the MOU signed by all participating agencies to the **Lucas County** Board of County Commissioners. The participating agencies will ensure there is adequate time for both the County Board of Commissioners and ODJFS review and approval process along with any returns for correction prior to the end of the contractual period.

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County Commissioners signature and date/Resolution/Vote

**The Board of Lucas County Commissioners hereby review and approve the Lucas County Memorandum of Understanding.**

**RESOLUTION NO. 16 - 2023****RE-APPOINTING MARY WESTPHAL TO THE BOARD OF TRUSTEES OF SYLVANIA AREA JOINT RECREATION DISTRICT (SAJRD), SHE BEING A MEMBER OF THE COUNCIL OF THIS APPOINTING POLITICAL SUBDIVISION, FOR THE FULL CALENDAR YEAR OF 2024; AND DECLARING AN EMERGENCY.**

WHEREAS, Sylvania City Council appoints a member to the Board of Trustees of the Sylvania Area Joint Recreation District each year; and,

WHEREAS, Resolution No. 4-2022, passed by Sylvania City Council on January 18, 2022, appointed Mary Westphal to the Board of Trustees of Sylvania Area Joint Recreation District ("SAJRD"), for the year 2022; and,

WHEREAS, Resolution No. 20-2022, passed by Sylvania City Council on December 19, 2022, re-appointed Mary Westphal to the Board of Trustees of Sylvania Area Joint Recreation District ("SAJRD") for the year 2023; and,

WHEREAS, the City of Sylvania should appoint a member of its Council to the Board of Trustees of the Sylvania Area Joint Recreation District for the 2024 calendar year.

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

SECTION 1. That Mary Westphal, a member of the Council of this appointing political subdivision, is hereby appointed to the Board of Trustees of Sylvania Area Joint Recreation District for the calendar year 2024.

SECTION 2. That the Clerk of Council be, and she hereby is, directed to certify a copy of this Resolution to Sylvania Area Joint Recreation District.

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

requirements, including Section 121.22 of the Ohio Revised Code.

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

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that the re-appointment to the SAJRD Board of Trustees of a member of this appointing political subdivision should be made immediately so that the appointed Councilperson will be duly authorized for the full calendar year of 2024. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote on passage as an emergency: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2023 as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law

106.

**RESOLUTION NO. 17- 2023**

**RE-APPOINTING BRIAN KEZUR TO THE BOARD OF TRUSTEES OF SYLVANIA AREA JOINT RECREATION DISTRICT (“SAJRD”) FOR A TERM EXPIRING DECEMBER 31, 2026; AND DECLARING AN EMERGENCY.**

WHEREAS, Resolution No. 3-2019, passed January 7, 2019, appointed Brian Kezur to the Board of Trustees of Sylvania Area Joint Recreation District (“SAJRD”) to fill the unexpired term of Greg Feller, for a term expiring December 31, 2020; and,

WHEREAS, Resolution No. 28-2020, passed by Sylvania City Council on December 21, 2020, re-appointed Brian Kezur to the SAJRD Board, for a term expiring December 31, 2023; and,

WHEREAS, Mr. Kezur has expressed his interest in continuing to serve on the SAJRD Board of Trustees; and,

WHEREAS, Mr. Kezur has been a valuable asset to the SAJRD Board and should be re-appointed for a term commencing January 1, 2024 and expire December 31, 2026.

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

SECTION 1. That Brian Kezur is hereby re-appointed to the Board of Trustees of Sylvania Area Joint Recreation District for a term expiring December 31, 2026.

SECTION 2. That the Clerk of Council be, and she hereby is, directed to certify a copy of this Resolution to Sylvania Area Joint Recreation District.

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

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

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that an open position on the Board of Trustees of the Sylvania Area Joint Recreation District required to be filled now so that said Board will be fully constituted at the earliest possible time. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: 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

**RESOLUTION NO. 18 - 2023****RE-APPOINTING DANNY ROYER TO THE ZONING BOARD OF APPEALS FOR A TERM EXPIRING DECEMBER 31, 2026; AND DECLARING AN EMERGENCY.**

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

WHEREAS, Resolution No. 27-2020, passed December 21, 2020, appointed Danny Royer to the Zoning Board of Appeals for a term expiring December 31, 2026; and,

WHEREAS, Mr. Royer has expressed his interest in continuing to serve on the Board of Zoning Appeals and he has been a valuable asset to the Board of Zoning Appeals and should be re-appointed.

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

SECTION 1. That Danny Royer is hereby appointed to the Zoning Board of Appeals for a term commencing January 1, 2024 and expiring on December 31, 2026.

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

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

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

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that the appointment to the Zoning Board of Appeals should be made immediately to provide for all of the seats of the Board to be filled. Provided this Resolution

receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote on passage as an emergency: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2023, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law



10d.

**RESOLUTION NO. 19 - 2023**

**RE-APPOINTING STEPHAN RISHER TO THE ZONING BOARD OF APPEALS FOR A TERM EXPIRING DECEMBER 31, 2026; AND DECLARING AN EMERGENCY.**

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

WHEREAS, Resolution No. 9-2020, passed March 16, 2020, appointed Stephan Risher to the Zoning Board of Appeals for a term expiring December 31, 2020; and,

WHEREAS, Resolution No. 26-2020, passed December 21, 2020, re-appointed Stephan Risher to the Zoning Board of Appeals for a term expiring December 31, 2023; and,

WHEREAS, Mr. Risher has expressed his interest in continuing to serve on the Board of Zoning Appeals and he has been a valuable asset to the Board of Zoning Appeals and should be re-appointed.

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

SECTION 1. That Stephan Risher is hereby appointed to the Zoning Board of Appeals for a term commencing January 1, 2024 and expiring on December 31, 2026.

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

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

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

SECTION 5. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that the appointment to the Zoning Board of Appeals should be made immediately to provide for all of the seats of the Board to be filled. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote on passage as an emergency: Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2023, as an emergency measure.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Clerk of Council

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Director of Law

**NOTICE TO LEGISLATIVE  
AUTHORITY**

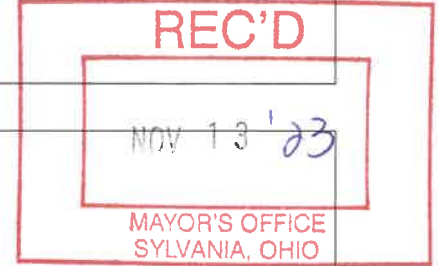
**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

<b>8635698</b>		<b>TRFO</b>	<b>STRATOSPHERE IS THE LIMIT LLC</b>	
PERMIT NUMBER		TYPE	DBA BACKSTAGE	
<b>06</b>	<b>01</b>	<b>2023</b>		
ISSUE DATE		1ST FL & PATIO		
<b>10</b>	<b>31</b>	<b>2023</b>		
FILING DATE		5676-78-80 MAYBERRY SQ		
<b>D5 D6</b>		SYLVANIA OH 43560		
PERMIT CLASSES				
<b>48</b>	<b>077</b>	<b>A</b>	<b>F30308</b>	
TAX DISTRICT			RECEIPT NO.	

FROM **11/07/2023**

<b>6268645</b>			<b>MYWAY CANTINA LLC</b>	
PERMIT NUMBER		TYPE	DBA MYWAY CANTINA	
<b>06</b>	<b>01</b>	<b>2023</b>		
ISSUE DATE		1ST FL & PATIO		
<b>10</b>	<b>31</b>	<b>2023</b>		
FILING DATE		5676-78-80 MAYBERRY SQ		
<b>D5 D6</b>		SYLVANIA OH 43560		
PERMIT CLASSES				
<b>48</b>	<b>077</b>			
TAX DISTRICT			RECEIPT NO.	



MAILED **11/07/2023**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **12/08/2023**

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A TRFO 8635698**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF SYLVANIA CITY COUNCIL**  
**6730 MONROE ST**  
**SYLVANIA OHIO 43560**