

**Sylvania City Council**

June 2, 2025

**7:15 p.m. Public Hearing**

SUP-1-2025 Crossview Community Church, 5834 Monroe St., Suite M-N

**7:30 p.m. Council Meeting**

**Agenda**

1. Roll call: Mr. Hansen, Mr. Haynam, Mr. McCann, Mr. Murphy, Mr. Richardson, Ms. Stough, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mr. Haynam.
3. Additions to the agenda.
4. Approval of the Council meeting minutes from May 19, 2025.
5. Report from the Public Hearing held this date on SUP-1-2025, KIF Properties, Ltd. Request for zoning change at 5834 Monroe St. Suite M-N from a restaurant to Crossview Community Church.
  - a. Certificate of Notice for Application and Mailing List.
6. Resident Paul Hamel of 5327 Quarry Side Drive to address City Council on his concerns regarding the intersection at Little Road and Centennial Road.
7. Proposed Ordinance No. 61-2025, Authorizing the Mayor and Director of Finance to enter into an amendment to the agreement with the Board of Lucas County Commissioners for the Suburban Court Services Program.
8. Proposed Ordinance No. 62-2025, Amending Part Five – General Offenses Code of the Codified Ordinance of Sylvania, 1979, as amended, by amending Chapter 555 – Weeds.
9. Proposed Ordinance No. 63-2025, Amending Part Thirteen – Building Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Chapter 1329 – Nuisance Abatement.
10. Harroun Park Invasive Species Control – 2025-2027 The Nature Conservancy Agreement
  - a. Service Director's letter recommending approval of the agreement.
  - b. Proposed Ordinance No. 64-2025, Authorizing the Mayor and Director of Finance to accept the proposal of The Nature Conservancy to provide invasive species treatments in Harroun Park.
11. Proposed Ordinance No. 65-2025, Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania.

12. Proposed Ordinance No. 66-2025, Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania.
13. Proposed Resolution No. 11-2025, Declaring the necessity of lighting the streets in the City of Sylvania, Ohio; determining the manner of providing street lighting and the basis for the property owner's share of the cost and annual assessment.
14. Committee reports.
15. Committee referrals.

### **INFORMATION**

NONE

Minutes of the Meeting of Council  
May 19, 2025

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The Council of the City of Sylvania, Ohio met in regular session on May 19, 2025 at 7:30 p.m. with Mayor Frye in the chair. Roll was called with the following members present: Marcus Hansen, Doug Haynam, Brian McCann, Shawn Murphy, Patrick Richardson, Lyndsey Stough, Mary Westphal (excused); (6) present; (1) absent.

Roll call:  
6 present,  
1 absent.

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

Pledge of  
Allegiance.

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

Item #3a. Elect City Council President Pro-Tem.

Item #4a. Resident request to speak on noise ordinance regarding fireworks.

Item# 10a. Update on Belarus Delegation visit by Mayor Frye.

Additions to the  
agenda.

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

Agenda approval.

Mayor Frye stated that Council will now consider added agenda item 3a.

Mr. Haynam moved. Mr. Richardson seconded to elect Mr. Hansen as City Council President Pro-Tem; roll call vote being: Haynam, Stough, Murphy, Hansen, McCann, Richardson; (6) yeas; (0) nays. The motion carried.

Elect President  
Pro-Tem.

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

Mr. Hansen presented the May 5, 2025 regular meeting minutes. Mr. Hansen moved, Ms. Stough seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of May 5, 2025 be approved; roll call vote being: Stough, Hansen, McCann, Richardson, Murphy, Haynam; (6) yeas; (0) nays. The motion carried.

Approval of  
May 5, 2025  
Council meeting  
minutes.

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

Tisha Daleska from Golden Care Partners, spoke on behalf of her client Patty who lives at 6612 Convent Blvd. about her concerns with the excessive noise from random fireworks and how it affects her, other citizens, and animals. The administration agreed to look into the matter further and will communicate any findings with Tisha.

Resident spoke  
on noise concern  
from random  
fireworks.

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

Service Director's letter requesting approval of the agreement was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 58-2025, "Authorizing the Mayor and Director of Finance to enter into a Joint Cooperation Agreement on behalf of this City of Sylvania with the Board of Lucas County Commissioners, relative to the Sylvania/Mitchaw/Frankfort/Crissey/Convent/Little Resurfacing Project; and declaring an emergency"; Mr. Richardson moved, Mr. Haynam seconded for passage of Ordinance No. 58-2025 as an emergency

Ordinance No.  
58-2025, "...  
Joint Coop  
Agreement...  
LCC...Sylvania/  
Mitchaw...  
Resurfacing  
Project..."

Minutes of the Meeting of Council  
May 19, 2025

measure; roll call vote being: Haynam, McCann, Murphy, Richardson, Stough, Hansen; (6) yeas; (0) nays. The motion carried.

Service Director's letter requesting approval of the agreement was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 59-2025, "Accepting the proposal of Feller Finch & Associates, Inc. to provide professional engineering services for the Sylvania/Mitchaw/Frankfort/Crissey/Convent/Little Resurfacing Project; appropriating funds therefore in the amount of \$31,900; and declaring an emergency"; Mr. Richardson moved, Mr. McCann seconded for passage of Ordinance No. 59-2025 as an emergency measure; roll call vote being: Haynam, McCann, Murphy, Richardson, Stough, Hansen; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
59-2025, "...  
Feller Finch..."  
Sylvania/  
Mitchaw...  
Resurfacing  
Project..."

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

Service Director's letter recommending approval of the contract was placed on file. Mr. McCann presented and read aloud by title only, proposed Ordinance No. 60-2025, "Authorizing the Mayor and Director of Finance to enter into an amendment to DGL Consulting Engineers, LLC's proposal for professional engineering services relative to the Downtown Transportation Improvement Project to reflect additional work performed on the project; appropriating funds therefore in an amount not to exceed \$93,458; and declaring an emergency"; Mr. McCann moved, Mr. Haynam seconded for passage of Ordinance No. 60-2025 as an emergency measure; roll call vote being: Haynam, Stough, Murphy, Richardson, McCann, Hansen; (6) yeas; (0) nays. The motion carried.

Ordinance No.  
60-2025, "...  
Amendment to  
DGL proposal  
...Downtown  
Transportation  
Improvement  
Project..."

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

Mr. Haynam moved, Mr. Hansen seconded to set a Public Hearing for Monday, July 21, 2025 at 7:15 p.m. in Council Chambers at 6635 Maplewood Avenue, Sylvania, Ohio to discuss proposed Ordinance No. 56-2025, "Amending Chapter 1166 of the Sylvania Codified Ordinances by amending Section 1166.16 – Nonconforming Signs; and declaring an emergency"; roll call vote being: Stough, Murphy, Richardson, McCann, Hansen, Haynam; (6) yeas; (0) nays. The motion carried.

Set Public  
hearing for  
Ordinance No.  
56-2025 on  
7/21/25, 7:15pm.

Minutes of the Meeting of Council  
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Mayor Frye stated that Council will now consider agenda item 8.

Ms. Stough moved, Mr. Murphy seconded to approve the Then and Now Certifications from November 1, 2024 through January 27, 2025; roll call vote being: Hansen, Haynam, Stough, McCann, Murphy, Richardson; (6) yeas; (0) nays. The motion carried.

Then & Now  
Certifications.

Mayor Frye stated that Council will now consider added agenda item 10a.

Mayor Frye gave a brief update on the Belarus Delegation visit that took place on May 15, 2025 with City Council members Shawn Murphy, Marcus Hansen and Brian McMann. The members of the delegation were here in Lucas County for about a week learning about local government operations that they hope to use in the future. Mr. McCann said it seemed like the discussion gave them hope for their independence. Mr. Hansen noted they were very interested in learning how our elections worked and Mr. Murphy shared they asked very detailed questions.

Update on  
Belarus  
Delegation visit.

Mayor Frye stated all agenda items have been addressed.

Mr. McCann moved, Mr. Hansen seconded to adjourn at 8:09 p.m. Roll call vote being: Murphy, Hansen, McCann, Richardson, Haynam, Stough; (6) yeas; (0) nays.

Adjournment.

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Clerk of Council

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Mayor



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SYLVANIA CITY COUNCIL  
LAURA BIGELOW, CLERK  
*Smith*

June 2, 2025

To: Mayor Mark Frye and Members of City Council

Fm: Laura Smith, Clerk of Council

**Certificate of Notice**  
**SUP-1-2025, City of Sylvania, 5834 Monroe St. Suite M-N**

The undersigned Clerk of Council hereby certifies the following:

- A. Thirty (30) days of time and place of public hearing was published in The Blade on April 27, 2025.
- B. Written notice of hearing was mailed by first class mail, twenty (20) or more days prior to the scheduled hearing date to all owners of property within, contiguous to, and directly across the street from the subject parcel or parcels, which owners, so notified, are listed in the attached document.

*Laura Smith*  
Clerk of Council  
City of Sylvania

parid	owner	pro prc proper	mailing address 1	mailing address 2
8214069	5800 MONROE ST BLDG B LLCAN OHIO LLC	58 SYIOH	## 5800 MONROE ST BLDG.B	SYLVANIA OH 43560
8214071	MAUMEE VALLEY INVESTMENT CO AN OHIO CORPORATION	58 SYIOH	## P O BOX 140492	TOLEDO OH 43614
8214085	HUNTZINGER WILLIAM M TRUSTEE	58 SYIOH	## 4900 YOSEMITE PKWY	SYLVANIA OH 43560 4332
8214075	KENSEY LLC AN OHIO LLC	58 SYIOH	## 5800 MONROE ST BLDG E #4	SYLVANIA OH 43560
450401125	CONDO COMPLEX			
8214063	LLF & F GROUP LTD	58 SYIOH	## P.O. BOX 11428	TOLEDO OH 43611
8214066	YIM,SIGMAN & SHAH , AN OHIO GENERAL PART	58 SYIOH	## 5800 MONROE ST STE A10	SYLVANIA OH 43560 2208
8214067	JB ENTERPRISES LTD	58 SYIOH	## 5800 MONROE ST STE 1 BUILDING B	SYLVANIA OH 43560
8214079	35 EAST INC AN OHIO CORPORATION	58 SYIOH	## P O BOX 8596	TOLEDO OH 43623
8214081	MANIACH PROPERTIES LLC ANOHIO LIMITED LI	58 SYIOH	## P.O. BOX 746	SYLVANIA OH 43560
8214064	BRIGHT MIGHT PROPERTIES, LLC AN OHIO	58 SYIOH	## 5800 MONROE ST UNIT A11	SYLVANIA OH 43560
8214070	DW 28 OFFICE, LLC,AN OHIOLIMITED LIABIL	58 SYIOH	## 5839 MONROE ST # 1	SYLVANIA OH 43563
8214073	KENSEY LLC AN OHIO LLC	58 SYIOH	## 5800 MONROE ST BLDG E #4	SYLVANIA OH 43560
8214087	TOLEDO HOSPITAL AN OHIO NON PROFIT CORP	58 SYIOH	## 100 MADISON AVE	TOLEDO OH 43604
8214077	BUILDING F INVESTMENTS LLC	58 SYIOH	## 5800 MONROE ST BLDG F	SYLVANIA OH 43560
8214083	FORESTVALE LLC	58 SYIOH	## 5800 MONROE ST BLDG H	SYLVANIA OH 43560

PETITION FOR ZONING ORDINANCE AMENDMENT

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

SUP-1-2025  
Application No. 1-2025  
Date 4/3/25

Petitioner Name(s): KIF Properties Ltd

Petitioner Address: 5550 W. Central  
Toledo, Ohio 43615

Email: KIFREALSTATE@yahoo.com Telephone: (419) 705-5486

Location of property for which zoning amendment is requested:

Existing strip mall at 5800 Monroe Street, tenant space (5834 Monroe Street,  
suite M-N).

Purpose of amendment request: SPECIAL USE - CHURCH

Tenant would like to change the existing restaurant into Crossview Community Church.

Current Zoning: B-4 SHOPPING CENTER DISTRICT Requested Zoning: B-4 WITH SPECIAL USE

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

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

A check for \$300.00 + cost of advertising, payable to the City of Sylvania is attached for processing of said Petition. It is understood that no refund is to be made after the filing of the Petition.

By: [Signature]  
4/3/25

Date referred by Council: April 7, 2025

Date of Commission Action: April 16, 2025

Date of Council Action: \_\_\_\_\_

Action: \_\_\_\_\_

For Office Use Only

Date: 3/25/25 Check #: 126 Cash: — Fee: \$ 300<sup>00</sup>

Parcel # 82.04454



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Owner	HAMEL LINDA M & PAUL R TRUSTEES OF THE HAMEL FAMILY TRUST
Property Address	5327 QUARRY SIDE DR SYLVANIA OH 43560
Mailing Address	5327 QUARRY SIDE DR SYLVANIA OH 43560 8623
Legal Desc.	THE VILLAS AT PALISADES LOT 28







**ORDINANCE NO. 61 - 2025**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AMENDMENT TO THE AGREEMENT ON BEHALF OF THE CITY OF SYLVANIA BETWEEN THE CITY OF SYLVANIA AND THE BOARD OF LUCAS COUNTY COMMISSIONERS FOR THE SUBURBAN COURT SERVICES PROGRAM; APPROPRIATING \$20,000 THEREFORE; AND DECLARING AN EMERGENCY.**

WHEREAS, since 1997, the City of Sylvania has partnered with Lucas County in the Suburban Court Services Program to provide a victim advocate for Sylvania Municipal Court; and,

WHEREAS, Ordinance No. 24-2025, passed February 3, 2025, authorized the Mayor and Director of Finance to enter into an Agreement with the Board of Lucas County Commissioners for the Suburban Courts' Services program and appropriated \$25,000 therefore; and,

WHEREAS, following the passage of Ordinance No. 24-2025, representatives from Lucas County met with representatives of the City, including the Director of Law, to discuss staffing and budget issues of the Suburban Court Service Program; and,

WHEREAS, Lucas County has requested an additional \$20,000 contribution for the City to retain Erika Drake-Kynard as the victim advocate for Sylvania Municipal Court; and,

WHEREAS, the Director of Law recommends that the City contribute an additional \$20,000 to retain Ms. Drake-Kynard as the victim advocate for Sylvania Municipal Court through September 30, 2024.

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 the Amendment to the Agreement between the City of Sylvania and the Board of Lucas County Commissioners as set forth on "Exhibit A."

SECTION 2. That to provide funds for said services hereby authorized, there is hereby appropriated from the **GENERAL FUND** from funds therein not heretofore appropriated to

**Account No. 110-7740-51295 - LCCPC Board Services** the total sum of Twenty Thousand Dollars (\$20,000.00).

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 funding for Suburban Court Services should be provided for 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, \_\_\_\_\_, 2025, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



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**ORDINANCE NO. 62-2025**

**AMENDING PART FIVE – GENERAL OFFENSES CODE OF THE  
CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED, BY  
AMENDING CHAPTER 555 – WEEDS; AND DECLARING AN  
EMERGENCY.**

WHEREAS, the Director of Public Service has recommended that Part Five – General Offenses Code be amended to amend Section 555.06 – Expenses to be Lien on Property to provide an alternative method for collecting the costs of mowing incurred by the City; and,

WHEREAS, Sylvania Codified Ordinance Chapter 555 shall be amended as set forth on “Exhibit A” attached hereto.

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

SECTION 1. That Chapter 555 – Weeds of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “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 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 amendment to this Chapter should be provided for 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 this Charter.

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

Passed, \_\_\_\_\_, 2025, as an emergency measure.

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

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

**555.06 COLLECTION OF COSTS AND EXPENSES.**

(a) All costs and expenses, including costs of giving notice, incurred by the City in cutting and/or destroying noxious weeds and rank vegetation, are hereby made a lien upon the property from which they were removed and if the same are not paid within twenty days after they are incurred by the City, they shall be certified by the Director of Public Service, to the County Auditor who shall place the same on the tax duplicate, with the interest and penalties allowed by law, and they shall be collected as other Municipal taxes are collected.

(Ord. 37-89. Passed 5-1-89.)

(b) As an alternative method to that in Section 555.06(a), any expenses incurred by the City in cutting and/or destroying noxious weeds and rank vegetation under this Chapter may be deemed a utility service charge and added to the following month's bill for water, sewer and/or refuse collection services furnished to the premises. Thereafter, nonpayment of the balance shall be grounds for termination of water and/or refuse collection service in accordance with procedures generally established for non-payment of utility service charges.

(Ord. \_\_\_\_-2025. Passed \_\_\_\_-2025.)



**ORDINANCE NO. 63-2025**

**AMENDING PART THIRTEEN – BUILDING CODE OF THE CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED, BY AMENDING CHAPTER 1329 – NUISANCE ABATEMENT; AND DECLARING AN EMERGENCY.**

WHEREAS, the Directors of Law and Public Service have recommended that Part Thirteen of the Building Code be amended to update and further define “nuisance” and the process for abating nuisances in the City; and,

WHEREAS, Sylvania Codified Ordinance Chapter 1329 shall be amended as set forth on “Exhibit A” attached hereto.

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

SECTION 1. That Chapter 1329 – Nuisance Abatement of the Codified Ordinances of Sylvania, 1979, as amended, be and it is, hereby further amended to read as set forth on the attached “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 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 amendment to this Chapter should be provided for 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 this Charter.

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

Passed, \_\_\_\_\_, 2025, as an emergency measure.

ATTEST:

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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

APPROVED AS TO FORM:

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

### **1329.01 DETERMINING CONDITIONS.**

For the purposes of abating public nuisances and assessing for the cost thereof, and prescribing the conduct, whether of omission or commission, of any natural person or business operating as a proprietorship, partnership, unincorporated association, or corporation, as owner or occupier of any lot of land within corporate limits of the City or of any building, house or other structure on any such lot of land, a public nuisance shall exist when:

- (a) Any structure that is in a state of any of, but not limited to, the following: dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and, dangerous to anyone on or near the premises; or
- (b) Any tree, stack of, or other object remains standing upon such lot of land in such condition that it shall, if such condition is suffered to continue, endanger the life, limb or property or cause hurt, unsightly, damage or injury to persons or property on or near the premises; or
- (c) Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, unguarded excavations and unsafe or unsecured structures, trees, or vegetation; or
- (d) There is the accumulation on any premises or in any structure of earth, rubbish, junk, metal, five (5) or more motorized or non-motorized vehicles or equipment or any parts thereof, or other unsightly or unsanitary materials, or has an uncontrolled growth of weeds; or
- (e) Any premises or structure that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecure so as to endanger life, limb or property; or
- (f) Any premises or structure that has unsanitary sewage or plumbing facilities or has been designated as unsafe for human habitation by the Zoning Administrator or designee or the Fire Chief or the Commissioner of Health; or
- (g) The conduct of any activity thereon or therein which by reason of noxious odors generated thereby, or of smoke, dust, dirt or water being cast or draining therefrom endangers or is harmful to the public health, welfare or safety, or materially interferes with the peaceful and lawful use, comfort and enjoyment of owners or occupants of nearby or adjacent lots of land or structures; or
- (h) Any structure becomes so out of repair and dilapidated that, due to inadequate maintenance or neglect, it endangers the public health, welfare or safety, or materially interferes with the peaceful enjoyment of owners or occupants of adjacent property; or
- (i) There is any loud, unnecessary or unusual noise, or any noise or lighting which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of owners or occupants of nearby or adjacent lots of land or structures; or
- (j) There is any placing, throwing or sweeping into any street, avenue, alley, park or public ground, any paper, nails, pieces of glass or board, fruit parings or skins, garbage, waste, leaves or clippings, ashes, cans, bottles, cartons, boxes, furniture, oil, dumping of dirt, parts of automobiles or any other matter of an unsightly or unsanitary nature, or the placing, throwing or sweeping of such matter upon any sidewalk or street crossing, or on any driveway, or upon the floor, stairway or hallway of any public building, theater, railway depot, railway platform or property of another; or
- (k) There is an accumulation of any paper, fruit parings or skins, garbage, waste, ashes, cartons, boxes or any other matter of an unsightly or unsanitary nature in such manner that such matter could be blown onto any street, avenue, alley, park, public ground, sidewalk or property of another; or
- (l) Any physical condition or occupancy of any premises or structure which shall, if such condition continues to exist, attract and propagate rodents, vermin or insects; or
- (m) Any swimming pool or pond that is abandoned, unattended, unfiltered, or otherwise not maintained, resulting in the water becoming polluted by bacterial growth, algae, remains of insects, remains of deceased animals, reptiles, rubbish, refuse, debris, or any other

material, which because of its location, becomes an unhealthy, unsafe or unsightly condition; or

- (n) Any premises or structure from which the plumbing, heating or facilities required by this Code or any other applicable code in the State of Ohio have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or if vacant or abandoned effective precautions against trespassers have not been provided; or
- (o) Any condition exists which, at common law, was classified as a public nuisance; or
- (p) Any condition exists which has been declared a public nuisance by the Ohio Revised Code.

#### **1329.02 COMPLAINTS; INSPECTION OF PREMISES.**

(a) Whenever a complaint is made to the Zoning Administrator of the existence of a public nuisance as defined in Section 1329.01, he or she shall promptly inspect or cause to be inspected by the Fire Chief or designee, or the Commissioner of Health of Lucas County or designee, the premises on which it is alleged such public nuisance exists.

(b) For the purpose of enforcing this Chapter, the Zoning Administrator or designee is authorized, at any reasonable time, to enter upon and inspect any premises or property within the City when there is a reasonable cause to believe that a public nuisance, as defined in this Chapter, exists.

(c) If either the Zoning Administrator or designee, or the Fire Chief or designee or the Commissioner of Health of designee, finds that a public nuisance exists and that it should be abated, abatement of such nuisance shall proceed in accordance with the provisions of Section 1329.03 and 1329.04 below.

#### **1329.03 ABATEMENT OF NUISANCES; STANDARD ABATEMENT.**

(a) Should the Zoning Administrator or designee, or the Fire Chief, find that a public nuisance as defined in Section 1329.01 exists, the Zoning Administrator or a designee shall cause photographs of such nuisance to be made. The Zoning Administrator or a designee shall serve a notice of violation conforming to the requirements of subparagraph (b) of this Section on each person and legal entity identified by the records of the Lucas County Auditor as being responsible for the payment of ad valorem property taxes levied upon the real estate upon which said nuisance is found in a manner authorized by subdivision (d) of this Section. The Zoning Administrator or designee may also send the standard notice of violation to the lessee, tenant or occupant of the premises.

(b) The standard notice of violation shall: (i) describe the premises on which the public nuisance has been found to exist with reasonable certainty; (ii) describe the conditions constituting the public nuisance; (iii) state that the person or entity served with the standard notice of violation has seven calendar days in which to take one of the actions described in subparagraph (c) of this Section; (iv) state whether the Zoning Administrator or designee, or the Fire Chief, finds the public nuisance to constitute an emergency; (v) describe the remediation necessary to abate the public nuisance, which may include repair, rehabilitation and/or vacation of the premises; and (vi) specify the actions to be taken by the City pursuant to this Chapter upon failure to take one of the actions described in subparagraph (c) of this Section within the seven-day time limitation.

(c) Standard Notice of Violation. In cases in which demolition is not required for abatement, a person or entity served with a standard notice of violation shall have seven calendar days from receipt of the notice of violation to take one of the following actions: (i) fully and completely abate the public nuisance; (ii) work out a schedule, satisfactory to the Zoning Administrator or designee, for the nuisance abatement, with sufficient surety acceptable to the City to guarantee completion on schedule; or (iii) appeal the determination of the Zoning Administrator or designee of the existence of a public nuisance and/or the remedy required to the Nuisance Abatement Board by filing a written notice of appeal with the Zoning Administrator or designee. If a person or entity served with a standard notice of violation commences an appeal to the Nuisance Abatement Board in accordance with this Section, the Board shall affirm, reverse or modify the determinations made by the Zoning Administrator or designee. For purposes of

this subsection, "sufficient surety acceptable to the City to guarantee completion on schedule" affords the City the sole discretion to select the necessary surety, which may include but not be limited to a cash bond or letter of credit.

(d) The standard notice of violation may be served by any of the following methods: (i) hand delivery; (ii) posting a notice of violation on the subject premises; (iii) sending certifying and ordinary U.S. Mail, addressed to the usual place of residence or customary place of business of the person or entity being served, as indicated by the current tax records of the Lucas County Treasurer or the real property records of the Lucas County Recorder.

(e) If no party served with a standard violation takes appropriate action to abate the nuisance, makes arrangements for later abatement of the nuisance that are acceptable to the Zoning Administrator, or institutes an appeal of the standard notice of violation to the Nuisance Abatement Board within seven calendar days following receipt of the standard notice of violation, the Zoning Administrator or designee is authorized to take immediate action to abate the nuisance. In the exercise of this authority the Zoning Administrator may direct municipal employees to enter upon the premises to perform the remediation work described in the standard notice of violation or may engage one or more contractors to enter upon the premises and perform the remediation work described in the standard notice of violation provided, however, that all expenditures required to engage the services of a contractor are approved in the manner required by the Ohio Revised Code. Alternatively, the Zoning Administrator may commence appropriate legal or administrative proceedings. In the event the Zoning Administrator determines to institute civil or criminal judicial proceedings or to pursue administrative remedies, the Law Director is authorized to commence such actions without further authorization by ordinance.

#### **1329.04 ABATEMENT OF NUISANCES, ABATEMENT BY DEMOLITION.**

(a) Should the Zoning Administrator or designee, or the Fire Chief, find that a public nuisance as defined in Section 1329.01 exists, and that abatement by demolition may be required, the Zoning Administrator, or a designee shall cause photographs of such nuisance to be made.

(b) The Zoning Administrator shall cause a thorough examination of the records of the Lucas County Auditor, Clerk of Courts, Recorder and Treasurer to be made and shall identify all persons and entities in possession of a legal interest of record in the real estate upon which the public nuisance is found to exist. The Zoning Administrator shall serve a demolition notice of violation conforming to the requirements of subparagraph (c) of this Section on each person and entity possessing an interest of record in the real estate. Service shall be made in conformity with the requirements of subparagraph (d) of this Section.

(c) Contents of a Demolition Notice of Violation. The demolition notice of violation shall: (i) describe the premises on which the public nuisance has been found to exist with reasonable certainty; (ii) describe the conditions constituting the public nuisance; (iii) specify that an owner has thirty calendar days within which to either fully and completely abate the nuisance via demolition or work out a schedule satisfactory to the Zoning Administrator, or designee, for the demolition, with sufficient surety acceptable to the City to guarantee timely completion of the abatement according to schedule; and (iv) inform the interested parties of the date and time of the pre-scheduled adjudicatory hearing date before the Nuisance Abatement Board ("NAB"). The hearing date shall be set no less than thirty calendar days after the date of the demolition notice of violation. The NAB shall affirm, reverse, or modify the determinations made by the Zoning Administrator or designee or Fire Chief, in the demolition notice of violation, including the existence of the public nuisance and the demolition remedy deemed necessary by the Zoning Administrator or designee or Fire Chief. For purposes of this subsection, "sufficient surety acceptable to the City to guarantee completion on schedule" affords the City the sole discretion to select the necessary surety, which may include but not be limited to a cash bond or letter of credit.

(d) The demolition notice of violation shall be served by either hand delivery, or both the posting of a notice of violation on the subject premises and via certified and ordinary U.S. Mail, addressed to the usual place of residence or principal place of business of each person and

entity entitled to receive the notices of violation, as indicated by current tax records of the Lucas County Treasurer or the real property records of the Lucas County Recorder. Judgment lien holders shall be served at the address last known to the Lucas County Auditor. Tenants and other persons in possession of the premises shall be served at the premises that are subject to the abatement proceeding.

(e) The final decision of the Nuisance Abatement Board regarding demolition shall be delivered to all persons entitled to notice in accordance with subparagraph (b) of this Section via hand delivery, or via certified and ordinary U.S. Mail, and a copy of the final decision shall be posted on the subject premises. Upon the decision of the Nuisance Abatement Board determining that demolition is required for abatement of a nuisance, the Zoning Administrator is authorized to abate the nuisance through demolition through such legal or administrative channels as are deemed most appropriate or through use of either City or private labor to effect the necessary nuisance abatement.

#### **1329.05 NUISANCE ABATEMENT BOARD; FILING OF APPEAL.**

(a) The Nuisance Abatement Board ("NAB") is hereby established and shall be comprised of five disinterested citizens of the City who shall be appointed by the Mayor and confirmed by Council. The Mayor shall endeavor to appoint citizens from different geographic areas of the City, however, if there are not interested citizens from different geographic areas in serving on the Nuisance Abatement Board, more than one citizen can be appointed from the same geographic area. Initially, two members shall be appointed for not more than one year, two for not more than two years and one for not more than three years. Every succeeding term shall run for three years, and all terms shall be arranged to expire on December 31. Vacancies shall be filled by appointment by the Mayor and confirmation of Council for the unexpired term of the member affected.

(b) The NAB may, by a majority vote of its membership, organize and adopt bylaws for its own governance provided they are consistent with the law and with any ordinances of the City. This shall also include the appointment of a secretary who shall be responsible for keeping minutes and all other papers related to the proceedings of the NAB.

(c) The NAB may adopt all procedural rules as may be necessary or beneficial for the conduct of its hearings.

(d) The NAB may affirm, reverse, or modify the finding of a public nuisance and the issuance of the abatement order, including a demolition order, by a majority vote. Upon timely appeal, it shall have jurisdiction to review all notices of standard violations issued under Section 1329.03 and all demolition notices of violation issued under Section 1329.04.

(e) The NAB shall meet as necessary. A majority of its members must be present to conduct a hearing.

(f) Any notice of appeal of a standard notice of violation must be made in writing and delivered to the Zoning Administrator on or before seven calendar days after the date on which the standard notice of violation was served. An appeal of a standard notice of violation may only be initiated by the owner to whom the standard notice of violation is directed, or by the owner's attorney. The notice of appeal must include a written statement requesting a hearing signed by the owner or adversely affected party or by that party's attorney, a copy of the notice of violation being appealed, and a brief statement as to why they believe the standard notice of violation should be reversed or modified.

#### **1329.06 HEARING PROCEDURE BEFORE THE NUISANCE ABATEMENT BOARD.**

(a) The hearing for an appeal of a standard notice of violation shall occur not less than ten calendar days nor more than sixty calendar days after the Zoning Administrator's receipt of the notice of appeal. The hearing for the review of a demolition notice of violation shall occur on the date specified in the demolition notice of violation.

(b) The hearing before the NAB shall be an evidentiary hearing and shall be open to the public. At all hearings conducted pursuant to this section, any party may be represented by

legal counsel. The rules of evidence utilized by courts shall not be applicable in hearings before the NAB. The NAB is empowered to subpoena witnesses and take testimony under oath.

(c) Aside from representatives or agents of the City with knowledge of the alleged public nuisance, only individuals to whom a standard notice of violation or a demolition notice of violation have been addressed, or their attorneys, have the right to participate in an appeal or review before the NAB. The NAB, however, may, within its discretion, hear from other witnesses with knowledge of alleged nuisance, such as owners or occupants of adjacent or neighboring properties.

(d) Within thirty days after the evidentiary hearing, the NAB shall issue a written decision containing findings of fact and a conclusion as to whether the decision of the Zoning Administrator or designee, or the Fire Chief, as set forth in a notice of violation shall be affirmed, reversed, or otherwise modified in whole or in part. All decisions by the NAB shall be in writing. The decision may authorize action by the Zoning Administrator or designee, on behalf of the City, to abate the nuisance, including through demolition. Action by the Zoning Administrator or designee shall be through such legal or administrative channels as are deemed most appropriate or through use of either City or private labor to abate the nuisance, including through demolition.

(e) A copy of the NAB's decision shall be mailed via certified mail and via regular U.S. Mail, to the last known address of the owner or interested party who participated in the hearing. It shall be the responsibility of every owner and interested party to keep the NAB apprised of his or her current mailing address. For purposes of appeal pursuant to Chapter 2506 of the Ohio Revised Code, the final decision will be deemed to have been entered on the date that the NAB's decision is mailed.

(f) If the NAB affirms the findings in a demolition notice of violation, no demolition by the City shall take place sooner than thirty calendar days after the date of the NAB's decision.

### **1329.07 ABATEMENT BY CITY; COSTS AND ASSESSMENTS.**

(a) Should the public nuisance not be abated as provided in the notice given pursuant to Section 1329.03 or Section 1329.04, the Zoning Administrator or designee shall have the right to enter upon the premises to abate such public nuisance. In abating any public nuisance, the Zoning Administrator or designee may take such action as is necessary to complete the abatement of the same and should it be practicable to sell or salvage any material resulting from such abatement, the Zoning Administrator may cause the same to be sold at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds shall be deposited in the General Fund of the City and any difference in the amount so received and the cost of the abatement shall be reported to Council, which shall levy an assessment against the premises upon which such nuisance was abated and cause such assessment to be certified and collected as other assessments by the City.

(b) Should the proceeds of the sale of any material salvaged in the course of such abatement exceed the cost thereof, the amount of such excess shall be paid to the owner of the premises upon filing a claim thereof and proof of title and right to such surplus.

(c) The Zoning Administrator or designee may utilize any labor or equipment of the City in making such abatement or the Zoning Administrator may contract privately for the abatement of the nuisance provided that Council authorizes the expenditure of such funds.

(d) Any and all expenses or costs incurred under this Chapter for the abatement, including removal, repair, alteration, securing, boarding, or demolition of a building or structure shall be paid by the owner of the land and/or responsible person as provided in Ohio Revised Code Section 715.261. If the owner and/or other responsible person fails to pay for the costs within thirty days after receipt of notice from the Zoning Administrator of a statement of the charges and costs incurred, the Zoning Administrator may certify such amount to the Finance Director. The Finance Director shall promptly make a written return to the Lucas County Auditor of the action under this section with a statement of the total costs and expenses, the amount credited for salvage, if any, and a proper legal description of the premises. Certification to the County Auditor is for the purpose of making such costs and expenses a lien upon the property, to be collected as other taxes and returned to the City with accounting thereof in

accordance with Ohio Revised Code Section 715.261.

(e) As an alternative method to that in Section 1329.07(d), any expenses incurred by the City for nuisance abatement under this Chapter may be deemed a utility service charge and added to the following month's bill for water, sewer and/or refuse collection services furnished to the premises. Thereafter, nonpayment of the balance shall be grounds for termination of water and/or refuse collection service in accordance with procedures generally established for non-payment of utility service charges.

#### **1329.08 EMERGENCY ABATEMENT.**

(a) Whenever a public nuisance exists as defined in Section 1329.01 and the nature thereof constitutes an emergency as defined in subparagraph (b) of this Section, the Zoning Administrator or designee may take immediate action to abate the nuisance and such abatement may take place without prior notice to the titled owner of the premises on which the public nuisance exists. Notice of the action taken to abate the nuisance shall immediately be sent to the titled owner by certified mail with a return receipt requested and posted on the premises.

(b) As used in this section, "emergency" means an unforeseen combination of circumstances that calls for immediate action in order to preserve the public health, safety, welfare, or property against an imminent risk of physical harm.

(c) In any proceeding pursuant to this section, the determination that a public nuisance exists and constitutes an emergency as defined in subparagraph (b) of this Section shall be made solely by the Zoning Administrator or Fire Chief. As otherwise permitted in the City's Charter and Ordinances, the Zoning Administrator or designee shall have the express authority to engage any engineers or consultants to evaluate the need for emergency abatement.

#### **1329.09 AUTHORITY OF CITY.**

This Chapter shall be deemed to be an enlargement and not a limitation or restriction on the power or authority of the City or any officer thereof to take action or bring any suit or proceeding in respect to public nuisances otherwise provided for by law or ordinance of the City.

#### **1329.10 UNLAWFUL INTERFERENCE PROHIBITED.**

No person shall interfere with any municipal officer, designee, assistant, subordinate, employee or agent while they are engaged in or carrying out the abatement of a nuisance as set forth in this Chapter.

#### **1329.11 DEMOLITION AND LIEN AGREEMENT; COSTS.**

(a) Notwithstanding and in addition to all sections of this Chapter, the Zoning Administrator is authorized to enter into an Abatement, Demolition and Lien Agreement with the approval of a property owner or other responsible person to abate any public nuisance as defined in Section 1329.01.

(b) In the event an Abatement, Demolition and Lien Agreement is executed by the Zoning Administrator and the property owner under this Section, no further notice is required to be given to the property owner regarding the nuisance and its abatement.

(c) Any and all expenses or costs incurred under this Chapter for nuisance abatement, including the removal, repair, alteration, securing or boarding of a building or structure shall be paid by the owner of the land and/or other responsible person as provided in Ohio Revised Code Section 715.261, which amount shall be included in the Abatement, Demolition and Lien Agreement. City Council is then authorized to certify the costs described herein to the Lucas County Auditor for the purpose of making such costs and expenses a lien upon the property, to be collected as other taxes and returned to the City with accounting thereof in accordance with Ohio Revised Code Section 715.261. In addition, and as an alternative method of obtaining payment of such expenses and costs, City may deem those expenses a utility service charge and collect them as provided in Section 1329.07(e).

#### **1329.12 FIRE DAMAGED STRUCTURE.**

(a) The City adopts the provisions of Ohio Revised Code Section 3929.86 where



applicable and shall follow the procedures established herein and whereby in certain specified situations insurance proceeds recoverable for fire-damaged structures shall be deposited with the City to secure the cost and expenses incurred by the City for removal, repairs or securing of fire-damaged buildings or structures on the property pursuant to the Ohio Revised Code.

(b) The Finance Director is hereby designated as the officer of the City authorized to carry out duties of municipal officers under Ohio Revised Code Section 3929.86 and shall perform all duties in compliance therewith, including the establishment of a special fund known as the Fire Damaged Structures Account, Insurance Proceeds, and shall receive therein and disburse therefrom funds in accordance with the provisions of Ohio Revised Code Section 3929.86.

#### **1329.13 ADMINISTRATIVE LIABILITY.**

No officer, agent or employee of the City shall be rendered personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of duties under this Chapter. Any suit brought against any officer, agent or employee as a result of any act required or permitted in the discharge of his/her duties under this Chapter shall be defended by the Director of Law or the insurance carrier until final determination of the proceedings therein.

#### **1329.14 SEPARABILITY.**

It is the intention of Council that each separate provision of this Chapter shall be deemed independent of all other provisions herein, and it is further the intention of Council that if any provision of this Chapter is declared invalid, all other provisions hereof shall remain valid and enforceable.

#### **1329.99 PENALTY.**

(a) The owner, tenant, business or person in control of property that is deemed a public nuisance, as defined in this Chapter, who fails or refuses to comply with any notice or order to repair, vacate or demolish the public nuisance given by any person authorized by this Chapter is guilty of a minor misdemeanor and shall be fined not more than one hundred fifty dollars (\$150.00) for each offense. A separate offense shall be deemed committed each day that such public nuisance is permitted to exist after the time specified for the abatement thereof by the owner or occupant in any notice as provided for in this Chapter.

(b) Any owner, tenant, business, or person who has pleaded guilty or been convicted of an offense under any provision of this Chapter, or a substantially equivalent offense in another jurisdiction, within the previous twelve months shall be deemed guilty of a misdemeanor of the first degree and upon conviction thereof shall be fined not more than One Thousand Dollars (\$1,000.00), punishable as provided in Section 501.99.

(c) Whoever violates the provisions of Section 1329.10 shall be guilty of a misdemeanor of the second degree, punishable as provided in Section 501.99.

10a.



DEPARTMENT OF PUBLIC SERVICE  
JOSEPH E. SHAW, P.E., P.S., DIRECTOR

June 2, 2025

To: The Mayor and Members of Sylvania City Council

Re: **Harroun Park Invasive Species Control  
2025-27 Agreement (The Nature Conservancy)**

Dear Mr. Mayor and Council Members:

The Service Department initiated invasive species control work in Harroun Park in 2019 with The Nature Conservancy (Ord. 101-2019). The \$41,000 2-year contract from 2020 thru 2021 included herbicide treatments and brush removal and helped the City satisfy Ohio Environmental Protection Agency (OEPA) requirements as a part of the Sylvania River Trail, Phase 1 project.

The 2-year contract was a success and lead to a second contract from 2022 thru 2023 (Ord. 11-2022) in the amount of \$60,000 to continue additional invasive species removals, herbicidal spray, and brush mowing in priority areas along the Ottawa River. This contract was extended last year by City Council (Ord. 67-2024) at no additional cost which completed work through May 1, 2025.

The Nature Conservancy is recommending a third contract for a 2-year period to complete continued invasive species control practices as outlined in the enclosed Management Plan through May 31, 2027 at a cost of \$20,000. The term of this Agreement would be from June 2025 through May 2027, but the invoicing on this contract would occur in June 2026 and June 2027 with the necessary funds budgeted from the 401-7310-53541 project account in those respective years. As a result, there will be no additional fund appropriations needed from the 2025 capital improvement budget.

We recommend approval of the 2025-27 Harroun Park Invasive Species Control Agreement with The Nature Conservancy for continued work in Harroun Park. Please call with any questions.

Sincerely,

Joseph E. Shaw, P.E., P.S.  
Director of Public Service

6730 MONROE STREET • SYLVANIA, OHIO 43560-1948 • (419) 885-8965 • FAX (419) 885-0486  
[www.cityofsylvania.com](http://www.cityofsylvania.com)

10b.

**ORDINANCE NO. 64 -2025**

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF THE NATURE CONSERVANCY TO PROVIDE INVASIVE SPECIES TREATMENTS IN HARROUN PARK; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$20,000; AND DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 101-2019, passed by Sylvania City Council on December 16, 2019, authorized the Mayor and Director of Finance to accept the proposal of The Nature Conservancy to provide Invasive Species Treatments in Harroun Park and appropriated funds in the amount of \$41,000 over the two-year term; and,

WHEREAS, Ordinance No. 11-2022, passed February 7, 2022, authorized the Mayor and Director of Finance to accept the proposal of The Nature Conservancy to continue reducing the invasive plant species in Harroun Park for a period of two years at a cost of \$60,000; and,

WHEREAS, Ordinance No. 67-2024, passed May 6, 2024, authorized the Mayor and Director of Finance to accept the proposal of The Nature Conservancy to provide invasive species treatments in Harroun Park for an additional 12-months at no cost to the City; and,

WHEREAS, the Director of Public Service, by report dated June 2, 2025, has reported that the City's Agreement with The Nature Conservancy has resulted in much more open space in Harroun Park with scattered trees interspersed with native wildflowers and also fulfilled an Ohio Environmental Protection Agency invasive species reduction requirement as part of the original Phase I of the River Trail; and,

WHEREAS, The Nature Conservancy has proposed an additional 2-year Agreement, through May 31, 2027, in the total amount of \$20,000 to continue habitat restoration and

improvement at Harroun Park including two foliar spray applications per year to control herbaceous and woody invasive plants as well as removal of invasive woody trees and shrubs; and,

WHEREAS, the Director of Public Service, by report dated June 2, 2025, has recommended approval of the proposal of The Nature Conservancy to continue the habitat restoration and improvement in Harroun Park at a cost not to exceed Twenty Thousand Dollars (\$20,000.00) for the term June 1, 2025 through May 31, 2027.

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 The Nature Conservancy on behalf of this City, thereby indicating such approval of the proposal for the continued habitat restoration and improvement in Harroun Park as provided in the Proposal now on file with the Clerk of Council.

SECTION 2. That to provide funds for said services hereby authorized, there is hereby allocated from the **CAPITAL IMPROVEMENT FUND** from funds therein not heretofore allocated to **Account No. 401-7310-53541 – Harroun Park Improvements**, an amount not to exceed Twenty Thousand Dollars (\$20,000.00).

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 proposal for said professional services should be approved immediately so that the invasive species treatments in Harroun Park can proceed 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, \_\_\_\_\_, 2025, as an emergency measure.

ATTEST:

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

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date



<b>Contract Number:</b>	OH-250514-2 Sylvania Blank 05/27-01
<b>TNC Accounting Information</b>	
<b>Project Name:</b>	OH 2025 City of Sylvania – Harroun Park
<b>Project-Award-Activity #:</b>	P117994 A0 Act 113558
<b>Source of funds:</b>	<input checked="" type="checkbox"/> Private

### **CONTRACT FOR SERVICES PERFORMED BY THE NATURE CONSERVANCY (U.S.)**

This Contract for Services (the “Contract”) is entered into by and between The Nature Conservancy, a District of Columbia non-profit corporation (“TNC”), through the following U.S. office:

<b>TNC Business Unit:</b>	The Nature Conservancy, Ohio
<b>Contact:</b>	Pete Blank, NW Ohio Program Manager
<b>Address:</b>	10420 Old State Line Rd., Swanton, OH 43558
<b>Telephone:</b>	410-627-5601
<b>Email Address:</b>	<a href="mailto:peter.blank@tnc.org">peter.blank@tnc.org</a>

and the following person or entity (“Purchaser”):

<b>Name of Purchaser:</b>	City of Sylvania
<b>Address:</b>	6730 Monroe St., Sylvania, OH 43560
<b>Telephone:</b>	419-885-8967
<b>Email Address:</b>	<a href="mailto:jshaw@cityofsylvania.com">jshaw@cityofsylvania.com</a>
<i>The following three rows are for entities only (for individuals, leave blank):</i>	
<b>Name of Representative:</b>	Joseph Shaw
<b>Type of Entity:</b>	Govt.
<b>State of Incorporation:</b>	N/A

1. **Services.** TNC will provide Purchaser with the services, goods, and/or deliverables (collectively, the “Services”) described in **Exhibit A** (the “Description of Services”) in accordance with this Contract.
2. **Payment.** Purchaser will pay TNC for the Services as follows:

(a) **Contract Fee.** For all of the Services, Purchaser will pay TNC a fee of \$20,000.00 (twenty thousand dollars) (the “Contract Fee”), which does not include any applicable taxes, in accordance with the following schedule:

#	To be Invoiced	Description	Amount
1	June 2026	Payment upon completion of Year 1 TNC Services (Service period June 2025 – May 2026)	\$9,750.00
2	June 2027	Payment upon completion of Year 2 TNC Services (Service period June 2026 – May 2027)	\$10,250.00
<b>Total Contract Fee</b>			<b>\$20,000.00</b>

(b) **Invoices and Payments.** Requests for payment of the Contract Fee and any authorized reimbursements will be submitted to Purchaser in the form of an invoice summarizing the work performed and reimbursable expenses incurred during the invoice period. Purchaser will make all payments by check no later than 30 days following the date of each invoice.

(c) **No Expense Reimbursement.** TNC will not be reimbursed for any expenses TNC incurs in performing the Services.

3. **Term.** This Contract will become effective on the last signature date below and will expire on 05/31/2027 (the "Contract Term"). The Contract Term may be extended with Purchaser's prior written consent, which may be provided by email.

4. **Termination.** Either party may terminate this Contract at any time on two weeks written notice to the other party. If that occurs, TNC will cease all work immediately, and Purchaser will pay TNC for the Services that have been completed as of the termination date. Any advance payment amounts from Purchaser not yet expended will be promptly returned to Purchaser.

6. **Independent Contractor; Taxes.** The parties intend this Contract to create an independent contractor-client relationship and not an employee-employer relationship. Neither party is an agent or employee of the other, and no partnership, joint venture, or principal-agent relationship exists. Neither party will have any right, power, or authority by virtue of this Contract to create any obligation, express or implied, on behalf of the other party.

7. **Liability; Warranty.** Each party acknowledges and agrees that it is entering into this Contract at its own risk and will be liable for any damages or other losses caused by its actions or those of its employees or agents under this Contract. TNC makes no representation or warranty (including merchantability or fitness for a particular purpose) regarding the Services or TNC's performance of the Services. In no event will TNC be liable for any indirect or consequential damages regarding the Services or TNC's performance of the Services.

8. **Counterterrorism, Anti-Money Laundering and Economic Sanctions Laws.** Purchaser represents and warrants that, to the best of Purchaser's knowledge, Purchaser and Purchaser's subsidiaries, principals, and beneficial owners, if any (collectively, the "Purchaser Parties"):

(a) are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any government agency;

(b) (i) are not included on the Specially Designated Nationals and Blocked Persons lists maintained by the U.S. Treasury's Office of Foreign Assets Control, the United Nations Security Council Consolidated List, or similar lists of proscribed entities identified as associated with terrorism and (ii) will not engage in transactions with, or provide resources or support to, any such individuals or organizations or anyone else associated with terrorism;

(c) are not a person or entity with whom transacting is prohibited by any trade embargo, economic sanction, or other prohibition of law or regulation; and

(d) have not conducted, and will not conduct, their operations in violation of applicable money laundering laws, including but not limited to, the U.S. Bank Secrecy Act and the money laundering statutes of any and all jurisdictions to which the Purchaser Parties, or any one of them, is subject, and no action or inquiry concerning money laundering by or before any authority involving any of the Purchaser Parties is pending.

Should Purchaser become aware that Purchaser or any other of the Purchaser Parties is subject to any of the above conditions of this Section during the Contract Term, Purchaser must immediately notify TNC in writing. If TNC determines that Purchaser or any of the Purchaser Parties is subject to any of the above conditions of this Section, TNC may terminate this Contract effective immediately upon written notice to Purchaser, Purchaser must pay TNC for the Services that have been completed as of the termination date, TNC will promptly return to Purchaser any advance payment amounts from Purchaser not yet expended, and TNC may pursue all available remedies under applicable laws.

9. **Use of Name and Logo.** Unless expressly authorized in writing in this Contract or in a separate written agreement, neither party may use the other's name, logo, or other intellectual property in any manner, whether in conjunction with the Services or otherwise, except to deliver invoices or other notices to the other party.

10. **Confidential Information.** In performing the Services, Purchaser might have access to information, whether verbal, in writing, in electronic format, or in any other tangible form, disclosed by TNC, directly or indirectly, to Purchaser that is (a) identified as confidential or (b) disclosed in a manner in which TNC reasonably communicates, or that Purchaser should reasonably have understood, should be treated as confidential, whether or not designated as "confidential" (collectively, "Confidential Information"). Confidential Information includes, without limitation, data sets, donor data, marketing plans,

research, products, technologies, software source code, software object code, data collection functionalities, trade secrets, pre-publication patent applications, research and development, know-how, and other information relating to TNC and its operations, programs, or systems. Purchaser may not, without TNC's prior written consent, use, publish, or divulge any Confidential Information, and agrees to use Confidential Information solely in furtherance of the Services and for no other reason. Purchaser must use appropriate security procedures to safeguard Confidential Information. Purchaser acknowledges and agrees that in the event Purchaser receives any personal identifying information (i.e., information that identifies or can be used to identify an individual or that relates to an identified individual), Purchaser (i) will be subject to a TNC IT Security review prior to such transfer or exchange and (ii) Purchaser will comply with all applicable laws relating to the protection of personal identifying information. In addition, Purchaser must comply with any additional requirements relating to protection of data as set forth in this Contract and/or as specified in the Additional Service Terms and Conditions – Data and Information Security, if attached to this Contract.

**11. Work Product; Intellectual Property.** TNC retains all right, title, and interest in works, inventions, and other intellectual property original to or owned by TNC prior to the execution of this Contract or created outside the scope of this Contract.

If the Services involve the creation of intellectual property including, but not limited to, inventions, concepts, processes, reports, derivative works, studies, photographs, software (including in both object code and source code form), drawings, designs, writings, related drafts, supporting materials, or data (collectively, the "Works"), Purchaser will own all right, title, and interest, including copyrights, and, if applicable, patent rights, in and to the Works. TNC agrees that all eligible copyrightable Works are "works made for hire" as applicable and defined under the copyright laws of the United States. To the extent that any of the Works are not eligible as works made for hire under United States copyright law, TNC unconditionally assigns to Purchaser, all right, title, and interest, including copyright, and other intellectual property rights, in and to the Works in all media (whether now known or later developed) worldwide and in perpetuity.

Purchaser grants to TNC a worldwide, non-exclusive, royalty-free, non-revocable, sub-licensable, perpetual license to use, reproduce, distribute, modify, exercise, practice, make derivative works from, sublicense, perform, and exploit the Works for for any mission related purposes.

Upon request of Purchaser, TNC will deliver to Purchaser all tangible copies (including digital copies) of the Works and will execute and complete all documentation necessary to establish Purchaser's ownership of the Works. TNC warrants and covenants that the Works will not infringe on the patent rights, copyrights, or other intellectual property rights of third parties.

**12. Miscellaneous Terms and Conditions.**

(a) **Authorizations, Permits, and Licenses.** If any of the Services are to be performed on property that is not owned by TNC or Purchaser, Purchaser must obtain the property owner's prior written permission for TNC to enter the property and must provide a copy of that permission to TNC in order for this Contract to be effective. In addition, unless otherwise provided under this Contract, Purchaser has obtained or will obtain at its expense any permits or licenses required for TNC to perform the Services and must provide TNC with a copy of all such permits or licenses in order for this Contract to be effective.

(b) **Notices.** Any notice, request, or demand made by either party must be in writing and must be delivered: (i) in person; (ii) by mail, postage prepaid, certified (return receipt requested); (iii) by a nationally recognized, next-day delivery service with tracking information and requesting next-business day delivery; or (iv) by email. Notices must be addressed to the other party at that party's address first stated above and will be deemed delivered: (i) immediately if delivered in person; (ii) three business days after deposit in the mail if sent as described above; (iii) the next business day if sent by an overnight service and sent as required above; or (iv) on the first business day after sending by email.

(c) **Governing Law; Forum.** This Contract and claims relating to this Contract will be interpreted, construed, and governed by the laws of the state in which the TNC Business Unit set forth on the first page this Contract is located (excluding such state's choice of law principles, if any). In the event of any litigation over the interpretation or application of any of the terms of this Contract, litigation will be conducted in the state in which the TNC Business Unit set forth on the first page of this Contract is located.



(d) **Code of Conduct; Helpline.** TNC expects itself and everyone with whom it does business to conduct themselves in ways that are consistent with its TNC's Code of Conduct found at [www.nature.org/codeofconduct](http://www.nature.org/codeofconduct). Anyone (whether an employee of TNC or not) may contact the TNC Helpline (anonymously, if desired) with questions, concerns, or suspected violations at [www.nature.org/tnc helpline](http://www.nature.org/tnc helpline).

(e) **Entire Agreement; Amendments; Order of Precedence.** This Contract will become binding when signed by both parties and, together with its exhibits, which are incorporated into this Contract by this reference and made a part of this Contract, constitutes the entire agreement between the parties and supersedes all prior or contemporaneous communications, both oral and written, between the parties relating to the Services. Unless explicitly stated otherwise in this Contract, no amendment to this Contract, including a change in the Description of Services or any change order, will be effective unless in a writing signed by both parties. Unless otherwise agreed in writing by the parties, when provisions in the main body of this Contract are inconsistent or in conflict with any exhibit or attachment to this Contract, first priority will be given to the provisions in the main body of this Contract, second priority will be given to the Description of Services in **Exhibit A**, and third priority will be given to any additional exhibits or attachments to this Contract.

(f) **Severability; No Waiver.** If any provision of this Contract is found to be invalid by a court of competent jurisdiction, the other provisions will not be affected by that finding. No delay in exercising any right or remedy under this Contract by either party will constitute a waiver of that right or remedy or of any other right or remedy under this Contract or under applicable laws.

(g) **Joint and Several Liability.** If two or more persons or entities are identified as Purchaser in this Contract, their obligations under this Contract are and will be joint and several.

(h) **Counterparts.** This Contract may be executed in one or more counterparts, each of which will be deemed an original and all of which will constitute the complete Contract.

(i) **Consent to electronic signatures.** Facsimile or scanned signatures on this Contract and any related documents, and digital or electronic signatures where authorized under applicable laws, will be fully binding for all purposes under this Contract.

(j) **Authorization to Sign.** Each party represents and warrants that the person signing this Contract on behalf of that party is duly authorized to sign this Contract on that party's behalf.

(k) **Survival.** The "Liability; Warranty," "Confidential Information," and "Intellectual Property" Sections of this Contract will survive the expiration or earlier termination of the Contract.

(l) **Force Majeure.** The performance of this Contract by either party is subject to acts of God, war, acts of terrorism, disease, disaster, strikes, civil disorder, government regulation, legislation, or statement of policy that limits, prohibits, or suggests curtailment of transportation, government issued health and safety orders, orders by a national, state, city, or local government or multilateral organization, or any other events or circumstances not within the reasonable control of the party affected, whether similar or dissimilar to any of the foregoing, making such performance illegal, commercially impractical, unsafe, or inadvisable for the Services any part thereof to be performed. This Contract may be terminated for any one or more such reasons by written notice from either party to the other without any liability, fee, penalty or cost, except Purchaser must pay TNC for the Services that have been completed as of the termination date and TNC will promptly return to Purchaser any advance payment amounts from Purchaser not yet expended.

13. **Additional Terms and Conditions.** This Contract is further subject to the additional terms and conditions set forth in the following **Exhibit C**:

- ☐ Additional Service Terms and Conditions Attachment
- ☒ None

In consideration of the above, TNC and Purchaser execute this Contract effective as of the later date of signature below.

**The Nature Conservancy**

By: (signature) \_\_\_\_\_  
Print Name: Deb McCalman  
Title: Director of Finance  
Date: \_\_\_\_\_

**City of Sylvania**

By: (signature) \_\_\_\_\_  
Print Name: Toby R. Schroyer  
Title: Director of Finance  
Date: \_\_\_\_\_

**City of Sylvania**

By: (signature) \_\_\_\_\_  
Print Name: Mark R. Frye  
Title: Mayor  
Date: \_\_\_\_\_

**Exhibits:**

**Exhibit A:** Description of Services

**EXHIBIT A**  
**Description of Services**

**(1) Objective**

TNC will continue habitat restoration and improvement on property owned or managed by the Purchaser, located in the County of Lucas, State of Ohio, as more particularly described on maps attached below (the "Property").

**(2) Services**

Habitat restoration and improvement will include the following:

**Year 1 – June 2025 – May 31, 2026**

- TNC will complete two foliar spray applications on the entire property (~24 acres) to control herbaceous and woody invasive plants.
- TNC will continue removal of invasive woody trees and shrubs, focusing efforts in Priority Areas 3 and 4

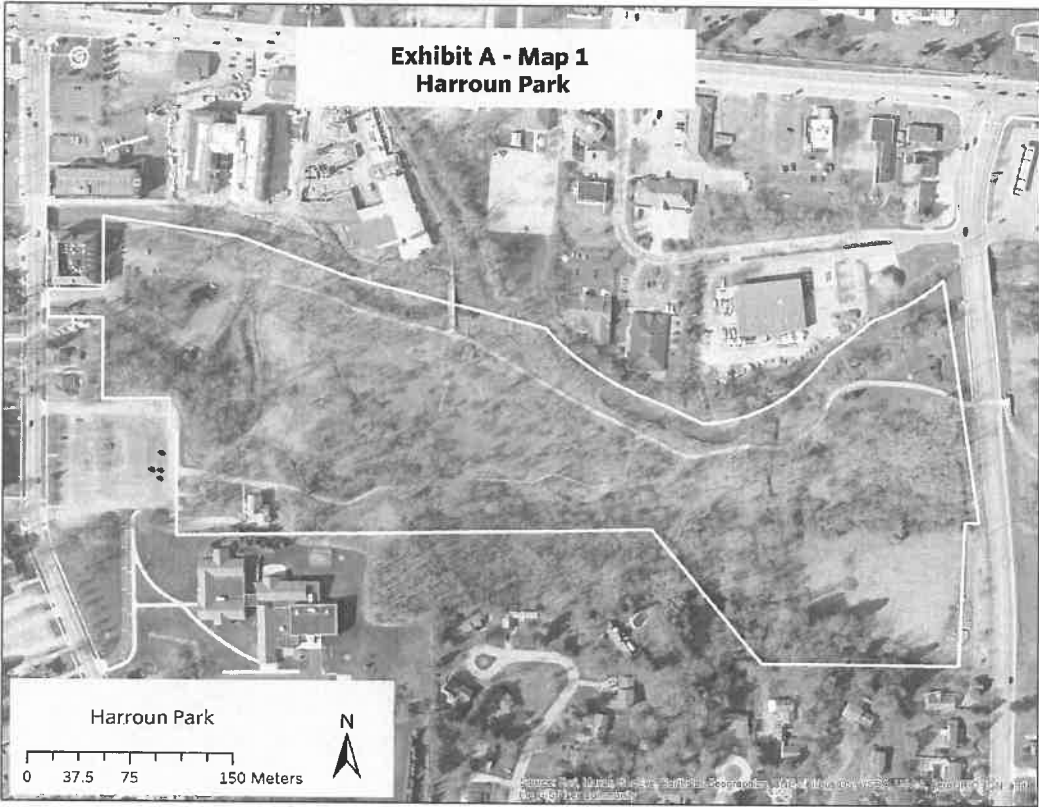
**Year 2 – June 1, 2026 – May 31, 2027**

- TNC will complete two foliar spray applications on the entire property (~24 acres) to control herbaceous and woody invasive plants.
- TNC will continue removal of invasive woody trees and shrubs, focusing efforts in Priority Areas 3 and 4

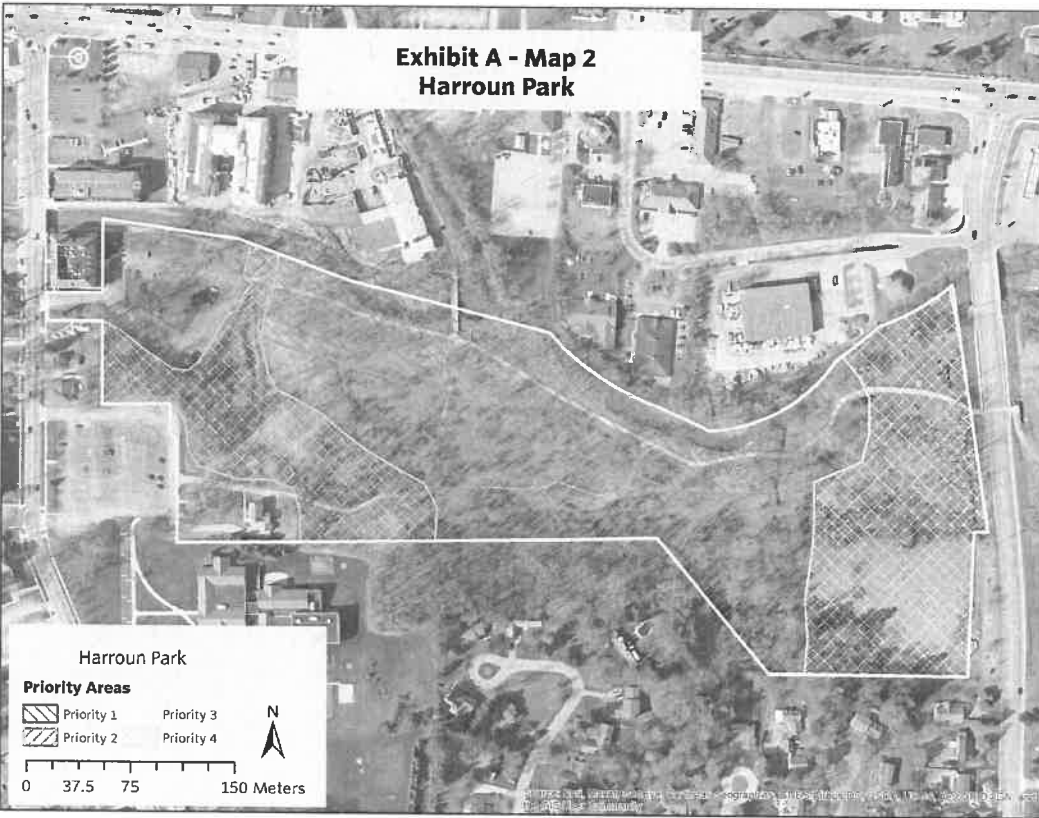
**(3) Products, Deliverables, Due Dates**

A final report will be provided by TNC to the Purchaser by June 30, 2027, detailing restoration services performed, maps of treatments applied, and OORAM score data collected during the Contract term.

Map 1. The Property.



Map 2. Property Priority Areas



11

**ORDINANCE NO. 65 - 2025**

**PROVIDING FOR THE CONTROLLING BLIGHT AND DISEASE OF SHADE TREES AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHT-OF-WAY OF THE CITY OF SYLVANIA; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE, BY AND THROUGH THE PROPER OFFICERS OF SAID CITY TO DO SAID WORK DURING THE YEAR 2025; ESTABLISHING ONE DISTRICT FOR SAID PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 727.011 OF THE REVISED CODE OF OHIO; PROVIDING FOR THE ASSESSMENT OF THE COST AND EXPENSE THEREOF UPON ABUTTING PROPERTY; AND DECLARING AN EMERGENCY.**

WHEREAS, it is immediately urgent and necessary that work is authorized for the purpose of controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2025;

WHEREAS, the Director of Public Service has recommended to Council the removal or special treatment of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2025 in accordance with plans, estimates and schedules therefore heretofore prepared and now on file in the Office of Finance.

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

SECTION 1. That it is hereby declared necessary and conducive to public health, convenience and welfare to remove and provide special treatment for shade trees for the purpose of controlling blight and disease of same, and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania during the year 2025. That for said purpose there is hereby established one (1) district which shall include all territory within and coextensive with the boundaries of the City of Sylvania, pursuant to the provisions of Section 727.011 of the Revised Code of Ohio.

SECTION 2. That the work of such removal or special treatment of shade trees for the purpose of controlling blight and disease of same and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania shall be done within said district, as herein set forth, and through the proper officers of the City of Sylvania; and such officers be, and they hereby are, authorized and directed to purchase required materials; to purchase or rent the necessary tools, machinery and appliances; to employ the necessary labor to do said work all in accordance with the plans, estimates and schedules therefore heretofore prepared and now on file in the Office of Finance for inspection of all persons interested, which said plans, estimates and schedules, including approximate present estimates of the cost of said work, is in the aggregate sum of Two Hundred Twenty Thousand, One Hundred Twenty-Three Dollars and 51/100 (\$220,123.51).

SECTION 3. That said cost and expense of removal or special treatment of shade trees for the purpose of controlling blight and disease of same and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania in the amount of Two Hundred Twenty Thousand, One Hundred Twenty-Three Dollars and 51/100 (\$220,123.51) shall be specially assessed by the front foot upon all of the lots and lands abutting and bounding upon each of said streets and public right-of-way in said district in the amount of thirty-five cents (35¢) per front foot as provided in Section 727.011 of the Ohio Revised Code, which said lots and lands are hereby determined to be specially benefitted by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include acquisition of the necessary materials, tools, machinery and appliances, the wages for the necessary labor, the cost of said plans, estimates and schedules, cost of publication and mailing of notices, and cost of this Ordinance, costs of the preparation, levy and collection of special assessments and interest on notes issued in anticipation of the levy and collection of the special assessments together with all other necessary expenditures.

SECTION 4. That the special assessment so to be levied on said lots and lands shall be paid in one (1) installment in the manner provided in the case of special assessments pursuant to Section 727.01 of the Ohio Revised Code.

SECTION 5. That to provide a fund out of which shall be paid the assessed cost and expense of said work, bonds or notes or certificate of indebtedness of the City of Sylvania are hereby authorized to be issued and sold in anticipation of the levy and collection of said assessments.

SECTION 6. That the Director of Finance has prepared and filed in the Office of Finance a list of the special assessments, pursuant to this Ordinance, and this Council finds and determines that such special assessments are in proportion to the special benefit derived by each property against which such assessments are to be levied and are not in excess of any statutory limitation.

SECTION 7. That, pursuant to Ohio Revised Code Section 727.14, the Finance Department is hereby directed to give notice of the passage of this Ordinance by publication of such notice once a week for two (2) consecutive weeks, and as to an owner of any lot or parcel of land the assessment upon which is estimated to exceed Two Hundred Fifty Dollars (\$250.00), the Finance Department is hereby directed to serve such notice in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. Objections to estimated assessments must be filed, in writing with the Finance Department within two (2) weeks after completion of the notice hereby required. An owner who fails to file

an objection shall be deemed to have waived any objection. Any and all properly filed objections to estimated assessments shall be considered by Council at its first regular Council meeting held more than two (2) weeks after the completion of the notice hereby required and the estimated assessments so objected to shall at such meeting, be adjusted by Council by motion or other action reflected in the journal of the minutes of Council. Council, after adjusting such estimated assessments or, after the time for filing objections without any properly filed objections having been timely filed, may, by Ordinance, levy such estimated assessments and adjusted estimated assessments, as the case may be. No notice shall be required other than as herein required.

SECTION 8. That the method, manner, consideration and procedure for such shade tree work is hereby approved and this Council hereby determines the method, manner and procedure for levying assessments for such shade tree work to be as set forth in this Ordinance.

SECTION 9. 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 10. That the Finance Department is hereby directed to post a copy of this Ordinance in the Office of Finance in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 11. 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 provision should be made immediately to provide for tree maintenance 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 dispensing with the second and third readings:            Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2025 as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ORDINANCE NO. 66-2025**

**PROVIDING FOR THE CONSTRUCTION, MAINTENANCE, REPAIR, CLEANING AND ENCLOSING OPEN DRAINAGE DITCHES LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SYLVANIA; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE, BY AND THROUGH THE PROPER OFFICERS OF SAID CITY TO DO SAID WORK DURING THE YEAR 2025; ESTABLISHING ONE DISTRICT FOR SAID PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 727.012 OF THE REVISED CODE OF OHIO; PROVIDING FOR THE ASSESSMENT OF THE COST AND EXPENSE THEREOF UPON ABUTTING PROPERTY; AND DECLARING AN EMERGENCY.**

WHEREAS, it is immediately urgent and necessary that work is authorized for the purpose of constructing, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania during the year 2025;

WHEREAS, the Director of Public Service has recommended to Council the construction, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania during the year 2025 in accordance with plans, estimates and schedules therefore heretofore prepared and now on file in the Office of Finance.

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

SECTION 1. That it is hereby declared necessary and conducive to public health, convenience and welfare to construct, maintain, repair, clean and enclose open drainage ditches located within the corporate limits of the City of Sylvania during the year 2025. That for said purpose there is hereby established one (1) district which shall include all territory within and coextensive with the boundaries of the City of Sylvania, pursuant to the provisions of Section 727.012 of the Revised Code of Ohio.

SECTION 2. That the work of such construction, maintaining, repairing, cleaning and enclosing open drainage ditches located within the district of the City shall be done within said district, as herein set forth, and through the proper officers of the City of Sylvania; and such officers be, and they hereby are, authorized and directed to purchase required materials; to purchase or rent the necessary tools, machinery and appliances; to employ the necessary labor to do said work all in accordance with the plans, estimates and schedules therefore heretofore prepared and now on file in the Office of Finance for inspection of all persons interested, which said plans, estimates and schedules, including approximate present estimates of the cost of said work, is in the aggregate sum of Four Hundred Twelve Thousand, Three Hundred Fifty Four



Dollars and 67/100 (\$412,354.67).

SECTION 3. That said cost and expense of construction, maintaining, repairing, cleaning and enclosing open drainage ditches located within the corporate limits of the City in the amount of Four Hundred Twelve Thousand, Three Hundred Fifty-Four Dollars and 67/100 (\$412,354.67) shall be specially assessed by impervious area upon all of the lots and lands abutting and bounding upon each of said streets and public right-of-way in said district as follows:

- a. Small Lot Residential (lot size less than 10,000 square feet) = \$21.25 per year;
- b. Large Lot Residential (lot size greater than 10,000 square feet) = \$38.50 per year;
- c. Non-Single Family Residential = \$35.00 per year per 4,000 square feet of impervious area;

as provided in Section 727.012 of the Ohio Revised Code, which said lots and lands are hereby determined to be specially benefitted by said work in the amount equal to the amount specially assessed against each such lot and land. The cost of said work shall include acquisition of the necessary materials, tools, machinery and appliances, the wages for the necessary labor, the cost of said plans, estimates and schedules, cost of publication and mailing of notices, and cost of this Ordinance, costs of the preparation, levy and collection of special assessments and interest on notes issued in anticipation of the levy and collection of the special assessments together with all necessary expenditures.

SECTION 4. That the special assessment so to be levied on said lots and lands shall be paid in one (1) installment in the manner provided in the case of special assessments pursuant to Section 727.01 of the Ohio Revised Code.

SECTION 5. That to provide a fund out of which shall be paid the assessed cost and expense of said work, bonds or notes or certificate of indebtedness of the City of Sylvania are hereby authorized to be issued and sold in anticipation of the levy and collection of said assessments.

SECTION 6. That the Director of Finance has prepared and filed in the Office of Finance a list of the special assessments, pursuant to this Ordinance, and this Council finds and determines that such special assessments are in proportion to the special benefit derived by each property against which such assessments are to be levied and are not in excess of any statutory limitation.

SECTION 7. That, pursuant to Ohio Revised Code Section 727.14, the Finance Department is hereby directed to give notice of the passage of this Ordinance by publication of such notice once a week for two (2) consecutive weeks, and as to an owner of any lot or parcel of land the assessment upon which is estimated to exceed Two Hundred Fifty Dollars (\$250.00), the Finance Department is hereby directed to serve such notice in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. Objections to estimated assessments must be filed, in writing with the Finance Department within two (2) weeks after completion of the notice hereby required. An owner who fails to file an objection shall be deemed to have waived any objection. Any and all properly filed objections to estimated assessments shall be considered by Council at its first regular Council meeting held more than two (2) weeks after the completion of the notice hereby required and the estimated assessments so objected to shall at such meeting, be adjusted by Council by motion or other action reflected in the journal of the minutes of Council. Council, after adjusting such estimated assessments or, after the time for filing objections without any properly filed objections having been timely filed, may, by Ordinance, levy such estimated assessments and adjusted estimated assessments, as the case may be. No notice shall be required other than as herein required.

SECTION 8. That the method, manner, consideration and procedure for such drainage ditch work is hereby approved and this Council hereby determines the method, manner and procedure for levying assessments for such drainage ditch work to be as set forth in this Ordinance.

SECTION 9. 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 10. That the Finance Department is hereby directed to post a copy of this Ordinance in the Office of Finance in the Municipal Building pursuant to ARTICLE III, Section 12, of the Charter of this City.

SECTION 11. 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 repair, cleaning, construction and maintenance of drainage ditches should be provided for immediately 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 dispensing with the second and third readings:      Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2025, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**RESOLUTION NO. 11-2025****DECLARING THE NECESSITY OF LIGHTING THE STREETS  
IN THE CITY OF SYLVANIA, OHIO; DETERMINING THE  
MANNER OF PROVIDING STREET LIGHTING AND THE BASIS  
FOR THE PROPERTY OWNER'S SHARE OF THE COST AND  
ANNUAL ASSESSMENT; AND DECLARING AN EMERGENCY.**

BE IT RESOLVED by the Council of the City of Sylvania, Lucas County, Ohio, \_\_\_\_\_

members elected thereto concurring:

SECTION 1. That is hereby determined to be necessary to continue to improve the streets in the City of Sylvania, Ohio, by lighting the same pursuant to a contract therefore which this City now has with the Toledo Edison Company and necessary to provide funds in 2025 for such street lighting.

SECTION 2. That for the tax year 2025 the basis for determining and allocating annual assessments on lots and lands in said City for street lighting in the City of Sylvania, Ohio, shall be as follows, which basis is hereby determined to be according to the benefits which may result from the improvements to the several parcels and lots of land in said City:

- E. Each taxable parcel, outside of the Whiteway Business District, having no building or buildings thereon, served by lamps on poles with either overhead or underground circuits, shall be assessed a front footage charge of 16¢ for each benefitted front foot of the parcel;
- O. Each taxable parcel, outside of the Whiteway Business District, having a building or buildings thereon, served by lamps on poles with overhead circuits, shall be assessed a front footage charge of 50¢ for each benefitted front foot of the parcel;
- U. Each taxable parcel, outside of the Whiteway Business District, having a building or buildings thereon, served by lamps on poles with underground circuits, shall be assessed a front footage charge of 88¢ for each benefitted front foot of the parcel;
- W. Each taxable parcel, within the Whiteway Business District, fronting on Main Street, Maplewood Avenue, or Monroe Street, being served by lamps on poles with either overhead or underground circuits, shall be assessed at a rate of \$1.13 per front foot of the parcel;

SECTION 3. That the contract with the Toledo Edison company and the costs to this City required thereby, now on file with the Finance Department, are hereby deemed to be the plans and specifications and estimate of cost required to be on file with the Finance Department before the passage of the Resolution of necessity.

SECTION 4. That the Finance Department has prepared and filed in the Office of Finance a list of the estimated special assessments for the cost and expense of street lighting in the City of Sylvania, which list shows the amounts of the estimated assessment against each taxable parcel in the City of Sylvania, pursuant to Section 2 of this Resolution, and the amount of such assessments in the aggregate, and this Council finds and determines that such estimated assessments are in proportion to the special benefit derived by each property against which such assessments are to be levied and are not in excess of any statutory limitation.

SECTION 5. That, pursuant to Ohio Revised Code Section 727.14, the Finance Department is hereby directed to give notice of the passage of this Resolution by publication of such notice once a week for two (2) consecutive weeks, and as to an owner of any lot or parcel of land the assessment upon which is estimated to exceed Two Hundred Fifty Dollars (\$250.00), the Finance Department is hereby directed to serve such notice in the same manner as service of summons in civil cases, or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. Objections to estimated assessments must be filed, in writing, with the Finance Department, within two (2) weeks after completion of the notice hereby required. An owner who fails to file an objection shall be deemed to have waived any objection. Any and all properly filed objections to estimated assessments shall be considered by Council at its first regular meeting held more than two (2) weeks after the completion of the notice hereby required and the estimated assessments so objected to shall, at such meeting, be adjusted by Council by motion or other action, reflected in the journal of the minutes of Council. Council, after adjusting such estimated assessments or after the time for filing objections without any properly filed objections having been timely filed, may, by Ordinance, levy such estimated assessments and adjusted estimated assessments, as the case may be. No notice shall be required other than as herein required.

SECTION 6. That the Finance Department is hereby directed to give notice to the Auditor of Lucas County, Ohio, on the levying of such assessments and to do so within twenty (20) days after the levying of same and prior to October 1, 2025.

SECTION 7. That the method, manner and procedure for providing street lighting by contract with the Toledo Edison Company is hereby approved and this Council hereby determines the method, manner and procedure for levying assessments for such street lighting to be as set forth in this Resolution.

SECTION 8. That this Resolution shall be published by posting a copy thereof in a conspicuous place in the Sylvania Municipal Building for a period of not less than fifteen (15) days as provided in ARTICLE III, Section 12.0 of the Charter of said City.

SECTION 9. 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 10. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the reason that proceedings for assessing the cost of the improvement referred to herein are required without delay in order to timely place said assessment upon the tax duplicate for the year. Provided this Resolution receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings:            Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Passed, \_\_\_\_\_, 2025, as an emergency measure.

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

ATTEST:

APPROVED AS TO FORM:

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

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

APPROVED:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date