

**Sylvania City Council**

March 4, 2024

**7:15 p.m. Zoning & Annexation Committee Meeting**

City of Sylvania Event Policy

**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 February 20, 2024.
5. Proclamation presentation for Developmental Disabilities Awareness Month by Mayor Stough.
6. Levy endorsement presentation for Lucas County Mental Health and Recovery Services Board by Michael Carter and Scott Sylak.
7. Executive Session to discuss pending litigation.
8. Angola/Frankfort-Silica-Summit-Maplewood-Erie Resurfacing Project.
  - a. Service Director's letter project award.
  - b. Proposed Ordinance No. 29-2024, Accepting the proposal of Feller Finch & Associates, Inc. to provide professional engineering services for this project.
9. Right-of-Way Acquisition (Harroun Rd./Ravine Dr./Flower Hospital).
  - a. Service Director's letter requesting ROW acquisition approval.
  - b. Proposed Ordinance No. 30-2024, Accepting a temporary construction easement from Crestview of Ohio, Inc., n/k/a ProMedica Continuing Care Services Corporation, for this project.
10. McCord Road Improvement Project.
  - a. Service Director's letter on project award.
  - b. Proposed Ordinance No. 31-2024, Accepting the proposal of American Structurepoint, Inc. to provide construction management services for this project.
11. Oakland Court Improvement Project.
  - a. Service Director's letter on project award.
  - b. Proposed Ordinance No. 32-2024, Accepting the proposal of American Structurepoint, Inc., to provide construction management services for this project.

12. Storm Sewer Payment Agreement.
    - a. Service Director's letter requesting approval of agreement.
    - b. Proposed Ordinance No. 33-2024, Authorizing the Mayor and Director of Finance to enter into an Installment Payment Agreement for the Storm Sewer Tap Fee, Connection Fee and Service Line for the property located at 5744 Roan Road.
  13. Plummer Pool Improvements – Joint Cooperation Agreement.
    - a. Service Director's letter requesting approval of the agreement.
    - b. Proposed Ordinance No. 34-2024, Authorizing the Mayor and Director of Finance to enter into a Joint Cooperation Agreement on behalf of this City of Sylvania with the Sylvania Area Joint Recreation District ("SAJRD") relative to the Plummer Pool Improvement Project.
  14. Proposed Ordinance No. 35-2024, Authorizing the Mayor and Director of Finance to enter into a Second Amendment to the City's Agreement with Sylvania Compost & Recycling, LLC to provide Green Yard Waste Drop-Off from September 1, 2024 through September 20, 2026.
  15. Proposed Ordinance No. 36-2024, Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Section 127.01 – Director and Deputy Director by adding a "Deputy Director of Public Service I" position from March 5, 2024 through May 31, 2024 at which time said Deputy Director of Public Service I position shall be eliminated.
  16. Police Division Vehicle Purchase.
    - a. Safety Director's letter requesting purchase approval.
    - b. Proposed Ordinance No. 37-2024, Authorizing the Mayor and Director of Finance to accept the proposal of Baumann Ford Oregon, LLC for the purchase of one new 2025 Ford Explorer for the Sylvania City Police Department.
  17. Street Banner Application.
    - a. Application from Lourdes University.
    - b. Proposed Ordinance No. 38-2024, Approving the Banner Application of Lourdes University.
  18. Proposed Resolution No. 2-2024, a Resolution of the Council of the City of Sylvania declaring its intent to enter into a First Amendment to the Joint Economic Development District Agreement to add areas to the Joint Economic Development District. (Set Public Hearing date for April 15, 2024)
  19. Then and Now Certifications approval.
  20. Committee reports.
    - a. Zoning & Annexation Committee meeting held this date.
  21. Committee referrals.
- INFORMATION**
- A. Police Division 2023 Drug Forfeiture Report.

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The Council of the City of Sylvania, Ohio met in regular session on February 20, 2024 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(absent), Patrick Richardson, Mary Westphal, Lyndsey Stough; (6) present; (1) absent.

Roll call:  
6 present.

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

Pledge of  
Allegiance.

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

Additions to the agenda:

Item #13. Remove Proposed Ordinance No. 21-2024 from the agenda.

Item #14b. Refer Proposed Ordinance No. 26-2024 to the Planning Commission.

Item #15a. Schedule a Zoning & Annexation Committee meeting.

Item #16. Mayor's Appointment to TMACOG/MPO Policy Board.

Additions to the  
agenda.

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

Agenda approval.

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

Mr. Frye presented the February 5, 2024 regular meeting minutes. Mr. Frye moved, Mr. Hansen 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 February 5, 2024 be approved; roll call vote being: Frye, Haynam, Hansen, Richardson, Westphal, Stough; (6) yeas; (0) nays. The motion carried.

Approval of the  
February 5, 2024  
Meeting minutes.

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

Service Director's report on project award was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 14-2024, a written copy of same having been previously furnished to each member of Council "Accepting the proposal of American Structurepoint, Inc. to provide construction management services for the Main Street Reconstruction Project; appropriating funds therefore in an amount not to exceed \$136,936; and declaring an emergency."; Mr. Richardson moved, Ms. Stough seconded for passage of Ordinance No. 14-2024 as an emergency measure; roll call vote being: Westphal, Hansen, Haynam, Richardson, Frye, Stough; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
14-2024, "...  
American  
Structurepoint  
...Main St Re-  
Construction  
project..."

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

Service Director's report on project award was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 15-2024, a written copy of same having been previously furnished to each member of Council "Accepting the proposal of Fishbeck to provide professional engineering and surveying services for the Elden Ditch Watershed (Phase 2) Project; appropriating funds therefore in the amount of

Ordinance No.  
15-2024, "...  
Fishbeck...  
Elden Ditch  
Watershed Phase  
2..."

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\$106,110; and declaring an emergency.”; Mr. Frye moved, Mrs. Westphal seconded for passage of Ordinance No. 15-2024 as an emergency measure; roll call vote being: Westphal, Hansen, Haynam, Richardson, Frye, Stough; (6) yeas; (0) nays. The motion carried.

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

Service Director’s letter on project award was placed on file. Mr. Hansen presented and read aloud by title only, proposed Ordinance No. 16-2024, a written copy of same having been previously furnished to each member of Council “Accepting the proposal of Fishbeck to provide professional engineering and surveying services for the Elden Ditch Watershed (Phase 3) project; appropriating funds therefore in the amount of \$108,090; and declaring an emergency.”; Mr. Hansen moved, Mr. Haynam seconded for passage of Ordinance No. 16-2024 as an emergency measure; roll call vote being: Hansen, Haynam, Westphal, Richardson, Frye, Stough; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
16-2024, “...  
Fishbeck...  
Elden Ditch  
Watershed Phase  
3...”

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

Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 17-2024, a written copy of same having been previously furnished to each member of Council “Authorizing the Mayor and Director of Finance to approve Change Order No. 3 to this City’s Agreement with Mosser Construction for the Monroe Street and Silica Drive Intersection Improvement and Silica Drive Bridge Replacement project to reflect the cost of several new scope of work items; increasing the contract amount by \$157,642.49; appropriating funds therefore; and declaring an emergency.”; Mr. Richardson moved, Ms. Stough seconded for passage of Ordinance No. 17-2024 as an emergency measure; roll call vote being: Frye, Westphal, Hansen, Haynam, Richardson, Stough; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
17-2024, “...  
Change Order  
No. 3...Mosser  
Construction...  
Monroe/Silica/  
Bridge...”

Mr. Haynam moved, Mrs. Westphal seconded to allow Mr. Frye to push back from the table at 7:48 p.m.; roll call vote being: Westphal, Hansen, Haynam, Richardson, Frye, Stough; (6) yeas; (0) nays. The motion carried.

Mr. Frye pushes  
back from table.

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

Service Director’s letter requesting participation in a Joint Cooperation Agreement was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 18-2024, a written copy of same having been previously furnished to each member of Council “Authorizing the Mayor and Director of Finance to enter into

Ordinance No.  
18-2024, “...  
Joint  
Cooperation

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a Joint Cooperation Agreement on behalf of the City of Sylvania with the Board of Lucas County Commissioners, relative to the Angola, Frankfort, McCord, Silica and Summit Resurfacing Project; appropriating \$395,944 for said project; and declaring an emergency.”; Mr. Richardson moved, Mr. Hansen seconded for passage of Ordinance No. 18-2024 as an emergency measure; roll call vote being: Hansen, Haynam, Westphal, Richardson, Stough; (5) yeas; (0) nays. The motion carried.

Agreement...  
Resurfacing  
project...”

Mr. Frye rejoins the table at 7:53 p.m.

Mr. Frye rejoins  
table.

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

Service Director’s letter requesting purchase approval was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 19-2024, 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 Grogan’s Towne Chrysler for the purchase of one new 2024 Dodge Durango for the Department of Public Service, Water Division; appropriating funds therefore in the amount of \$42,855; and declaring an emergency.”; Mr. Frye moved, Mr. Haynam seconded for passage of Ordinance No. 19-2024 as an emergency measure; roll call vote being: Haynam, Hansen, Westphal, Richardson, Frye, Stough; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
19-2024, “...  
Grogan’s Towne  
...Dodge  
Durango...  
Water  
Division...”

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

Service Director’s letter requesting purchase approval was placed on file. Mr. Hansen presented and read aloud by title only, proposed Ordinance No. 20-2024, 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 Dave White Chevrolet for the purchase of one new 2024 Chevrolet Silverado 2500HD Pickup Truck for the Department of Public Service, Sewer Division; appropriating funds therefore in the amount of \$47,485; and declaring an emergency.”; Mr. Hansen moved, Mr. Haynam seconded for passage of Ordinance No. 20-2024 as an emergency measure; roll call vote being: Hansen, Westphal, Richardson, Haynam, Frye, Stough; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
20-2024, “...  
Dave White...  
Silverado...  
Sewer  
Division...”

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

Service Director’s letter requesting authorization to advertise for bids was placed on file. Mr. Richardson moved, Mr. Hansen seconded to authorize the administration to advertise for bids on the Bentbrook Road, Burgess Road and Lynnhaven Drive Resurfacing Project; roll call vote being: Haynam, Westphal, Richardson, Frye, Stough,

Authorize to  
advertise for  
bids, Bentbrook,  
Burgess, and

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Hansen; (6) yeas; (0) nays. The motion carried.

Lynnhaven.

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

Proposed Ordinance No. 21-2024 was pulled from the agenda for further review.

Ordinance No.  
21-2024 pulled  
from agenda.

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

Mr. Frye gave a report on the Committee of the Whole meeting held this date. Open meeting held to explain the City's Schedule of Rates and Fees. Mr. Aller explained the restructured fees and reason for consolidation and relocation. The regulation for all fees will be considered at one time at a public hearing.

C.O.W. report by  
Mr. Frye.

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

Mr. Haynam moved, Mr. Hansen seconded to refer proposed Ordinance No. 26-2024, a written copy of same having been previously furnished to each member of Council "Amending Part Eleven – Planning and Zoning Code of the Sylvania Codified Ordinances, 1979, as amended" to the Municipal Planning Commission for review and recommendation; roll call vote being: Hansen, Frye, Westphal, Richardson, Haynam, Stough; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
26-2024 referral  
to Plan  
Commission.

Mr. Frye moved, Ms. Stough seconded to schedule a Public Hearing for review and discussion of the City's Schedule of Rates and Fees for Monday, April 1, 2024 at 7:00 p.m. in City Council Chambers at 6635 Maplewood Avenue, Sylvania, Ohio 43560; roll call vote being: Haynam, Hansen, Westphal, Richardson, Frye, Stough; (6) yeas; (0) nays. The motion carried

Schedule Public  
Hearing for  
4/1/24 at 7:00pm.

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

Mr. Haynam moved, Mrs. Westphal seconded to schedule a Zoning & Annexation Committee Meeting to discuss the City's Event Policy for Monday, March 4, 2024 at 7:15 p.m. in City Council Chambers at 6635 Maplewood Avenue, Sylvania, Ohio 43560; roll call vote being: Frye, Haynam, Hansen, Westphal, Richardson, Stough; (6) yeas; (0) nays. The motion carried.

Z&A Comm.  
Meeting set for  
3/4/24 at 7:15pm.

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Mayor Stough stated that Council will now consider agenda item 16.

Mayor Stough appoints Mr. Mark Frye to the TMACOG Metropolitan Planning Organization Policy Board as a City of Sylvania representative.

Mayor's  
Appointment of  
Mr. Frye to  
TMACOG/MPO  
Policy Board.

Mayor Stough stated all agenda items have been addressed.

Mr. Frye moved, Mrs. Westphal seconded to adjourn at 8:10 p.m. Roll call vote being:  
Frye, Richardson, Westphal, Hansen, Stough, Haynam; (6) yeas; (0) nays.

Adjournment.

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Clerk of Council

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Mayor



# P Proclamation

**Whereas:** The Mission of the Lucas County Board of Development Disabilities (LCBDD) is Improving LIFE so that individuals with developmental disabilities reach their full potential; and

**WHEREAS:** LIFE stands for their Core Values; Living Life, Inclusion, Freedom of Choice and Everyone has Worth; and

**WHEREAS:** the history of the LCBDD is one of initiative, advocacy and leadership. Their current programs evolved from early classes taught by Josina Lott in her dining room starting in 1938 and she eventually opened the Lott Day School in East Toledo in 1945; and

**WHEREAS:** in 1962, voters in Lucas County authorized the first levy in Ohio history to support the education of children with intellectual disabilities; and

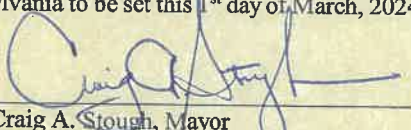
**WHEREAS:** since 1987, March has been recognized as Developmental Disabilities Awareness Month and is a nationwide event that aims to raise awareness about the inclusion of people with developmental disabilities, and highlight the value, rights, and aspirations of those individuals.

**NOW, THEREFORE, I,** Craig A. Stough, Mayor, do hereby proclaim the month of March, 2024 as

## **DEVELOPMENTAL DISABILITIES AWARENESS MONTH**

in the City of Sylvania.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the official seal of the City of Sylvania to be set this 1<sup>st</sup> day of March, 2024.

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





8a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 4, 2024

To: The Mayor and Members of Sylvania City Council

Re: **Engineering Services Proposal**  
**Angola/Frankfort-Silica-Summit-Maplewood-Erie Resurfacing**

Dear Mr. Mayor and Council Members:

On February 20, 2024 City Council authorized the Service Department to enter into a joint-cooperation agreement with the Lucas County Engineer for the administration of Ohio Public Works Commission (OPWC) loan/grant funds for the Angola Road, Frankfort Road, McCord Road, Silica Drive, Summit Street, Maplewood Avenue, and Erie Street Resurfacing Project (Ord. 18-2024). The City scope of work would resurface Silica Drive from 1,200 feet north of Convent Boulevard to Tenmile Creek, Summit Street, Maplewood Avenue between Main Street and Summit Street and Erie Street between Main Street and Summit Street. Construction is scheduled for 2025.

As a part of the joint cooperation agreement, each entity would be responsible for conducting the engineering and construction plan preparation work for their respective portions of the project. The City requested an engineering proposal from Feller Finch Associates, Inc. from Maumee, Ohio. Feller Finch provided the same engineering services for the City on the last joint-cooperation agreement project with Lucas County on the Brint Road Resurfacing Project, completed in 2023.

Feller Finch's proposal to provide topographic field survey and engineering on all four (4) roadways was in the amount of \$21,400. We would recommend approval of Feller Finch and Associates, Inc. proposal in the amount of \$21,400. These funds were included in the 2024 budget and were programmed using account 401-7610-53503. Please call with any questions.

Sincerely,

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

8b.

**ORDINANCE NO. 29-2024**

**ACCEPTING THE PROPOSAL OF FELLER FINCH & ASSOCIATES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE ANGOLA, FRANKFORT, McCORD, SILICA AND SUMMIT RESURFACING PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$21,400; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 18-2024, passed February 20, 2024, authorized the Mayor and Director of Finance to enter into a Joint Cooperation Agreement on behalf of the City of Sylvania with the Board of Lucas County Commissioners relative to the Angola, Frankfort, McCord, Silica and Summit Resurfacing Project and appropriated \$395,944 for the City's portion of said project; and,

WHEREAS, the terms of the Agreement requires each entity to conduct engineering and construction plan preparation work for their respective portions of the project; and,

WHEREAS, the Director of Public Service, by report dated March 4, 2024, has received a proposal from Feller Finch to provide engineering and surveying services and to prepare the necessary construction plans for the proposed resurfacing improvements; and,

WHEREAS, the Director of Public Service, by report dated March 4, 2024, has recommended that the proposal in the amount of \$21,400 for the professional engineering and construction plan services relative to the Angola, Frankfort, McCord, Silica and Summit Resurfacing Project be accepted.

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

**SECTION 1.** That the proposal of Feller Finch in the amount of Twenty-One Thousand Four Hundred Dollars (\$21,400.00) for providing professional engineering services, including the preparation of necessary construction plans for the Angola, Frankfort, McCord, Silica and Summit Resurfacing Project, is hereby approved and accepted.

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

**SECTION 3.** That to provide funds for said engineering services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503 – Street Improvements** the

amount of Twenty-One Thousand Four Hundred Dollars (\$21,400.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the engineering services for the Angola, Frankfort, McCord, Silica and Summit Resurfacing Project at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

# FellerFinch

& ASSOCIATES, INC.

Engineers · Surveyors

1683 Woodlands Drive  
Maumee, Ohio 43537  
Phone: (419) 893-3680  
Fax: (419) 893-2982  
[www.fellerfinch.com](http://www.fellerfinch.com)

Donald L. Feller, P.E.  
Gregory N. Feller, P.E.  
Aaron M. Feller, P.E.

February 7, 2024

Mr. Joe Shaw  
City of Sylvania  
6730 Monroe Street  
Sylvania, OH 43560

RE: 2024 Road Resurfacing Project  
Proposal No.: 10P06334

Dear Mr. Shaw:

We propose to provide engineering and surveying services for the following project:

Milling and resurfacing of Silica Dr. (curve to 10 Mile Creek, 1,650 LF), Summit St. (3,600 LF), Erie St. (Main to Summit, 325 LF), & Maplewood Ave. (Main to Summit, 325 LF) in the City of Sylvania.

You will be expected to provide us with any information regarding additional requirements, including any special or extraordinary considerations for the project or special services needed. Our services will consist of the following:

- Prepare plans for the milling and resurfacing of the roads.
- Specifications for spot full depth repairs where needed.
- Necessary adjustments to manholes, valves, and roadway monuments.
- Upgrade deficient curb ramps.
- The plans will include the following:
  - Title sheet
  - General notes
  - Typical sections
  - General summary
  - Plan sheets
- Provide field survey as needed to prepare the plans. Existing plan records will be utilized where possible.
- Submittal of drawings and preliminary cost estimate to the City at the 50% level for review.
- Submittal of drawings and finalized cost estimate at the 100% level. Final submittal shall include:
  - AutoCAD files
  - 11x17 PDF set
  - Cost estimate

**Our fees for the services described above will be time and expense, not to exceed \$21,400.00. The project is anticipated to include the following man hours: 30 survey hours, 125 engineer hours and 45 technician hours.**

Additional or non-customary services and resident services during construction will be charged based on our current hourly rates. We will invoice you monthly for our services and reimbursable expenses.

The above financial arrangements are on the basis of prompt payment of our invoices and continuous progress of the Project through construction. Invoices that remain unpaid for more than thirty (30) days after the invoice date will be charged a service/finance charge of 1-1/2% per month. **We reserve the**

*Additional office in Franklin, Tennessee*

**right to suspend or terminate our services if our invoices are not paid within forty-five (45) days of the invoice date.** Any charges held to be in dispute shall be called to our attention within ten (10) days of receipt of our invoice.

All Documents are instruments of service and Feller, Finch & Associates, Inc. (FFA) shall retain an ownership and property interest therein (including the copyright and the right of reuse) whether or not the project is completed. You shall not rely in any way on any document unless it is signed or sealed by the Engineer or one of its consultants.

Files in electronic media format of text, data, graphics, or other types as furnished by one party to the other are furnished only for convenience, not reliance by the receiving party. Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

This proposal/agreement is intended by the parties to be governed by the laws of the State of Ohio. The parties agree that dispute hereunder shall be adjudicated in court of competent jurisdiction in Lucas County, Ohio.

In recognition of the relative risks and benefits of the project to both the Client and the Design Professional, the Client agrees, to the fullest extent permitted by law, to limit the Design Professional's total liability to the Client or anyone making claims through the Client, for any and all damages or claim expenses (including attorney's fees) arising out of this Agreement, from any and all causes, to the total amount of the Design Professional's fee.

Either party may terminate this agreement with immediate effect by delivering notice of the termination, in writing in the form of an email or letter, to the other party. If the termination is initiated by FFA, FFA will provide the client with the work completed and paid for up to the date of the termination. Any outstanding invoices for work completed prior to termination shall be paid. Payments for work completed will not be refunded.

This proposal/agreement represents the full and final understanding between you and us in respect to the project and supersedes any previous understandings both written and oral, and may only be modified in writing signed by both of us. If this proposal/agreement sets forth your understanding of the arrangement between us, we would appreciate your signing both copies of this letter in the space below and return one signed copy to us. This proposal/agreement will be open for acceptance for forty-five (45) days, unless changed by us in writing.

If you have questions or desire additional information, please contact our office.

Sincerely,

FELLER, FINCH & ASSOCIATES, INC.



Gregory N. Feller, P. E.  
President

Accepted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**CLIENT:** \_\_\_\_\_

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
(Please Print Name & Title)

By: \_\_\_\_\_  
(Signature)

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
(Please Print Name & Title)



9a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 4, 2024

To: The Mayor and Members of Sylvania City Council

Re: **Right-of-Way Acquisition (001-T)**  
**LUC-TR 77-0.54 (PID 116375)**

Dear Mr. Mayor and Council Members:

The construction plans for the proposed traffic signal installation at Harroun Road and Ravine Drive with a newly relocated Flower Hospital driveway (PID 116375) has advanced through Stage 3 plan development. The final right-of-way plans for the lone parcel on the east side of Harroun Road are completed and the City was authorized to begin the right-of-way acquisition for this parcel on October 27, 2023.

In order to accommodate the roadway improvements, the Service Department needs to acquire a temporary construction easement from Crestview of Ohio, Inc., an Ohio corporation, now known as ProMedica Continuing Care Services Corporation (Ownership 001 in the Right-of-Way Plan on file with the Service Department). The temporary construction easement take of 1.858 acres is along the east side of Harroun Road across from Ravine Drive. The temporary construction easement allows the City the right to enter and complete the necessary scope of work beyond the right-of-way over a 12-month period and includes the construction of Flower Hospital's new main entrance driveway including grading and drainage work.

The City has reached an agreement with the owner in consideration of \$101,215.00. Procurement of the temporary construction easement was a known project expense included in the 2024 capital improvement budget. Funds are available and allocated from account number 401-7610-53609. We would request approval of the enclosed temporary construction easement with Crestview of Ohio, Inc. in the amount of \$101,215.00. Please call with any questions.

Sincerely,

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



9b.

**ORDINANCE NO. 30-2024**

**ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT FROM CRESTVIEW OF OHIO, INC., n/k/a PROMEDICA CONTINUING CARE SERVICES CORPORATION FOR THE HARROUN ROAD & RAVINE DRIVE INTERSECTION IMPROVEMENT PROJECT; DEDICATING THE TEMPORARY EASEMENT FOR PUBLIC PURPOSES; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$101,215; AND DECLARING AN EMERGENCY.**

WHEREAS, plans for the Harroun Road and Ravine Drive Intersection Improvement Project in the City of Sylvania, Ohio have been completed; and,

WHEREAS, the project includes new traffic signal installation and intersection improvements, and in order to accomplish these improvements, the City needs to acquire a temporary easement from Crestview of Ohio, Inc., n/k/a ProMedica Continuing Care Services Corporation; and,

WHEREAS, Crestview of Ohio, Inc., n/k/a ProMedica Continuing Care Services Corporation is entitled to receive payment of just compensation representing the fair market value of the temporary easement after an appraisal of those rights and they have executed and delivered a grant of temporary easement to this City for which they will be paid the sum of One Hundred One Thousand Two Hundred Fifteen Dollars (\$101,215.00), a copy of which grant of temporary easement is attached hereto as "Exhibit A"; and,

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

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

SECTION 1. That the temporary easement as to executed and tendered as described on "Exhibit A" be, and the same hereby is, accepted from Crestview of Ohio, Inc., n/k/a ProMedica Continuing Care Services Corporation, the grantor therein.

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

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

SECTION 4. That, to provide funds for payment to the Grantor of said temporary easement hereby accepted, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND**, from funds therein not heretofore appropriated, to **Account No. 401-7610-53609 – Gateway Project**, the sum of One Hundred One Thousand Two Hundred Fifteen Dollars (\$101,215.00).

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

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

SECTION 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the improvements should proceed as soon as possible and accordingly the acquisition of the necessary temporary easement should proceed forthwith and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

LPA RE 807  
Rev. 10/2017

TE  
LPA

### TEMPORARY EASEMENT

Crestview of Ohio Inc., an Ohio corporation, nka ProMedica Continuing Care Services Corporation, the Grantor, in consideration of the sum of \$101,215.00, to be paid by City of Sylvania, the Grantee, and the work to be performed by Grantee described in the Plan Letter Attachment described below, does grant to Grantee the temporary easement to exclusively occupy (subject to Grantor's continued use of the boulevard driveway from Harroun Road which driveway serves the hospital campus adjacent to the Property, and which driveway Grantee is required to maintain open and operational as described in the said Plan Letter Attachment) and use for the purposes mentioned in Exhibit A (and subject to the said Plan Letter Attachment) the following described real estate:

PARCEL(S): 001-T

LUC TR 77-0.54

SEE EXHIBIT A ATTACHED

Lucas County Current Tax Parcel No. 82-03423

Prior Instrument Reference: Volume 1944, Page 381, Lucas County Recorder's Office.

To have and to hold the temporary easement, for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors, provided in no event shall the temporary

easement granted hereby expire later than December 31, 2026.

The temporary easement interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road, and other improvements, which other improvements are described in the Plan Letter Attachment (LUC-TR 77-0.54 001-T) – Date of Offer 12/7/2023 and Revision Date of 02/02/24, issued by Grantee to Grantor. By accepting this Easement, Grantee agrees to complete and shall complete the improvements described in said Plan Letter Attachment.

**THE REMAINDER OF THIS PAGE IS LEFT BLANK INTENTIONALLY  
THE SIGNATURE PAGE FOLLOWS NEXT**

IN WITNESS WHEREOF, Crestview of Ohio, Inc., an Ohio nonprofit corporation, n/k/a ProMedica Continuing Care Services Corporation, has caused its name to be subscribed by Dawn M. Buskey, President of ProMedica Continuum Services, an Ohio nonprofit corporation, as sole member of ProMedica Continuing Care Services Corporation, its duly authorized agent on the 16<sup>th</sup> day of February, 2024

CRESTVIEW OF OHIO, INC., AN OHIO CORPORATION, NKA PROMEDICA CONTINUING CARE SERVICES CORPORATION

By: ProMedica Continuum Services, an Ohio nonprofit corporation, as Sole Member of ProMedica Continuing Care Services Corporation (f/k/a Crestview of Ohio, Inc.)

By:   
Dawn M. Buskey, President

STATE OF OHIO, COUNTY OF LUCAS SS:

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of February, 2024, by Dawn M. Buskey, President of ProMedica Continuum Services, an Ohio nonprofit corporation, as sole member of ProMedica Continuing Care Services Corporation, an Ohio nonprofit corporation f/k/a Crestview of Ohio, Inc., on behalf of the corporation.



NOTARY PUBLIC

My Commission expires:



**MARK H. ROSE**  
Notary Public - State of Ohio  
My commission has no expiration date.  
Section 147.03 R.C.

This form LPA RE 807 was updated to conform to new notarial language requirements as per Revised Code 147.542 per HB 567 Eff. April 6, 2023.

This document was prepared by the City of Sylvania Law Director in the name and for the use of the City of Sylvania, Ohio.

## **EXHIBIT A**

LPA RX 887 T

Page 1 of 3

Rev. 07/09

Ver. Date 09/27/23

PID 116375

**PARCEL 1-T  
LUC-TR 77-0.54  
TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
TO CONSTRUCT A DRIVE, PRIVATE STORM AND GRADING  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
CITY OF SYLVANIA, LUCAS COUNTY, OHIO**

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[Surveyor's description of the premises follows]

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Situated in the State of Ohio, County of Lucas, City of Sylvania, being part of the Southeast Quarter of Section 10, Town 9 South, Range 6 East, out of a parcel of land conveyed to Crestview of Ohio, Inc (as of the date of this survey) by deed of record in Deed Volume 1944, Page 381, and being on the right side of the centerline of right of way of Township Road 77 (TR 77) (Harroun Road), as shown on a centerline survey plat made in October 2022, for the City of Sylvania titled "LUC-TR 77-0.54, PID 116375", and bounded and described as follows:

***Beginning***, at the intersection of the Easterly existing right of way line of Township Road 77 with the Easterly line of a proposed temporary construction easement, acquired as parcel 1-T by right of way plans made of the City of Sylvania titled "LUC-TR 77-0.54, PID 116375" (Station 39+00.76, 73.00 feet right TR 77)

1. Thence South 89 Degrees 50 Minutes 31 Seconds East a distance of 10.99 feet, perpendicular to said Easterly existing right of way line, to a point of curvature (Station 39+00.76, 83.99 feet right TR 77);
2. Thence Southeasterly with a curve to the right an arc distance of 134.13 feet to a point of tangency, said curve having a central angle of 55 Degrees 05 Minutes 29 Seconds, a radius of 139.50 feet, and a chord that bears South 62 Degrees 17 Minutes 47 Seconds East for a distance of 129.03 feet (Station 38+41.09, 198.39 feet right TR 77);
3. Thence South 34 Degrees 45 Minutes 02 Seconds East a distance of 27.50 feet to a point curvature (Station 38+18.54, 214.12 feet right TR 77);
4. Thence Southeasterly with a curve to the left an arc distance of 82.69 feet to a point of tangency, said curve having a central angle of 97 Degrees 41 Minutes 18 Seconds, a radius of 48.50 feet, and a chord that bears South 83 Degrees 35 Minutes 41 Seconds East for a distance of 73.03 feet to a point (Station 38+10.60, 286.72 feet right TR 77);

## EXHIBIT A

LPA RX 887 T

Page 2 of 3

Rev. 07/09

5. Thence North 47 Degrees 33 Minutes 40 Seconds East a distance of 40.00 feet to a point (Station 38+37.67, 316.17 feet right TR 77);
6. Thence South 59 Degrees 23 Minutes 00 Seconds East a distance of 25.00 feet to a point (Station 38+25.00, 337.72 feet right TR 77);
7. Thence South 30 Degrees 37 Minutes 00 Seconds West a distance of 136.10 feet to a point (Station 37+07.68, 268.73 feet right TR 77);
8. Thence Southwesterly with a curve to the left an arc distance of 123.57 feet to a point of tangency, said curve having a central angle of 30 Degrees 07 Minutes 39 Seconds, a radius of 235.00 feet, and a chord that bears South 15 Degrees 33 Minutes 10 Seconds West for a distance of 122.15 feet to a point (Station 35+89.91, 236.30 feet right TR 77);
9. Thence South 00 Degrees 29 Minutes 20 Seconds West a distance of 96.98 feet to a point (Station 34+92.93, 235.74 feet right TR 77);
10. Thence South 02 Degrees 31 Minutes 19 Seconds East a distance of 98.04 feet to a point (Station 33+95.00, 240.32 feet right TR 77);
11. Thence North 89 Degrees 50 Minutes 31 Seconds West a distance of 65.32 feet, perpendicular to the Easterly existing right of way line of Township Road 77, to a point (Station 33+95.00, 175.00 feet right TR 77);
12. Thence North 00 Degrees 09 Minutes 29 Seconds East a distance of 45.00 feet, parallel with and 102.00 feet Easterly of said Easterly existing right of way line, to a point (Station 34+40.00, 175.00 feet right TR 77);
13. Thence North 89 Degrees 50 Minutes 31 Seconds West a distance of 102.00 feet, perpendicular to said Easterly existing right of way line, to a point on the Easterly existing right of way line of Township Road 77 (Station 34+40.00, 73.00 feet right TR 77);
14. Thence North 00 Degrees 09 Minutes 29 Seconds East a distance of 460.76 feet with said Easterly existing right of way line, to the *Point of Beginning*.

The above described parcel contains 1.858 acres of land, more or less, of which the present road occupies 0.00 acres leaving a net take of 1.858 acres, more or less, contained within Lucas County Auditor's Permanent Parcel Number 82-03423.



**EXHIBIT A**

LPA RX 887 T

Page 3 of 3  
Rev. 07/09

The bearings in this description are for project use only and are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011). Said coordinates originated from GPS observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The portion of the centerline of Township Road 77 having a bearing of North 00 Degrees 09 Minutes 29 Seconds East is designated the Basis of Bearing for this description.

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

Points referred to as set are  $\frac{3}{4}$  inch diameter x 30 inch long re-bars with a  $1\frac{1}{2}$  inch diameter aluminum cap marked "DGL PS #8029".

The above description is based on a land survey performed in July of 2022, by DGL Consulting Engineers, LLC and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

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

10/25/23  
Date:



**PLAN LETTER ATTACHMENT**

LUC-TR 77-0.54

001-T

**Date of offer: 12/7/2023**

**Revision Date: 02/02/24**

To avoid any misunderstanding as to the work to be done, the City of Sylvania, Ohio (“**City**”) is furnishing ProMedica Continuing Care Services Corporation (f/k/a Crestview of Ohio, Inc.) (herein, the “**Owner**”) this plan letter attachment (“**Plan Letter Attachment**”) and a print of the right of way plan sheets applicable to the Easement Property (defined below) and associated construction plan sheets, if applicable (Plan Sheets Dated 8/11/23 and identified as “Compliance R/W Submittal 10/26/2023” prepared by DGL Consulting Engineers, covered by “Right Of Way Legend Sheet LUC - TR-77-0.54” and consisting of seven (7) total pages inclusive of the said Legend Sheet, referred to here as the “**Plan Drawings**”). The work described in this Plan Letter Attachment and the Plan Drawings forms a part of the consideration to be conveyed by the City to Owner for the Temporary Easement granted by Owner to the City coincident with this Plan Letter Attachment. Changes to this Plan Letter Attachment or the Plan Drawings required by engineering revisions or as agreed to in negotiations will be documented in writing by the City. This Plan Letter Attachment shall supplement the Plan Drawings – any improvements described in this Plan Letter Attachment which are not in the Plan Drawings shall be completed by the City despite their absence from the Plan Drawings.

The proposed project consists of the installation of a traffic signal on Harroun Road at Ravine Drive in the City of Sylvania, Lucas County, Ohio. The project includes the relocation of Flower Hospital’s main boulevard drive and the construction of asphalt pavement, curb and gutter, drainage, irrigation re-work, driveway lighting, hydro-seeding of all disturbed areas inclusive of hydro-seeding the center of the new median within the replacement driveway boulevard, and traffic control. Construction for this project is scheduled to begin September 1, 2024 with completion anticipated for April 1, 2025.

The real property needed for the LUC-TR 77-0.54 project requires the acquisition of a portion of your property, which portion is legally described in the Temporary Easement and referred to below as the “**Easement Property**”. The City needs to acquire from you parcel 001-T. This acquisition is further explained as follows.

Prior to commencing any work within the Easement Property, City shall cause its contractor to submit the construction documents to the representative of Owner who shall be as follows unless modified in writing by Owner (the “**Owner Representative**”):

Brian McNulty, Associate Vice President  
System Construction Management  
100 Madison Avenue  
Toledo, Ohio 43604  
Direct 567-585-8130  
Mobile 419-262-2051  
[brian.mcnulty@promedica.org](mailto:brian.mcnulty@promedica.org)

No work shall commence until the Owner Representative approves the construction documents.

**Parcel 001-T:**

Parcel 001-T is defined as a Temporary Construction Easement to be acquired in the name of and for the use by the City of Sylvania, Ohio. This identifier is used to designate an area of temporary usage, where permanent Right of Way is not required. For this acquisition, the temporary easement is needed to provide room for grading and completion of the improvements described in this Plan Letter Attachment.

The temporary construction easement will be taken for a period of twelve (12) months commencing with the date the contractor first enters the property and running consecutively for the (12) month duration. The City will have no residual interest in the defined work area once all construction activity is complete.

The necessary area for parcel 001-T is shaded in **Blue** on right of way Plan Drawings sheets 5, 6 & 7/7 (the "*Easement Property*"), The Easement Property will encumber 1.858 acres or some 80,934 square feet of land. Under no circumstances are temporary easements to be used for storage of materials or equipment by the contractor without prior written permission.

The legal description for the Easement Property is noted as Exhibit "A" and is attached to the Temporary Easement, form RE-807, for parcel 001-T.

**Structures, Improvements and Owner Owned Improvements**

Approximately 8,050 s/f of paving  
Approximately 500 s/f of landscaping  
Approximately 580 s/f of concrete curb  
Electrical Service for sign removal  
Monument Sign  
Approximately 5 painted arrows  
Painted roadway lines  
Irrigation System

Driveway Lighting Fixtures and electrical connections  
Seeding

Drives

The existing main boulevard driveway entrance to Flower Hospital will be removed and realigned to the north at Ravine Drive (the "***Replacement Boulevard Driveway***"), where this newly created signaled intersection will become the new main entrance to Flower Hospital. The new entry and exit lanes of the Replacement Boulevard Driveway will be located to the north between stations 38 and 39. Prior to completion of Replacement Boulevard Driveway as shown on the Plan Drawings, the City will maintain the existing main boulevard driveway in its current condition (as of the date of this Plan Letter Attachment) for its continuous, uninterrupted use as the main boulevard entrance driveway serving the Flower Hospital campus from Harroun Road.

Drive Lighting

The contractor shall install, and connect to sufficient electrical supply, lighting fixtures along the Replacement Boulevard Driveway (and any other lighting fixtures removed by contractor on or adjacent to the Easement Property during the project) lighting fixtures to match the lighting fixtures currently in the existing boulevard driveway.

New Pavement/Grade/Swale

The proposed pavement grade along Harroun Rd. and Ravine Dr. will remain unchanged.

Drainage

The contractor shall provide unobstructed outlets for all existing under drains encountered during construction. Unrecorded storm water drainage and sanitary sewer connections shall be furnished, a continuance in conformance with local permitting authorities. Storm drainage including new catch basins as needed will be constructed to accommodate the enhanced drainage.

Fencing

None impacted by this project.

Irrigation System

The contractor shall re-work the current irrigation system, inclusive of waterlines, water-spraying equipment, pumps, and other appurtenances (the "***Irrigation System***") to be operable with respect to the area covered by the temporary easement, inclusive of the

median within the Replacement Boulevard Driveway, in the same or better condition as the Irrigation System was in as of the date of this Plan Letter Attachment.

Items that will have to be moved or destroyed

See comments above under "Structures, Improvements and Tenant-Owned Improvements", and below under "Encroachments".

Seeding

The contractor shall hydro-seed all areas disturbed by the project within the temporary easement area, inclusive of the median within the Replacement Boulevard Driveway.

Field Tiles

Not applicable.

Gas, Oil and/or Water Lines

We would appreciate being advised as to the location and ownership of any gas, water, or oil lines which might appear on the plans.

Sanitary Sewage Outlets

State and County health laws do not permit sanitary sewage to outlet into roadside drainage systems.

Cost to Cure Items

A cost to cure has been included in you offer to restore internal circuitry, and to restore the monument sign.

Encroachments

There may be encroachments from your property into the city right of way. Encroachments are privately-owned items that occupy public right of way without permission. Private owners are responsible for removing their encroachment items from the right of way as soon as possible. If left in place, encroachments are subject to removal by the City with the cost for that work charged to the owner. (Ohio revised Code, Section 5515 and 5589). There is approximately 153' of split rail fence, 3 trees, and a shrub encroaching into the existing right of way.

Maintenance of Traffic

Plan Letter Attachment  
LUC-TR 77-0.54  
Parcel 001-T  
Page 5 of 5

Traffic will be maintained throughout construction, along with driveway access at all periods of construction by use of existing and/or proposed pavements. Residents shall be provided advanced notice if their driveways will be restricted.

Miscellaneous

Please be advised that after this acquisition is completed, no improvements, including fencing, may be placed in the right of way without a written permit from the City of Sylvania, Ohio.

City of Sylvania

By: \_\_\_\_\_

Its: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Leslie Brinning, Law Director

Accepted:

CRESTVIEW OF OHIO, INC. , AN OHIO  
CORPORATION, NKA PROMEDICA  
CONTINUING CARE SERVICES  
CORPORATION

By: ProMedica Continuum Services, an Ohio  
nonprofit corporation, as Sole Member of  
ProMedica Continuing Care Services  
Corporation (f/k/a Crestview of Ohio, Inc.)

By:  \_\_\_\_\_  
Dawn M. Buskey, President



10a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 4, 2024

To: The Mayor and Members of Sylvania City Council

Re: **LUC-CR 73-5.43 (PID 118134) – CONSTRUCTION MANAGEMENT SERVICES  
CONSULTANT LETTER OF INTEREST (LOI) AWARD**

Dear Mr. Mayor and Council Members:

At the January 16, 2022 meeting City Council authorized the Service Department to request Letters of Interest (LOI's) from consultants to provide construction management services for roadway improvements on McCord Road (LUC-CR 73-5.43, PID 118134).

During the solicitation we received one LOI from American Structurepoint, Inc. American Structurepoint was recently selected for the same scope of services on the Monroe Street and Harroun Road safety project (LUC-CR 4-9.77, PID 109598), the Monroe Street and Silica Drive improvements project (LUC-Monroe St. & Silica Dr. Upgrade, PID 107489), and the Silica Drive bridge replacement (LUC-Silica Drive Bridge Replacement, PID 111563). Subsequently, the Service Department entered into scope of services and fee negotiations with American Structurepoint. We have completed those negotiations and American Structurepoint, Inc. has prepared a proposal in the amount of \$46,356 to complete the scope of services.

This is a Local Public Agency (LPA) project with the Ohio Department of Transportation (ODOT). As such the Service Department has coordinated the scope of services and fee proposal with ODOT District 2 and both entities are ready to move forward.

This is an appropriated item in the 2024 budget, fund 401-7610-53614. We would recommend approval of the proposal in the amount of \$46,356 with American Structurepoint, Inc. Please call with any questions.

Sincerely,

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

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



106.

**ORDINANCE NO. 31-2024**

**ACCEPTING THE PROPOSAL OF AMERICAN STRUCTUREPOINT, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE McCORD ROAD IMPROVEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$46,356; AND DECLARING AN EMERGENCY.**

WHEREAS, the plans for the Oakland Court Improvement Project are complete and are now on file with the Clerk of Council; and,

WHEREAS, at the January 16, 2024 meeting of Sylvania City Council, the Director of Public Service was authorized to solicit Letters of Interest from consultants to provide construction management services for the Main Street Reconstruction Project, McCord Road Resurfacing Project and Oakland Court Improvement Project; and,

WHEREAS, the Director of Public Service, by report dated March 4, 2024, has received a proposal from American Structurepoint, Inc. to provide construction management services for the McCord Road Improvement Project at a cost of \$46,356, and the Director of Public Service has recommended approval of that proposal.

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

SECTION 1. That the proposal of American Structurepoint, Inc. in the amount of Forty-Six Thousand Three Hundred Fifty-Six Dollars (\$46,356.00) to provide construction management services for the McCord Road Improvement Project is hereby approved and accepted.

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

SECTION 3. That to provide funds for said construction management services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53595 – Main Street – Ten Mile to Convent/Oakland Court** an amount not to exceed Forty-Six Thousand Three Hundred Fifty-Six Dollars (\$46,356.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the construction management services should commence at the earliest possible time and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



AMERICAN  
**STRUCTUREPOINT**  
INC.

600 SUPERIOR AVENUE EAST, SUITE 1305  
CLEVELAND, OHIO 44114  
TEL 216.302.3694

February 13, 2024

Mr. Joseph Shaw, P.E., P.S.  
Deputy Director of Public Service  
City of Sylvania  
6730 Monroe Street  
Sylvania, Ohio 43560

RE: Fee Proposal for Consulting Services  
LUC – CR 73 – 5.43; McCord Road resurfacing  
Construction Inspection and Administration

Dear Mr. Shaw:

American Structurepoint appreciates the opportunity to be of service to the City of Sylvania. Please find enclosed a copy of our fee proposal for construction administration and inspection for the above-referenced project. The enclosed fee of \$46,356.00 is based on estimated costs for American Structurepoint to provide these services. The fee includes an estimated cost for testing services to be provided by Bowser-Morner, Inc.

If you have any questions concerning the fee proposal, or if you need any additional information, please contact our Project Manager, Darren Schimmoeller, at your earliest convenience. Darren can be reached via phone at (419) 302-1745 or by email at [dschimmoeller@structurepoint.com](mailto:dschimmoeller@structurepoint.com).

Very truly yours,  
American Structurepoint, Inc.

Darren Schimmoeller, PE  
Director of Development, Ohio Construction

Enclosures

DJS:djs



11a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 4, 2024

To: The Mayor and Members of Sylvania City Council

Re: **OAKLAND COURT IMPROVEMENTS – CONSTRUCTION MANAGEMENT SERVICES  
CONSULTANT LETTER OF INTEREST (LOI) AWARD**

Dear Mr. Mayor and Council Members:

At the January 16, 2022 meeting City Council authorized the Service Department to request Letters of Interest (LOI's) from consultants to provide construction management services for roadway and utility improvements on Oakland Court.

During the solicitation we received one LOI from American Structurepoint, Inc. American Structurepoint was recently selected for the same scope of services on the Monroe Street and Harroun Road safety project (LUC-CR 4-9.77, PID 109598), the Monroe Street and Silica Drive improvements project (LUC-Monroe St. & Silica Dr. Upgrade, PID 107489), and the Silica Drive bridge replacement (LUC-Silica Drive Bridge Replacement, PID 111563). Subsequently, the Service Department entered into scope of services and fee negotiations with American Structurepoint. We have completed those negotiations and American Structurepoint, Inc. has prepared a proposal in the amount of \$72,208 to complete the scope of services.

This is a Local Public Agency (LPA) project with the Ohio Department of Transportation (ODOT). As such the Service Department has coordinated the scope of services and fee proposal with ODOT District 2 and both entities are ready to move forward.

This is an appropriated item in the 2024 budget, fund 401-7610-53595. We would recommend approval of the proposal in the amount of \$72,208 with American Structurepoint, Inc. Please call with any questions.

Sincerely,

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

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

116.

**ORDINANCE NO. 32-2024**

**ACCEPTING THE PROPOSAL OF AMERICAN STRUCTUREPOINT, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE OAKLAND COURT IMPROVEMENT PROJECT; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$72,208; AND DECLARING AN EMERGENCY.**

WHEREAS, the plans for the Oakland Court Improvement Project are complete and are now on file with the Clerk of Council; and,

WHEREAS, at the January 16, 2024 meeting of Sylvania City Council, the Director of Public Service was authorized to solicit Letters of Interest from consultants to provide construction management services for the Main Street Reconstruction Project, McCord Road Resurfacing Project and Oakland Court Improvement Project; and,

WHEREAS, the Director of Public Service, by report dated March 4, 2024, has received a proposal from American Structurepoint, Inc. to provide construction management services for the Oakland Court Improvement Project at a cost of \$72,208, and the Director of Public Service has recommended approval of that proposal.

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

SECTION 1. That the proposal of American Structurepoint, Inc. in the amount of Seventy-Two Thousand Two Hundred Eight Dollars (\$72,208.00) to provide construction management services for the Oakland Court Improvement Project is hereby approved and accepted.

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

SECTION 3. That to provide funds for said construction management services hereby authorized, there is hereby appropriated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53595 – Main Street – Ten Mile to Convent/Oakland Court** an amount not to exceed Seventy-Two Thousand Two Hundred Eight Dollars (\$72,208.00).

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the construction management services should commence at the earliest possible time and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



AMERICAN  
**STRUCTUREPOINT**  
INC.

600 SUPERIOR AVENUE EAST, SUITE 1305  
CLEVELAND, OHIO 44114  
TEL 216.302.3694

September 13, 2023

Mr. Joseph Shaw, P.E., P.S.  
Deputy Director of Public Service  
City of Sylvania  
6730 Monroe Street  
Sylvania, Ohio 43560

RE: Fee Proposal for Consulting Services  
Oakland Court Improvements  
Construction Inspection and Administration

Dear Mr. Shaw:

American Structurepoint appreciates the opportunity to be of service to the City of Sylvania. Please find enclosed a copy of our fee proposal for construction administration and inspection for the above-referenced project. The enclosed fee of \$72,208.00 is based on estimated costs for American Structurepoint to provide these services.

If you have any questions concerning the fee proposal, or if you need any additional information, please contact our Project Manager, Darren Schimmoeller, at your earliest convenience. Darren can be reached via phone at (419) 302-1745 or by email at [dschimmoeller@structurepoint.com](mailto:dschimmoeller@structurepoint.com).

Very truly yours,  
American Structurepoint, Inc.

Darren Schimmoeller, PE  
Director of Development, Ohio Construction

Enclosures

DJS:djs





12a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 4, 2024

To: The Mayor and Members of Sylvania City Council

Re: **Storm Sewer Connection Payment Agreement**

Dear Mayor and Council Members:

The City recently discovered a storm water discharge from a yard pop-up emitter. This discharge was flowing into the street and causing icing and slippery conditions. We notified the resident that they are required to remove the emitter and discharge to a nearby storm sewer. Upon obtaining a quote the homeowner indicated that they could not pay for the cost in full. We subsequently prepared the attached agreement to assist the homeowner in removing the emitter and removing the hazardous street conditions.

The attached agreement is a 5-year agreement with the homeowner whereby the payments will be added to the homeowner's monthly utility bill until paid in full. Should payments not be made, the City will file a lien on the property until the costs have been paid in full. We recommend approval of this agreement.

Please call if you have any questions.

Sincerely,

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

12b.

**ORDINANCE NO. 33-2024**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN INSTALLMENT PAYMENT AGREEMENT FOR THE STORM SEWER TAP FEE, CONNECTION FEE AND SERVICE LINE FOR THE PROPERTY LOCATED AT 5744 ROAN ROAD, SYLVANIA, OHIO; AND DECLARING AN EMERGENCY.**

WHEREAS, Julie E. Adams, the owner of 5744 Roan Road, has requested to connect her property to the City's storm sewer system; and,

WHEREAS, the City has agreed to permit the property to connect to its storm sewer system, subject to the payment of tap fee, connection fee and service line; and,

WHEREAS, the City and Ms. Adams have agreed to an installment payment agreement for the payment of said fees, a copy of the Agreement is attached hereto as "Exhibit A."

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to enter into an Installment Payment Agreement for the storm sewer tap fee, connection fee and sewer line for property located at 5744 Roan Road, Sylvania, Ohio owned by Julie E. Adams, a copy of said Agreement attached hereto as "Exhibit A."

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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, Sections 11 and 12, of the Charter of this City.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the agreement should be entered into at the earliest possible time

and therefore this Ordinance should be effective forthwith. 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, \_\_\_\_\_, 2024, as an emergency measure.

ATTEST:

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

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

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Date

AGREEMENT WITH THE OWNERS OF A SINGLE-FAMILY RESIDENCE  
LOCATED ON A LOT OR PARCEL OF REAL ESTATE TO BE CONNECTED TO  
THE CITY OF SYLVANIA STORM SEWER SYSTEM FOR THE INSTALLMENT  
PAYMENT OF STORM SEWER TAP FEES, CONNECTION FEES, AND THE COST  
OF THE STORM SEWER SERVICE LINE INSTALLED BY THE CITY OF  
SYLVANIA.

WHEREAS, the undersigned represents that it is the owner in fee simple of the real estate described on "Exhibit A" attached hereto and made a part hereof or the undersigned collectively represent that they own said real estate in fee simple and include all those having any dower rights therein, in which case all references herein to the undersigned shall be construed to refer to all of those comprising the undersigned whether singular, plural, male, female or neuter; and,

WHEREAS, the undersigned propose to connect a main building consisting of a single-family residence(residence) located on said real estate to a City of Sylvania(City) storm sewer located in the street on which said real estate fronts; and,

WHEREAS, said real estate lies inside of the CITY; and,

WHEREAS, Sylvania Municipal Code 929.26 establishes that "Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm drain or to a natural outlet approved by the Director and other regulatory agencies."; and,

WHEREAS, the existing storm water discharge is not in compliance with Sylvania Municipal Code 929.26; and,

WHEREAS, the undersigned desires to connect said real estate so that the residence thereon will be served by a storm sewer connecting to the storm sewer facilities constructed by the City; and,

WHEREAS, the City, on the request of the undersigned, has indicated its willingness to cooperate with the undersigned by permitting, on conditions hereinafter set forth, the residence located on a lot or parcel consisting of said real estate, to be connected to the storm sewer installed in the street on which said real estate fronts; and,

WHEREAS, the undersigned understands that such cooperation by the City is conditional upon said City being satisfactorily assured of the payment to it, with respect to storm sewers and said real estate, of such connection fees established for said storm sewer system as may now or hereafter be applicable to said real estate by the Codified Ordinances and/or rules of said City and this Agreement.

NOW, THEREFORE, in consideration of said City permitting said real estate and the main building lawfully constructed thereon consisting of a single-family residence, to be connected to said City's storm sewer system, the undersigned, for itself, its successors and assigns, or themselves, their heirs and assigns, hereby agree(s) as follows:

1. With respect to said real estate, to pay to the City of Sylvania, Ohio, a connection fee with respect to such single family residence thereon, pursuant to Section 929 of the Codified Ordinances of the City of Sylvania, Ohio, and the applicable cost of connection established for said real estate totaling \$4,050.00 plus interest at the rate of 1.85% per annum in equal monthly installments of \$70.72 over a five-year period computed and payable on the monthly utility bill of said real estate and the first installment payment is due in April, 2024. The last installment payment to be due in March, 2029 barring early payment by the owner of said real estate.

2. At such time as said real estate, if any part thereof, is no longer owned by the

undersigned or any one of them, the entire unpaid balance of the connection fee plus interest thereon as aforesaid shall be paid to the City. This document, as of the date of execution and recording in the office of the Recorder of Lucas County, Ohio, shall constitute a lien against said real estate in favor of the City of Sylvania, Ohio, for the full amount of the connection fee plus interest. The City of Sylvania is hereby granted the right and authority to foreclose such lien as any other liens upon real estate are or may be foreclosed and to recover in such foreclosure action the unpaid amount of such lien including interest and the amount of all expenses in connection with the lien and foreclosure including, but not limited to, lien recording fees, title expense, attorney fees and court costs.

3. That the City of Sylvania is hereby granted the right and authority to impose upon each lot of which said real estate is comprised, a lien or liens, from time to time, for any and all storm sewer services charges, authorized by the Codified Ordinances of the City of Sylvania, Ohio, including, but not limited to be levied and assessed upon each lot, parcel of land, building or premises having any sewer connection with the storm sewer system of the City, which charges have been billed by said city and have remained unpaid for a period of more than twenty (20) days after the billing date, including any penalty thereon, and is hereby granted the right and authority to foreclose such lien or liens from time to time, as any other liens upon real estate are or may be foreclosed and to recover in such foreclosure action the amount of such lien or liens including any penalty on such charges and the amount of all expenses in connection with the lien and foreclosure including, but not limited to, lien recording fees, title expense, attorney fees and court costs and also interest on all of the same at Eight per cent (8%) per annum from the date of recording of such lien or liens as to the amount stated in the certificate of lien hereinafter mentioned and from the date such expense is incurred as to such expense. Any such lien may be perfected in favor of the City of Sylvania, Ohio, and shall be considered so perfected for all purposes by said City causing through its Director of Public Service, a Certificate of Lien, in the form hereinafter set forth: (1) to be completed with the information indicated in such form as sufficient to identify the premises having received such storm sewer services, to establish the period such services were received, to establish the dollar amount of such services billed and unpaid for more than twenty (20) days including any penalty and to identify the Directors of Public Service and Law of said City; (b) to be executed with such formality as will entitle said Certificate to be accepted for recording by the Recorder for Lucas County Ohio; and, (c) after being so completed and executed, to be recorded in the Office of the Recorder of Lucas County Ohio, which form is included in this agreement.

4. That any and all storm sewers installed in said real estate in public streets, roads or easements, or in such areas that become public streets, roads, or easements, and which connect to or discharge into said City's storm sewer system, shall become the property of said City, which may operate and maintain such sewers.

5. That all portions of the Codified Ordinances of the City of Sylvania, Ohio, 1979, as amended, and of the Rules of the City of Sylvania, Ohio, in any way pertaining to storm sewers, as such Codified Ordinances and Rules now exist and as they or any of them may be made to exist in the future, are hereby expressly made applicable to all storm sewers installed in said real estate and applicable to the respective owner or owners of said real estate.

6. That as to a lot, subdivision or premises of said real estate for which or with respect to which a building permit or a storm sewer tap permit has been issued by any public authority or as to any lot, subdivision or premises of said real estate which is or becomes connected to said City's storm sewer system or a storm sewer discharging thereto, the City of Sylvania shall be deemed conclusively and for all purposes, to have fully performed all portions of this Agreement to be performed by it as consideration therefore.

7. If any part, clause, provision or condition of this Agreement is held to be void, invalid, or inoperative, such voidness, invalidity or inoperativeness shall not affect any other cause, provision or condition hereof; but the remainder of this Agreement shall be effective as though such clause, provision or condition has not been contained herein.

8. This Agreement shall bind the heirs, successors and assigns of the undersigned, shall bind said real estate and run with the land, and shall inure to the benefit of the City of Sylvania, Ohio, its successors and assigns.


9. Except the lien for current taxes and assessments, the undersigned warrant that said real estate is free and clear of mortgages and liens except for those recorded in the Office of the Recorder of Lucas County, Ohio at 5744 ~~Roan~~ 5744 Roan Rd Sylvania OH 43560  
(If no mortgage or lien is so recorded, state "none" on the blank line). Union Home Mortgage

10. The marital status of the undersigned is as follows(circle): single married

11. Prior instrument reference: \_\_\_\_\_


IN WITNESS WHEREOF, the undersigned has hereunto set their hand this 23<sup>rd</sup> day of February, 2024.

UNDERSIGNED

  
Julie E. Adams

STATE OF OHIO                    )  
  ) SS.  
COUNTY OF LUCAS            )

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of February, 2024 by Julie Adams.

  
Notary Public

CITY OF SYLVANIA



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

\_\_\_\_\_  
Craig A. Stough, Mayor

\_\_\_\_\_  
Toby Schroyer, Director of Finance

EXHIBIT A

Jun 15, 2022  
TRANSFERRED BY: SH \$0.50  
IN COMPLIANCE WITH SEC 319.202 R.C.  
ANITA LOPEZ, AUDITOR  
LUCAS COUNTY, OHIO

FEE: \$ 945.20 EX: MULTI:  
PARCEL: 82-75694 COUNT: 1  
TRANS#: 22-104678



20220615-0027121

6/15/2022 2:49 PM  
Pages: 2 Fee: \$34.00  
T20220021386  
Michael D. Ashford  
Lucas County Recorder DEED

**FIDUCIARY DEED**  
Rev. Code Sec. 5302.09 & 5302.10

**REBECCA SAGER, EXECUTRIX** of the **ESTATE OF HOANG DUC TRAN** (Lucas County Probate Court Case No. 2022EST0085), by the power conferred by said Court, and every other power granted by law, for **TWO HUNDRED THIRTY-SIX THOUSAND TWO HUNDRED FIFTY and NO/100 (\$236,250.00)** Dollars paid, grants, with fiduciary covenants, to **JULIE E. ADAMS**, whose tax mailing address is 5744 Roan Rd. Sylvania OH 43560, the following real property:

The Land referred to herein below is situated in the County of Lucas, State of Ohio, and is described as follows:

**Lot number one hundred sixty seven (167) in Westfield Gardens, a subdivision in the City of Sylvania, Lucas County, Ohio.**

T.D. & Parcel No. 82-75694  
Commonly known as 5744 Roan Road, Sylvania, Ohio 43560

Subject to: zoning ordinances, easements and restrictions of record and taxes and assessments due and payable after delivery of this deed.

Prior instrument reference: 00-0644-E08

Executed this 3rd day of June, 2022.

**ESTATE OF HOANG DUC TRAN**

  
By: **REBECCA SAGER**  
Its: **Executrix**

STATE OF OHIO; COUNTY OF LUCAS; ss:

The foregoing instrument was acknowledged before me by **REBECCA SAGER**, **EXECUTRIX** of the **ESTATE OF HOANG DUC TRAN** (Lucas County Probate Court Case No. 2022EST0085), this 3rd day of June June, 2022, to me known to be the person described herein and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed as Executrix and the consideration stated above is actual and correct.



RENEA M WILSON  
Notary Public  
State of Ohio  
My Comm. Expires  
September 15, 2025

*Renea M. Wilson*  
NOTARY PUBLIC

Renea M. Wilson  
Comm. Expires:  
09-15-2025

**THIS INSTRUMENT PREPARED BY:**

Paulette M. Anderson, Attorney at Law  
Covrett, Graeff & Wittenberg, Ltd.  
2727 N. Holland-Sylvania Road, Suite E  
Toledo, OH 43615-1800  
(419) 535-1840  
File 2022-5920

**AFTER RECORDING MAIL TO:**

Liberty Title, Inc.  
4210 W. Sylvania Ave., Ste. 201  
Toledo, OH 43623  
419-517-5000



LOAN AMORTIZATION SCHEDULE

ENTER VALUES

Loan amount	\$4,050.00
Annual interest rate	1.85%
Loan period in years	5
Number of payments per year	12
Start date of loan	4/1/2024

Optional extra payments

\$0.00

LOAN SUMMARY

Scheduled payment	\$70.72
Scheduled number of payments	60
Actual number of payments	60
Total early payments	\$0.00
Total interest	\$193.32

LENDER NAME

City of Sylvania

PMT NO	PAYMENT DATE	BEGINNING BALANCE	SCHEDULE D PAYMENT	EXTRA PAYMENT	TOTAL PAYMENT	PRINCIPAL	INTEREST	ENDING BALANCE	CUMULATIVE INTEREST
1	4/1/2024	\$4,050.00	\$70.72	\$0.00	\$70.72	\$64.48	\$6.24	\$3,985.52	\$6.24
2	5/1/2024	\$3,985.52	\$70.72	\$0.00	\$70.72	\$64.58	\$6.14	\$3,920.94	\$12.39
3	6/1/2024	\$3,920.94	\$70.72	\$0.00	\$70.72	\$64.68	\$6.04	\$3,856.27	\$18.43
4	7/1/2024	\$3,856.27	\$70.72	\$0.00	\$70.72	\$64.78	\$5.95	\$3,791.49	\$24.38
5	8/1/2024	\$3,791.49	\$70.72	\$0.00	\$70.72	\$64.88	\$5.85	\$3,726.61	\$30.22
6	9/1/2024	\$3,726.61	\$70.72	\$0.00	\$70.72	\$64.98	\$5.75	\$3,661.64	\$35.97
7	10/1/2024	\$3,661.64	\$70.72	\$0.00	\$70.72	\$65.08	\$5.65	\$3,596.56	\$41.61
8	11/1/2024	\$3,596.56	\$70.72	\$0.00	\$70.72	\$65.18	\$5.54	\$3,531.38	\$47.16
9	12/1/2024	\$3,531.38	\$70.72	\$0.00	\$70.72	\$65.28	\$5.44	\$3,466.10	\$52.60
10	1/1/2025	\$3,466.10	\$70.72	\$0.00	\$70.72	\$65.38	\$5.34	\$3,400.73	\$57.95
11	2/1/2025	\$3,400.73	\$70.72	\$0.00	\$70.72	\$65.48	\$5.24	\$3,335.25	\$63.19
12	3/1/2025	\$3,335.25	\$70.72	\$0.00	\$70.72	\$65.58	\$5.14	\$3,269.67	\$68.33
13	4/1/2025	\$3,269.67	\$70.72	\$0.00	\$70.72	\$65.68	\$5.04	\$3,203.99	\$73.37
14	5/1/2025	\$3,203.99	\$70.72	\$0.00	\$70.72	\$65.78	\$4.94	\$3,138.20	\$78.31
15	6/1/2025	\$3,138.20	\$70.72	\$0.00	\$70.72	\$65.88	\$4.84	\$3,072.32	\$83.15
16	7/1/2025	\$3,072.32	\$70.72	\$0.00	\$70.72	\$65.99	\$4.74	\$3,006.33	\$87.89
17	8/1/2025	\$3,006.33	\$70.72	\$0.00	\$70.72	\$66.09	\$4.63	\$2,940.25	\$92.52
18	9/1/2025	\$2,940.25	\$70.72	\$0.00	\$70.72	\$66.19	\$4.53	\$2,874.06	\$97.05
19	10/1/2025	\$2,874.06	\$70.72	\$0.00	\$70.72	\$66.29	\$4.43	\$2,807.77	\$101.48
20	11/1/2025	\$2,807.77	\$70.72	\$0.00	\$70.72	\$66.39	\$4.33	\$2,741.37	\$105.81
21	12/1/2025	\$2,741.37	\$70.72	\$0.00	\$70.72	\$66.50	\$4.23	\$2,674.88	\$110.04
22	1/1/2026	\$2,674.88	\$70.72	\$0.00	\$70.72	\$66.60	\$4.12	\$2,608.28	\$114.16
23	2/1/2026	\$2,608.28	\$70.72	\$0.00	\$70.72	\$66.70	\$4.02	\$2,541.58	\$118.18
24	3/1/2026	\$2,541.58	\$70.72	\$0.00	\$70.72	\$66.80	\$3.92	\$2,474.77	\$122.10
25	4/1/2026	\$2,474.77	\$70.72	\$0.00	\$70.72	\$66.91	\$3.82	\$2,407.87	\$125.92
26	5/1/2026	\$2,407.87	\$70.72	\$0.00	\$70.72	\$67.01	\$3.71	\$2,340.86	\$129.63
27	6/1/2026	\$2,340.86	\$70.72	\$0.00	\$70.72	\$67.11	\$3.61	\$2,273.74	\$133.24
28	7/1/2026	\$2,273.74	\$70.72	\$0.00	\$70.72	\$67.22	\$3.51	\$2,206.53	\$136.74
29	8/1/2026	\$2,206.53	\$70.72	\$0.00	\$70.72	\$67.32	\$3.40	\$2,139.21	\$140.15
30	9/1/2026	\$2,139.21	\$70.72	\$0.00	\$70.72	\$67.42	\$3.30	\$2,071.78	\$143.44
31	10/1/2026	\$2,071.78	\$70.72	\$0.00	\$70.72	\$67.53	\$3.19	\$2,004.26	\$146.64
32	11/1/2026	\$2,004.26	\$70.72	\$0.00	\$70.72	\$67.63	\$3.09	\$1,936.62	\$149.73
33	12/1/2026	\$1,936.62	\$70.72	\$0.00	\$70.72	\$67.74	\$2.99	\$1,868.89	\$152.71
34	1/1/2027	\$1,868.89	\$70.72	\$0.00	\$70.72	\$67.84	\$2.88	\$1,801.05	\$155.59
35	2/1/2027	\$1,801.05	\$70.72	\$0.00	\$70.72	\$67.95	\$2.78	\$1,733.10	\$158.37
36	3/1/2027	\$1,733.10	\$70.72	\$0.00	\$70.72	\$68.05	\$2.67	\$1,665.05	\$161.04
37	4/1/2027	\$1,665.05	\$70.72	\$0.00	\$70.72	\$68.16	\$2.57	\$1,596.90	\$163.61

PMT NO	PAYMENT DATE	BEGINNING BALANCE	SCHEDULE D PAYMENT	EXTRA PAYMENT	TOTAL PAYMENT	PRINCIPAL	INTEREST	ENDING BALANCE	CUMULATIVE INTEREST
38	5/1/2027	\$1,596.90	\$70.72	\$0.00	\$70.72	\$68.26	\$2.46	\$1,528.64	\$166.07
39	6/1/2027	\$1,528.64	\$70.72	\$0.00	\$70.72	\$68.37	\$2.36	\$1,460.27	\$168.43
40	7/1/2027	\$1,460.27	\$70.72	\$0.00	\$70.72	\$68.47	\$2.25	\$1,391.80	\$170.68
41	8/1/2027	\$1,391.80	\$70.72	\$0.00	\$70.72	\$68.58	\$2.15	\$1,323.22	\$172.82
42	9/1/2027	\$1,323.22	\$70.72	\$0.00	\$70.72	\$68.68	\$2.04	\$1,254.54	\$174.86
43	10/1/2027	\$1,254.54	\$70.72	\$0.00	\$70.72	\$68.79	\$1.93	\$1,185.75	\$176.80
44	11/1/2027	\$1,185.75	\$70.72	\$0.00	\$70.72	\$68.89	\$1.83	\$1,116.86	\$178.63
45	12/1/2027	\$1,116.86	\$70.72	\$0.00	\$70.72	\$69.00	\$1.72	\$1,047.86	\$180.35
46	1/1/2028	\$1,047.86	\$70.72	\$0.00	\$70.72	\$69.11	\$1.62	\$978.75	\$181.96
47	2/1/2028	\$978.75	\$70.72	\$0.00	\$70.72	\$69.21	\$1.51	\$909.54	\$183.47
48	3/1/2028	\$909.54	\$70.72	\$0.00	\$70.72	\$69.32	\$1.40	\$840.22	\$184.88
49	4/1/2028	\$840.22	\$70.72	\$0.00	\$70.72	\$69.43	\$1.30	\$770.79	\$186.17
50	5/1/2028	\$770.79	\$70.72	\$0.00	\$70.72	\$69.53	\$1.19	\$701.26	\$187.36
51	6/1/2028	\$701.26	\$70.72	\$0.00	\$70.72	\$69.64	\$1.08	\$631.62	\$188.44
52	7/1/2028	\$631.62	\$70.72	\$0.00	\$70.72	\$69.75	\$0.97	\$561.87	\$189.41
53	8/1/2028	\$561.87	\$70.72	\$0.00	\$70.72	\$69.86	\$0.87	\$492.02	\$190.28
54	9/1/2028	\$492.02	\$70.72	\$0.00	\$70.72	\$69.96	\$0.76	\$422.05	\$191.04
55	10/1/2028	\$422.05	\$70.72	\$0.00	\$70.72	\$70.07	\$0.65	\$351.98	\$191.69
56	11/1/2028	\$351.98	\$70.72	\$0.00	\$70.72	\$70.18	\$0.54	\$281.80	\$192.23
57	12/1/2028	\$281.80	\$70.72	\$0.00	\$70.72	\$70.29	\$0.43	\$211.51	\$192.67
58	1/1/2029	\$211.51	\$70.72	\$0.00	\$70.72	\$70.40	\$0.33	\$141.12	\$192.99
59	2/1/2029	\$141.12	\$70.72	\$0.00	\$70.72	\$70.50	\$0.22	\$70.61	\$193.21
60	3/1/2029	\$70.61	\$70.72	\$0.00	\$70.61	\$70.50	\$0.11	\$0.00	\$193.32

"CERTIFICATE OF LIEN  
for  
STORM SEWER SERVICE CHARGES  
in favor of the  
CITY OF SYLVANIA, OHIO

\_\_\_\_\_, The Director of Public Service of the City of Sylvania,  
a municipal corporation located in Lucas County, at 6730 Monroe Street, Sylvania, Ohio 43560, being  
first duly sworn, certifies that said City has provided storm sewer services to the premises at:  
5744 Roan Road, Sylvania, Ohio 43560. Legal Description: Westfield Gardens Lot 167.

and has billed the owner of said premises for such services, which storm sewer service charges and bill  
therefore have remained unpaid for a period of more than twenty (20) days from the billing date, there  
now being due and unpaid thereon, to the City of Sylvania, Ohio, the sum of \$ \_\_\_\_\_, for  
which sum said City is entitled to a lien on said above described premises.

IN WITNESS WHEREOF, the said Director of Public Service of said City of  
Sylvania has hereunto set his hand this \_\_\_\_\_.  
(date)

CITY OF SYLVANIA

\_\_\_\_\_  
Director of Public Service

STATE OF OHIO            )  
                                  ) SS.  
LUCAS COUNTY            )

The foregoing instrument was acknowledged before me this \_\_\_\_\_  
by \_\_\_\_\_, Director of Public Service of the City of  
(date)  
(Name)  
Sylvania, Ohio.

\_\_\_\_\_  
Notary Public

This instrument prepared by and approved as to form by:  
Leslie A. Brinning  
Director of Law



13a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 4, 2024

To: The Mayor and Members of Sylvania City Council

Re: REQUEST TO PARTICIPATE IN A JOINT COOPERATION AGREEMENT  
PLUMMER POOL IMPROVEMENTS

Dear Mr. Mayor and Council Members:

The City has been working with the Sylvania Area Joint Recreation District(SAJRD) in a joint agency project to improve Burnham Park and Plummer Pool. SAJRD was the lead agency for the Burnham Park portion of the project and the City served in a support and construction capacity.

The next phase of the project which includes improvements to Plummer Pool is ready to move forward. These improvements include the replacement of the pool filtration and pumping systems, bath house improvements including a new community room within the existing structure, concession improvements, and modifications to the restrooms to make them ADA accessible.

The total cost of the Plummer Pool improvements is estimated to be \$544,368. A breakdown per the attached agreement is as follows:

State Capital Grant(55%)	\$300,000
City of Sylvania((27%)	\$149,634
SAJRD(18%)	<u>\$ 94,734</u>
TOTAL	\$544,368

It is SAJRD's intent to complete the Filtration Room Improvements prior to the summer operating season. The remainder of the project will be completed in either late 2024 or early 2025. The Service Department will be back before Council for approval of the remainder of the project once a schedule is better determined. We recommend approval of the attached Joint Cooperation Agreement with SAJRD for the project. Please call if you have any questions.

Sincerely,

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



136.

**ORDINANCE NO. 34-2024**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A JOINT COOPERATION AGREEMENT ON BEHALF OF THIS CITY OF SYLVANIA WITH THE SYLVANIA AREA JOINT RECREATION DISTRICT ("SAJRD") RELATIVE TO THE PLUMMER POOL IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY.**

WHEREAS, the City and the Sylvania Area Joint Recreation District ("SAJRD") have been collaborating to improve Burnham Park and Plummer Pool; and,

WHEREAS, the improvements to Burnham Park have been completed and the Plummer Pool Improvement Project is ready to begin; and,

WHEREAS, the Plummer Pool Improvements include the replacement of the pool filtration and pumping systems, bath house improvements, including a new community room within the existing structure, concession improvements and modifications to the restrooms to make them ADA accessible; and,

WHEREAS, the Director of Public Service, by report dated March 4, 2024, has recommended approval of the Joint Cooperation Agreement for the Plummer Pool Improvements, estimated to cost \$544,368, with the City's portion of the improvements estimated to be \$149,634.

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized, on behalf of the City of Sylvania, Ohio, to enter into a Joint Cooperation Agreement with the Sylvania Area Joint Recreation District ("SAJRD") for the Plummer Pool Improvement Project.

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 Joint Cooperation Agreement should be entered into forthwith. 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, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

# JOINT COOPERATION AGREEMENT

## FOR

### PLUMMER POOL IMPROVEMENTS

This Agreement by and between the City of Sylvania, Ohio, hereinafter referred to as the **CITY**, and the Board of Sylvania Area Joint Recreation District, hereinafter referred to as **SAJRD**.

#### WITNESSETH

WHEREAS, the **CITY** and **SAJRD** both have a vested interest in the leisure activities available to Sylvania citizens and have cooperated in past operations at Plummer Pool, and

WHEREAS, the **CITY** and **SAJRD** entered into a lease agreement for the operation and maintenance of Plummer Pool on June 20, 2022 via Ordinance 58-2022, and

WHEREAS, the **CITY** and **SAJRD** desire to improve the pool filtration system and bath house facilities at Plummer Pool, hereinafter referred to as the **PROJECT**, and

WHEREAS, the **CITY** and **SAJRD** agree the construction of said **PROJECT** would be beneficial to the citizens of the **CITY** and users of **SAJRD** facilities, and

WHEREAS, through a joint effort by the **CITY** and **SAJRD**, the **CITY** has obtained Ohio Community Recreation/Conservation Project Pass-Through Grants, hereinafter referred to as **GRANT**, for the **PROJECT**, and

WHEREAS, the **CITY** and **SAJRD** desire to conclude an agreement which will accomplish the construction of said **PROJECT**,

NOW, THEREFORE, the **CITY** and **SAJRD** do hereby agree as follows:

1. The **CITY** will act as the lead agency for the detailed construction plans, specifications and design phase of the **PROJECT**.

2. The **CITY** will administer the **GRANT** for the **PROJECT**.
3. The **CITY** will advertise for bids and administer the construction contracts for the **PROJECT** with **SAJRD** assistance.
4. The **CITY** will be listed as project manager on the **GRANT** Funding agreements. The **CITY** will process payments to the contractor(s) and process the **GRANT** disbursement requests.
5. The total cost of the **PROJECT** is estimated to be \$544,965 as shown on page 4 of this agreement. The **GRANT** will be in the amount of \$300,000. The **CITY** shall be responsible for \$149,634 of the **PROJECT**. **SAJRD** shall be responsible for \$94,734 of the **PROJECT**. Page 4 of this agreement itemizes the responsibilities of each party for various portions of the **PROJECT**. Any modifications due to actual construction costs shall adjust each party's share proportionally.

The **CITY** will invoice **SAJRD** for its local share after the construction contract is completed.

6. It is the intent of this Agreement that the **CITY** and **SAJRD** shall each properly and expeditiously discharge any requirements that may devolve upon them from time to time during the period this Agreement will be in force.



IN WITNESS WHEREOF, the City of Sylvania, pursuant to Resolution \_\_\_\_\_ adopted on March 4, 2024, and the Sylvania Area Joint Recreation District, by its Chairman, have affixed their signatures respectively.

**CITY OF SYLVANIA**

**SYLVANIA AREA JOINT  
RECREATION DISTRICT**

\_\_\_\_\_  
Craig A. Stough, Mayor

\_\_\_\_\_  
Brian Kezur, Chairman

\_\_\_\_\_  
Toby Schroyer, Director of Finance

**Approved as to Form:**

\_\_\_\_\_  
Leslie Brinning, City Law Director

\_\_\_\_\_  
Date

# CURRENT PROJECT ESTIMATE FOR PLUMMER POOL IMPROVEMENTS

(CITY OF SYLVANIA, SAJRD, OHIO CAPITAL GRANT)

Engineering	\$20,000
Filtration Room Permits	\$950
Filtration Room Improvements	\$74,900
Bathhouse Construction	\$448,518
<b>TOTAL PROJECT COST</b>	<b>\$544,368</b>

	<u>SAJRD</u>	<u>City</u>	<u>Grant</u>
Engineering	\$ 10,000	\$ 10,000	
Filtration Room Permits	\$ 475	\$ 475	
Filtration Room Improvements (per lease)	\$ 10,000	\$ 64,900	
Bathhouse Construction	<u>\$ 74,259</u>	<u>\$ 74,259</u>	<u>\$300,000</u>
<b>TOTALS</b>	<b>\$ 94,734</b>	<b>\$149,634</b>	<b>\$300,000</b>

**ORDINANCE NO. 35-2024**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A SECOND AMENDMENT TO THE CITY'S AGREEMENT WITH SYLVANIA COMPOST & RECYCLING, LLC TO PROVIDE GREEN YARD WASTE DROP-OFF FROM SEPTEMBER 1, 2024 THROUGH SEPTEMBER 30, 2026; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 84-2023, passed October 16, 2023, accepted the proposal of Sylvania Compost & Recycling, LLC to provide Green Yard Waste Drop-Off Site and appropriated funds therefore in the amount of \$50,000 for the October 17, 2023 to August 31, 2024 term; and,

WHEREAS, Ordinance No. 5-2024, passed January 2, 2024, authorized the Mayor and Director of Finance to enter into an extension agreement with Sylvania Compost & Recycling, LLC to provide green yard waste drop-off site from September 1, 2024 through September 20, 2026; and,

WHEREAS, the Director of Public Service has recommended that the current Agreement with Sylvania Compost & Recycling, LLC be modified to reflect the exchange of the City's shredder equipment for the provision of twelve months of green yard waste drop-off.

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

SECTION 1. That the Mayor and Director of Finance are hereby authorized to enter into an Modification and Extension Agreement No. 2 with of Sylvania Compost & Recycling, LLC on behalf of the City of Sylvania as attached hereto as "Exhibit A" and the same is hereby approved and accepted.

SECTION 2. That the Director of Public Service shall promptly give notice to Sylvania Compost & Recycling to proceed under the Agreement Modification and Extension No. 2 hereby approved and accepted.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this

Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the modification of the yard waste drop-off site should commence at the earliest possible time and therefore this Ordinance should be effective immediately. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

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

Passed, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**CITY OF SYLVANIA AGREEMENT FOR YARD WASTE DROP-OFF SITE  
MODIFICATION AND EXTENSION NO. 2**

THIS AGREEMENT, made as of the \_\_\_\_ day of \_\_\_\_\_, 2024 by and between the City of Sylvania, an Ohio municipal corporation, having its address at 6730 Monroe Street, Sylvania, Ohio 43560 (the "City") and Sylvania Compost & Recycling, LLC, an Ohio limited liability company (the "Contractor"), 8061 W. Sylvania Ave., Sylvania, Ohio 43560.

WHEREAS, City and Contractor have entered into an Agreement dated October 17, 2023 (the "Agreement"), for green yard waste disposal for a term of October 17, 2023 through August 31, 2024; and,

WHEREAS, City and Contractor have entered into an Agreement for Yard Waste Drop-Off site Modification and Extension No. 1 dated January 2, 2024; and,

WHEREAS, City and Contractor desire to modify the Agreement in certain respects.

NOW, THEREFORE, in consideration of mutual covenants hereinafter set forth, and for other good and valuable consideration, the sufficiency of which are hereby acknowledged, the parties agree as follows:

1. City is the owner of a shredder with an approximate value of \$50,000.
2. Contractor has agreed to accept the shredder equipment in exchange for payment of one year of green yard waste and compost services.
3. The Agreement shall be under the same terms and conditions as the original Agreement, however, the payment schedule shall be modified as follows:

May, 2024 – May, 2025: No Payment Due in Exchange for the Shredder  
Equipment

June, 2025 – September 30, 2026: \$52,020 annually, payable in equal quarterly  
Installments.

4. In the event Sylvania Compost & Recycling, LLC ceases operation prior to May, 2025, the cost of the shredder shall be prorated and Sylvania Compost & Recycling shall remit the balance due to the City of Sylvania within thirty (30) days of ceasing operation. For example, if Sylvania Compost & Recycling ceases operation in December, 2024, the total amount due to the City for the cost of the shredder shall be \$21,250 (\$4,250/month x 5 months = \$21,250).

5. Except as amended herein, all terms, covenants and conditions of the Agreement are  
now and shall continue to be and remain in full force and effect.

6. This Modification and Extension Agreement No. 2 and all the covenants, conditions, provisions and restrictions herein contained shall inure to the benefit of and be binding upon the heirs, executors, administrators, legatees, personal representatives, successors and assigns, respectively, of both City and Contractor.

IN WITNESS WHEREOF, the parties hereunto have executed this agreement as of the date first hereinabove written.

Sylvania Compost & Recycling, LLC

City of Sylvania

By: \_\_\_\_\_  
Adam Duncan, President

By: \_\_\_\_\_  
Craig A. Stough, Mayor

By: \_\_\_\_\_  
Toby Schroyer, Director of Finance

**ORDINANCE NO. 36-2024**

**REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE SECTION 127.01 – DIRECTOR AND DEPUTY DIRECTOR BY ADDING A “DEPUTY DIRECTOR OF PUBLIC SERVICE I” POSITION FROM MARCH 5, 2024 THROUGH MAY 31, 2024 AT WHICH TIME SAID DEPUTY DIRECTOR OF PUBLIC SERVICE I POSITION SHALL BE ELIMINATED; AMENDING SYLVANIA CODIFIED ORDINANCE SECTION 139.03(e)(3) TO SET THE SALARY OF THE “DEPUTY DIRECTOR OF PUBLIC SERVICE I” AT \$115,673 ANNUALLY AND THE DIRECTOR OF PUBLIC SERVICE AT \$127,182 ANNUALLY COMMENCING JUNE 1, 2024 AND THEREAFTER; AND DECLARING AN EMERGENCY.**

BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio,

\_\_\_\_\_members elected thereto concurring:

SECTION 1. That Sections 127.01 and 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on the attached “Exhibit A-1 and A-2” from March 5, 2024 through May 31, 2024.

SECTION 2. That Sections 127.01 and 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on the attached “Exhibit B-1 and B-2” from June 1, 2024 and thereafter.

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

SECTION 4. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11(c) and 12, of the Charter of this City.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the changes to the administrative structure should be made 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, \_\_\_\_\_, 2024, as an emergency issue.

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

ATTEST:

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

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Date



## **127.01 DIRECTOR AND DEPUTY DIRECTORS.**

(a) Under the direction of the Mayor, the Director of Public Service, who shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, shall have charge of and exercise supervision over the Divisions of Streets, Utilities, Vehicle Maintenance, Health, Pools and Concessions, Parks and Forestry, Zoning and through the Deputy Directors of Public Service, Engineering, Construction and Utility Office Service and such other functions and duties consistent with his office as may be required by the Charter, by ordinance of Council or by the Mayor. The Department of Public Service shall have a Geographic Information Systems Coordinator whose duties shall be assigned and supervised by the Director of Public Service. The Department of Public Service shall also have secretarial and clerical employees consisting of an Administrative Secretary/Service whose duties the Director shall assign and supervise within the Department, a Senior Account Clerk, whose duties shall be assigned and supervised by the Administrative Secretary/Service and a Secretary I whose duties the Deputy Directors of Public Service shall assign and supervise within the Department.

(b) There shall be Deputy Director of Public Service I and a Deputy Director of Public Service, who shall be appointed by the Mayor subject to confirmation by a majority of the members of Council. Such Deputies shall assist the Director in performing all departmental duties and shall perform those duties assigned to the Deputies by the Director and in addition thereto, shall be the City Engineers in charge of the Division of Engineering and Construction. The Deputy Directors shall be registered professional engineers licensed by the State. The Director of Public Service shall perform the duties of the Deputy Directors, without additional compensation, at all times during which the positions of Deputy Directors are vacant.

(Ord. \_\_\_\_\_-2024. Passed \_\_\_\_\_-2024.)

139.02(e)(3) Compensation for elective and appointive officials. The following elective and appointed officials which are not otherwise provided for in this chapter shall be compensated as follows:

<u>TITLE</u>	<u>RATE</u>
	* * *
Deputy Director of Public Service I*	\$115,673 annually commencing March 5, 2024 through May 31, 2024.
Deputy Director of Public Service	\$115,673 annually commencing March 5, 2024 and thereafter.
	* * *

\*Those persons in this subsection (e)(3) occupying the positions indicated above by an asterisk after such position shall each have the sum of one thousand dollars (\$1,000) paid and deposited by the City to their respective credit in one of the City's approved deferred compensation plans, annually commencing with the year 1991.

(Ord. \_\_\_\_-2024. Passed \_\_\_\_-2024.)

"Exhibit A-2"

### **127.01 DIRECTOR AND DEPUTY DIRECTOR.**

(a) Under the direction of the Mayor, the Director of Public Service, who shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, shall have charge of and exercise supervision over the Divisions of Streets, Utilities, Vehicle Maintenance, Health, Pools and Concessions, Parks and Forestry, Zoning and through the Deputy Director of Public Service, Engineering, Construction and Utility Office Service and such other functions and duties consistent with his office as may be required by the Charter, by ordinance of Council or by the Mayor. The Department of Public Service shall have a Geographic Information Systems Coordinator whose duties shall be assigned and supervised by the Director of Public Service. The Department of Public Service shall also have secretarial and clerical employees consisting of an Administrative Secretary/Service whose duties the Director shall assign and supervise within the Department, a Senior Account Clerk, whose duties shall be assigned and supervised by the Administrative Secretary/Service and a Secretary I whose duties the Deputy Director of Public Service shall assign and supervise within the Department.

(b) There shall be a Deputy Director of Public Service, who shall be appointed by the Mayor subject to confirmation by a majority of the members of Council. Such Deputy shall assist the Director in performing all departmental duties and shall perform those duties assigned to the Deputy by the Director and in addition thereto, shall be the City Engineer in charge of the Division of Engineering and Construction. The Deputy Director shall be a registered professional engineer licensed by the State. The Director of Public Service shall perform the duties of the Deputy Director, without additional compensation, at all times during which the position of Deputy Director is vacant.

(Ord. \_\_\_\_-2024. Passed \_\_\_\_-2024.)

139.02(e)(3) Compensation for elective and appointive officials. The following elective and appointed officials which are not otherwise provided for in this chapter shall be compensated as follows:

<u>TITLE</u>	<u>RATE</u>
Deputy Director of Public Service	* * * \$115,673 annually commencing March 5, 2024 and thereafter.
Director of Public Service	* * * \$127,182 annually commencing June 1, 2024 and thereafter.
	* * *

(Ord. \_\_\_\_-2024. Passed \_\_\_\_-2024.)

“Exhibit B-2”



16a.

DEPARTMENT OF PUBLIC SERVICE  
KEVIN G. ALLER, PE DIRECTOR

March 4, 2024

To: The Mayor and Members of Sylvania City Council

Re: **Police Vehicle Purchase**

Dear Mr. Mayor and Council Members:

The Police Division is requesting authorization to purchase a new vehicle to be placed in road patrol portion of their fleet.

The new vehicle is a 2025 Ford Explorer that would be purchased from Baumann Ford Oregon in compliance with the Ohio State Cooperative Purchasing Program for the purchase price of \$46,595.94. The vehicle will be used by the road patrol as a stealth type vehicle. The new vehicle will replace an existing 2018 Ford Interceptor that will be placed in the community affairs division which in turn will replace an existing 2014 Ford Interceptor. The 2014 vehicle will be placed on GovDeals at a later date upon Council approval.

The vehicle will need to be outfitted with lights, barriers, seats, etc. and we anticipate those costs to be approximately \$12,000. We will bring approval of those costs back to Council once a quote has been obtained.

This vehicle is included in the 2024 Capital Improvement Plan and will be purchased from the department Federal Equitable Sharing Fund, 229-7126-52239. We ask for your approval to purchase a 2025 Ford Explorer from Baumann Ford in the amount of \$46,595.94.

Please call if you have any questions.

Sincerely,

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

Kevin G. Aller, P.E.

Director of Public Safety/Service

116b.

**ORDINANCE NO. 37-2024**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF BAUMANN FORD OREGON, LLC FOR THE PURCHASE OF ONE NEW 2025 FORD EXPLORER FOR THE SYLVANIA CITY POLICE DEPARTMENT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$46,595.94; AND DECLARING AN EMERGENCY.**

WHEREAS, funds were included and authorized in the 2024 budget for the replacement of one new road patrol vehicle for the Sylvania City Police Department; and,

WHEREAS, the Director of Public Safety, by report dated March 4, 2024, has received a proposal from Bauman Ford Oregon, LLC to provide one new 2025 Ford Explorer for a total cost of \$46,595.94 and has recommended approval of the proposal as this pricing meets the pricing established through the Ohio State Cooperative Purchasing Program.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the proposal of Bauman Ford Oregon, LLC on behalf of this City, thereby indicating such approval and acceptance for the provision of one new 2025 Ford Explorer for the Police Division, Department of Public Safety.

SECTION 2. That the Mayor and Director of Finance be, and hereby are, authorized and directed to sign any and all instruments and to do any and all things necessary to complete said purchase.

SECTION 3. That, upon receipt of delivery of said vehicle by the City of Sylvania, the Director of Finance is hereby authorized to issue his warrant or warrants in payment therefore from the **FEDERAL EQUITABLE SHARING FUND** from funds therein not heretofore appropriated to **Account No. 229-7126-52239 – Equipment – Police Personnel**, the sum of Forty-Six Thousand Five Hundred Ninety-Five and 94/100 Dollars (\$46,595.94)

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 proposal for said vehicle should be approved immediately so that the purchase can be made 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, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

Permit # 27-2024

\$700<sup>00</sup>  
Pd ✓ 17002  
2/27/2024

## City of Sylvania

### STREET BANNER APPLICATION/PERMIT

Fee: \$ 100.00

17a.

Name of Organization: Lourdes University

Contact Person: Ruthi Mitchell

E-mail: rmitchell@lourdes.edu Phone: 419-824-3813

Explanation of the Qualifying Event\*: Spring Commencement

Dates of Event: May 4, 2024

Installation & Removal Dates of Banner: April 21, 2024 through May 15, 2024  
[maximum four (4) weeks]

Banner Location: Toledo Edison poles by Wendy's and Country Squire on Monroe Street  
☒ Main Street – Uptown Sylvania Business District

Text of Banner: CONGRATS, LOURDES GRADUATES

Company Installing Banner: City of Sylvania - installation check attached

Address: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Insurance on File: \_\_\_\_\_

Edison Approval: \_\_\_\_\_

City Approval: \_\_\_\_\_

**The banner and installation shall meet the attached specifications.**

- \* The purpose of the banner installation shall be one of the following reasons:
- A Sylvania charitable or civic event.
  - Banners may not be installed for private commercial or political gain.





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/20/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**  
Hylant Group Inc - Toledo  
811 Madison Ave  
Toledo OH 43604

**CONTACT****NAME:****PHONE**  
(A/C, No, Ext): 419-255-1020**FAX**

(A/C, No): 419-255-7557

**E-MAIL****ADDRESS:****INSURER(S) AFFORDING COVERAGE****NAIC #****INSURER A:** Travelers Prop Cas Co of Amer

25674

**INSURER B:****INSURER C:****INSURER D:****INSURER E:****INSURER F:**

**INSURED**  
Lourdes University  
6832 Convent Blvd.  
Sylvania OH 43560

SISTOFS-05

**COVERAGES****CERTIFICATE NUMBER:** 664208003**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		Y6304C496144TIL22	11/1/2022	11/1/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Emp Benefits \$ 2,000,000
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE  DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	Y6304C496144TIL22	11/1/2022	11/1/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER Stop Gap E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Street Banner for Lourdes University Graduation

**CERTIFICATE HOLDER**

City of Sylvania  
6730 Monroe St.  
Sylvania OH 43560

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

**AUTHORIZED REPRESENTATIVE***Nicholas E. Hyland*



CONGRATS, LOURDES GRADUATES!



17b.

**ORDINANCE NO. 38-2024**

**APPROVING THE BANNER APPLICATION OF LOURDES UNIVERSITY; AUTHORIZING THE ZONING ADMINISTRATOR TO INDICATE SUCH APPROVAL ON BEHALF OF THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.**

WHEREAS, Resolution No. 19-2000, passed June 5, 2000, granted permission to install banners in the public right-of-way on the Toledo Edison poles located on Monroe Street by Wendy's across to the area in front of Country Squire Plaza (near the intersection of Corey Road and Monroe Street); and,

WHEREAS, Resolution No. 19-2000 provided that the applications were to be reviewed on an application-by-application basis and set forth the criterion on which the applications were to be considered; and,

WHEREAS, Ordinance No. 20-2018, passed May 21, 2018, amended Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1166.07 – Standards for Permitted Signs to permit banners to be installed in the downtown; and,

WHEREAS, Lourdes University has submitted a request to hang a banner within said public right-of-way to promote the Lourdes University 2024 Spring Commencement on May 4, 2024; and,

WHEREAS, the banner will hang from April 21, 2024 – May 15, 2024 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000 and Ordinance No. 20-2018.

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

SECTION 1. That the application of Lourdes University to hang a banner on across the

downtown block of Main Street between Maplewood Avenue and Monroe Street is found to comply with Section 1166.07(h)(2)(A)(1) and is hereby approved.

SECTION 2. That the Zoning Administrator is authorized to sign said permit granting permission to proceed under the application hereby approved.

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that permission should be granted immediately to provide for the installation of the banner. 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, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**RESOLUTION NO. 2-2024****A RESOLUTION OF THE COUNCIL OF THE CITY OF SYLVANIA  
DECLARING ITS INTENT TO ENTER INTO A FIRST AMENDMENT  
TO THE JOINT ECONOMIC DEVELOPMENT DISTRICT  
AGREEMENT TO ADD AREAS TO THE JOINT ECONOMIC  
DEVELOPMENT DISTRICT; AND DECLARING AN EMERGENCY.**

WHEREAS, Resolution No. 11-2020, passed March 16, 2020, declared Council's intent to enter into an Agreement with the Board of Trustees of Sylvania Township to create a Joint Economic Development District ("JEDD") located in a portion of the unincorporated area of Sylvania Township; and,

WHEREAS, a public hearing was held on said proposed JEDD Agreement on May 4, 2020 and thereafter, Ordinance No. 33-2020 was passed on May 18, 2020 to authorize the Mayor and Director of Finance to enter into an Agreement with the Board of Trustees of Sylvania Township, Lucas County, Ohio to create a JEDD; and,

WHEREAS, it is the intent of the Council of the City of Sylvania to amend the Sylvania Township/City of Sylvania Joint Economic Development District Contract ("SYLVANIA JEDD I") for the purpose of adding territory to the JEDD pursuant to Ohio Revised Code Section 715.72, et seq.; and,

WHEREAS, amending the JEDD requires public notice and a hearing prior to consideration of adopting legislation approving the Amended Sylvania JEDD I Contract; and,

WHEREAS, representatives of the City of Sylvania and Sylvania Township have negotiated a proposed Amended Sylvania JEDD I Contract, a copy of which is attached hereto as "Exhibit A"; and,

WHEREAS, Central Rock, LLC, an Ohio limited liability company, is the property owner located within the district and has consented to its inclusion in the district.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Sylvania, Lucas

County, Ohio, \_\_\_\_\_ members elected thereto concurring:

SECTION 1. The Council of the City of Sylvania hereby declares its intent to enter into an Amendment to the Agreement with the Board of Trustees of Sylvania Township to add territory to the JEDD located in a portion of the unincorporated area of Sylvania Township.

SECTION 2. A copy of the Petition of Business Owner for creation of the Sylvania Joint Economic Development District is on file with the Clerk of Council of the City of Sylvania.

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 further reason that the intent to amend the Joint Economic Development District by adding territory and should be authorized immediately for the economic development and continued improvement of the Sylvania Community. 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, \_\_\_\_\_, 2024, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

# Memo

To: Mayor Stough and Members of Sylvania City Council

From: Toby Schroyer, Director of Finance

Date: March 4, 2024

Re: Then and Now Certifications

Mayor and Members of Council:

Below is the list of Then and Now Certifications for expenditures over \$3,000 that have been issued from November 27, 2023 through February 26, 2024:

<u>Date</u>	<u>VENDOR/DESCRIPTION</u>	<u>AMOUNT</u>
11/28/2023	Phoenix Services/Court temporary employees	3,930.45
11/27/2023	Toledo Spring/Parks	3,110.94
11/27/2023	Phoenix Services/Streets	7,168.49
11/29/2023	Lucas County Electronic Monitoring/Municipal Court	12,947.00
11/30/2023	Advance Advertising/Police DARE T-shirt order	3,303.50
12/13/2023	Smart Bill/Utility November billing	4,459.90
12/14/2023	Phoenix Services/Streets	3,352.40
12/15/2023	Rawlings Heating & Cooling/yearly maintenance all facilities	3,093.75
12/20/2023	Lucas County Electronic Monitoring/Municipal Court	14,965.50
1/2/2024	Aclara/Utility department 2024 maintenance agreement	38,142.00
1/5/2024	Phoenix Services/Court temporary employees	3,162.78
1/11/2024	Business Information Systems/IT annual maint agreement	5,879.50
1/9/2024	Henschen and Associates/Court 2024 annual fees	8,240.00
1/9/2024	Keller & Co/IT annual support cemetery/fleet	7,120.00
1/3/2024	Thread/IT annual support for websites	4,500.00
1/9/2024	SwiftComply/IT annual support for utilities software	7,500.00
1/12/2024	Batanian Tree Service/Tree work Woodrow and Ravine Cemetery	11,200.00
1/22/2024	Legal Lingo/Prosecutors office	3,718.75
1/22/2024	Phoenix Services/Prosecution office January	4,136.96
1/23/2024	Sisters of St. Francis/Ohio Historical Marker	3,145.00
1/22/2024	Lucas County Electronic Monitoring/Municipal Court	14,243.10
1/23/2024	IBCCES/Autism training/certification	5,190.00
1/24/2024	RightStuff Software/IT annual support	6,000.00
1/29/2024	Cummins Sales & Service/Sewer annual generator maintenance	5,860.84
1/26/2024	CJCC-Noris/Police first quarter	6,918.75
1/30/2024	Kuhlman Corp/Water department	5,788.50
2/5/2024	InSource Solutions Group/Postal Processing for Tax Mailings	6,189.76
2/2/2024	Liquid Calcium Chloride Sales/Streets	3,093.44

2/1/2024	DMC Technology Group/IT Fireeye annual maintenance	5,580.00
2/5/2024	Involta/IT annual Co-Lo, Akron	15,324.00
2/15/2024	Kennedy Industries/Water pump rebuild and install	20,300.00
2/15/2024	DMC Technology Group/IT annual subscription adobe	5,460.00
2/16/2024	J&L Mechanical/Court and Prosecutors furnace	3,659.22
2/16/2024	J&L Mechanical/Police furnace	5,459.32
2/20/2024	InSource Solutions Group/IT annual support City/Tax	4,200.00
2/26/2024	Stapleton Insurance Group/IT annual cyber liability insurance	19,344.00

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

Please call if you have any questions. Thank you.



A.

February 27, 2024

To: The Mayor and Members of the City Council

Re: 2023 Law Enforcement Trust Fund Report  
2023 Drug Law Enforcement Fund Report  
2023 Federal Equitable Sharing Fund  
2023 Property Seized/Forfeited Report

*Pursuant to resolutions 11-90 and 12-90.*

**Law Enforcement Trust Fund - Resolution 11-90 (account - 225)**

<u>Revenue</u>	<u>Expenditures</u>	<u>2023 Ending Balance</u>
\$21,612.78 Balance from 2022	\$0	\$21,612.78
\$-0- Property/Cash seizures		

**Drug Law Enforcement Fund - Resolution 12-90 (account - 226)**

<u>Revenue</u>	<u>Expenditures</u>	<u>2023 Ending Balance</u>
\$16,787.72 Balance from 2022	\$-0- training	\$28,945.34
\$2,257.55 Sylvania Court mandatory fines	\$-0- equipment	
\$-0- Common Pleas Court mandatory fines	\$-0- investigations	
\$ 11,900.07 other miscellaneous	\$ 1500.00 (SPA Film Festival)	
(Opioid Settlement)	\$ 500.00 (SPA Golf Scramble)	

**Federal Equitable Sharing Fund (account - 229)**

<u>Revenue</u>	<u>Expenditures</u>	<u>2022 Ending Balance</u>
\$728,407.96 balance from 2022	\$-0- training	\$716,596.36
\$-0- Federal seizures (USSS)	\$11,811.60 equipment	
\$1,889.62 interest posted	\$-0- investigations	
\$-0- other	\$-0- leased vehicles	

### Seized/Forfeited Property in 2023

#### Seized Property

\$-0- forfeited cash or bond back property  
\$29 seized this year.  
\$447.87 Pending disposition

#### Disposition/Proceeds

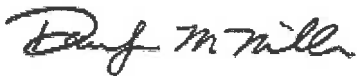
\$-0- Forfeit to account 802  
\$-0- (Pending)

#### Non-cash Seizures (2023)

Glock 30 handgun for destruction  
Balison Knife for destruction

There were no other revenues, expenditures, or seizures during this reporting period.

Respectfully submitted,



Danilynn M. Miller  
Chief of Police