Sylvania City Council September 15, 2025

6:30 p.m. Parks & Forestry Committee MeetingGreen Yard Waste Program & Truck Purchase

7:00 p.m. Committee of the Whole Meeting Gateway Signage Standards

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 Ms. Stough.
- 3. Additions to the agenda.
- 4. Approval of the Council meeting minutes from September 2, 2025.
- 5. Senior Center presentation on their upcoming November ballot issue.
- 6. Report from the Parks & Forestry Committee Meeting held this date.
- 7. Report from the Committee of the Whole Meeting held this date.
- 8. Proposed Resolution No. 16-2025, Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. (Increased by \$848,000 or 34.8% from last year)
- 9. Proposed Ordinance No. 103-2025, An Ordinance to authorize and ratify the execution of Then and Now Certificates by the Finance Director and the payment of amounts due for various purchase orders.
- 10. Proposed Ordinance No. 104-2025, Revising the administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Section 131.01 Department of Law Director and Division of Prosecution; amending Sylvania Codified Ordinance Section 139.03(e)(3) to set the salary of the "Victim Advocate" at \$65,000 annually commencing October 1, 2025 and thereafter.
- 11. Proposed Ordinance No. 105-2025, Revising the Administrative Code of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 111 Council; by amending Section 111.01 Council Rules.
- 12. Council referral to the Planning Commission Proposed Ordinance No. 106-2025, Amending Part Eleven Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Section 1121.07 Accessory Buildings and Uses.
- 13. McNelly Park Invasive Species Control.
 - a. Service Director's letter recommending approval of the Property Management Agreement.

- b. Proposed Ordinance No. 107-2025, Authorizing the Mayor and Director of Finance to enter into a Property Management Agreement with the Nature Conservancy regarding this project.
- 14. Downtown Transportation Improvements (Aerial Utility Bury).
 - a. Service Director's letter requesting approval of the Toledo Edison Subordinate Agreement.
 - b. Proposed Ordinance No. 108-2025, Authorizing the Mayor and Director of Finance to execute and deliver to the Toledo Edison Company a subordination agreement and easement for utility purposes.
 - c. Service Director's letter requesting approval of the Toledo Edison easements.
 - d. Proposed Ordinance No. 109-2025, Authorizing the Mayor and Director of Finance to execute and deliver to the Toledo Edison Company an easement agreement for utility purposes. (6501 Monroe Street)
 - e. Proposed Ordinance No. 110-2025, Authorizing the Mayor and Director of Finance to execute and deliver to the Toledo Edison Company an easement agreement for utility purposes. (5757 Main Street)
 - f. Proposed Ordinance No. 111-2025, Authorizing the Mayor and Director of Finance to execute and deliver to the Toledo Edison Company an easement agreement for utility purposes. (5734 Lane Drive)
- 15. Service Director's letter requesting authorization to begin Letters of Interest solicitation for Design Engineering Services for the Brint/Main/Holland-Sylvania Roundabout Project.
- 16. Plan Commission's recommendation for approval of Petition for Zoning Ordinance Amendment SUP-3-2025, from Benjamin & Amanda Milliron at 5916 Main Street, Sylvania, Ohio, to allow ground-mounted solar energy systems on their property. (Set Public Hearing for October 20, 2025)
- 17. Plan Commission's recommendation for approval of Petition for Zoning Ordinance Amendment ZA-1-1025, from Mike Hojnacki for 5540 N. Centennial Rd., Sylvania, Ohio, to change current Mixed Zoning to B-2 Zoning for a Commercial Flex Space Development. (Set Public Hearing for October 20, 2025)
- 18. Plan Commission's recommendation for approval on Proposed Ordinance No. 91-2025, Amending Part Eleven Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended, by amending Chapter 1179 Principles of Acceptability, Section 1179.05 Lots. (Set Public Hearing for October 20, 2025)
- 19. Executive Session.
- 20. Committee reports.
- 21. Committee referrals.

INFORMATION

- A. ADA Public Service Announcement for Sylvania Keep Sidewalks Clear.
- B. Board of Architectural Review meeting minutes from September 10, 2025.
- C. Municipal Planning Commission meeting minutes from September 10, 2025.

Minutes of the Meeting of Council September 2, 2025

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The Council of the City of Sylvania, Ohio met in regular session on September 2, 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; (7) present; (0) absent.

Roll call: All present.

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

Pledge of Allegiance.

agenda.

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

Additions to the

The following item was added to the agenda: Item #5a. Proposed Ordinance No. 102-2025 (SUP-2-2025).

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

Agenda approval.

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

Mrs. Westphal presented the August 18, 2025 regular meeting minutes. Mrs. Westphal moved, Mr. Haynam seconded, that since the Mayor, members of Council, and others had been furnished copies of these minutes prior to this meeting, Council dispense with the reading of these minutes at this time, and the journal of the minutes of the regular meeting of August 18, 2025 be approved; roll call vote being: Stough, Westphal, Hansen, McCann, Richardson, Murphy, Haynam; (7) yeas; (0) nays. The motion carried.

Approval of August 18, 2025 Council meeting minutes.

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

Mrs. Westphal gave a brief report from the Public Hearing for SUP-2-2025, 6832 Convent Blvd. to install carport solar arrays, held this date. Two representatives from Perrysburg Energy spoke about the project along with three representatives from the Sisters of St. Francis & Lourdes. One Sylvania Township resident spoke in favor of the project; no objection was heard by anyone. A motion was made to ask the administration to advance legislation to Council for approval; motion carried.

Report from Public Hearing held this date.

Mrs. Westphal moved, Mr. McCann seconded to allow Ms. Stough to push back from the table due to a possible conflict of interest; roll call vote being: Westphal, Haynam, McCann, Stough, Hansen, Richardson, Murphy; (7) yeas; (0) nays. The motion carried.

Ms. Stough pushed back from the table.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 102-2025, a written copy of same having been previously furnished to each member of Council "Granting a Special Use Permit to permit the installation of a solar array on the carports at Lourdes University, 6832 Convent Blvd., Sylvania, Ohio, on the application of Molly Thompson, Perrysburg energy, on behalf of the Sisters of St. Francis, on the recommendation of the Municipal Planning Commission; and declaring an

Ordinance No. 102-2025, "... Solar Array on the Carports at Lourdes..."

Minutes of the Meeting of Council September 2, 2025

emergency."; Mr. Haynam moved, Mr. Hansen seconded for passage of Ordinance No. 102-2025 as an emergency measure; roll call vote being: Stough, Hansen, Westphal, Haynam, McCann, Murphy, Richardson; (7) yeas; (0) nays. The motion carried.

Ms. Stough returned to the table.

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

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 82-2025, a written copy of same having been previously furnished to each member of Council "Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 139 – Position and Compensation Plan; and declaring an emergency."; Mr. McCann moved, Mr. Murphy seconded for passage of Ordinance No. 82-2025 as an emergency measure; roll call vote being: Haynam, McCann, Hansen, Richardson, Westphal, Murphy, Stough; (7) yeas; (0) nays. The motion carried.

Ordinance No. 82-2025, "... Amending Chapter 139 – Position & Compensation Plan..."

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

Service Director's letter recommending approval of the relocation invoice was placed on file. Mr. Hansen presented and read aloud by title only, proposed Ordinance No. 96-2025, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to accept the proposal of Charter-Spectrum to relocate fiber optic and coaxial cabling underground relative to the Downtown Transportation Improvement Project; appropriating funds therefore in the amount of \$5,944.25; and declaring an emergency"; Mr. Hansen moved, Mrs. Westphal seconded for passage of Ordinance No. 96-2025 as an emergency measure; roll call vote being: Haynam, Westphal, McCann, Murphy, Stough, Hansen, Richardson; (7) yeas; (0) nays. The motion carried.

Ordinance No. 96-2025, "... Charter Spectrum relocate fiber optic...DT Trans Project..."

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

Service Director's letter recommending approval of the agreement was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 97-2025, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to enter into a Joint

Ordinance No. 97-2025, "... Joint Cooperation

Cooperation Agreement on behalf of this City of Sylvania with the Sylvania Township Board of trustees and the Lucas County Board of Commissioners for the Nantuckett, Pembridge Woods Subdivision, Monroe Street and Other Township Roads Resurfacing Project; and declaring an emergency."; Mr. Richardson moved, Mr. Haynam seconded for passage of Ordinance No. 97-2025 as an emergency measure; roll call vote being: Haynam, McCann, Hansen, Richardson, Westphal, Murphy, Stough; (7) yeas; (0) nays. The motion carried.

Agreement with Sylvania Township..."

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

Service Director's letter recommending approval to apply for funding was placed on file. Mr. Richardson presented and read aloud by title only, proposed Resolution No. 15-2025, a written copy of same having been previously furnished to each member of Council "A Resolution authorizing the Mayor and Director of Finance to file a grant/loan application with the Ohio Public Works Commission for Downtown Transportation Improvements – Phase 2 Project; and declaring an emergency; Mr. Richardson moved, Ms. Stough seconded for passage of Resolution No. 15-2025 as an emergency measure; roll call vote being: Murphy, Stough, Westphal, McCann, Richardson, Haynam, Hansen; (7) yeas; (0) nays. The motion carried.

Resolution No. 15-2025, "... Grant/Loan Appl. With OPWC... DT Trans Imp...Phase 2 Project..."

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

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 98-2025, a written copy of same having been previously furnished to each member of Council "Amending the Designated Outdoor Refreshment Area ("DORA") by expanding the territory included in the DORA; establishing regulations as required by law; and declaring an emergency."; Mr. McCann moved, Mr. Murphy seconded for passage of Ordinance No. 98-2025 as an emergency measure; roll call vote being: Stough, Hansen, Westphal, Haynam, McCann, Murphy, Richardson; (7) yeas; (0) nays. The motion carried.

Ordinance No. 98-2025, "... Expanding DORA..."

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 99-2025, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to enter into Subdivision

Ordinance No. 99-2025, "... Subdivision Participation

Participation Forms with Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun and Zydus, on behalf of the City of Sylvania, consistent with the terms of the National Opioid Settlement Agreements; and declaring an emergency."; Mrs. Westphal moved, Mr. Haynam seconded for passage of Ordinance No. 99-2025 as an emergency measure; roll call vote being: Haynam, McCann, Hansen, Richardson, Westphal, Murphy, Stough; (7) yeas; (0) nays. The motion carried.

Forms... Opioid Settlement..."

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 100-2025, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to enter into Subdivision Participation Forms with Purdue Pharma, L.P. and the Sackler Family, on behalf of the City of Sylvania, consistent with the terms of the National Opioid Settlement Agreements; and declaring an emergency."; Mrs. Westphal moved, Mr. McCann seconded for passage of Ordinance No. 100-2025 as an emergency measure; roll call vote being: Haynam, McCann, Hansen, Westphal, Murphy, Stough, Richardson; (7) yeas; (0) nays. The motion carried.

Ordinance No. 100-2025, "...
Purdue Pharma & Sackler
Family...Opioid
Settlement..."

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

Service Director's letter recommending approval of Change Order No. 1 was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 101-2025, a written copy of same having been previously furnished to each member of Council "Authorizing the Mayor and Director of Finance to approve Change Order No. 1 to this City's agreement with Henry W. Bergman, Inc. for the Silica Drive/Summit Street/Erie Resurfacing Project to provide for additional professional surveying services required; increasing the contract amount by \$5,589; appropriating funds therefore; and declaring an emergency."; Mr. Richardson moved, Mrs. Westphal seconded for passage of Ordinance No. 101-2025 as an emergency measure; roll call vote being: Richardson, McCann, Hansen, Westphal, Murphy, Stough, Haynam; (7) yeas; (0) nays. The motion carried.

Ordinance No. 101-2025, "... Change Order No. 1... Henry Bergman... Silica/Summit ..."

Minutes of the Meeting of Council September 2, 2025

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

Mr. Murphy moved, Mr. McCann seconded to set a Parks & Forestry Committee meeting on Monday, September 15, 2025 at 6:30 p.m. in City Council Chambers, 6635 Maplewood Avenue, Sylvania, Ohio, to discuss the purchase of a new green yard waste truck and green yard waste program; roll call vote being: Haynam, Stough, Murphy, Westphal, Hansen, Richardson, McCann; (7) yeas, (0) nays. The motion carried.

Set P&F Meeting for 9/15/25 at 6:30pm.

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

Mrs. Westphal moved, Mr. Hansen seconded to set a Committee of the Whole meeting on Monday, September 15, 2025 at 7:00 p.m. in City Council Chambers, 6635 Maplewood Avenue, Sylvania, Ohio, to discuss Gateway Signage Standards; roll call vote being: Hansen, Murphy, Stough, Westphal, McCann, Richardson, Haynam; (7) yeas, (0) nays. The motion carried.

Set C.O.W. meeting for 9/15/2025 at 7:00pm

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

Mr. Richardson moved, Mrs. Westphal seconded to change the start time of the 2026 City Council meetings from 7:30 p.m. to 6:30 p.m. and asked the administration to advance legislation on this matter at the next Council meeting on Monday, September 15, 2025 for approval; roll call vote being: Haynam, Murphy, Richardson, Stough, Hansen, Westphal, McCann; (7) yeas, (0) nays. The motion carried.

Change Council meeting time to 6:30pm.

Mr. Haynam moved, Mr. McCann seconded to set the Schedule of Regular Council Meeting <u>dates only</u> as submitted for year 2026; roll call vote being: Westphal, McCann, Stough, Murphy, Richardson, Haynam, Hansen; (7) yeas, (0) nays. The motion carried.

Set 2026 Regular Council Meeting Dates only.

Mayor Frye stated that Council will now consider added agenda item 15b.

Mrs. Westphal moved, Mr. Hansen seconded to set the 2026 City Trick-Or-Treat time and date for Saturday, October 31, 2026 from 6:00 p.m. until 7:30 p.m.

Set 2026 Date & Time for City Trick-Or-Treat.

Mayor Frye stated all agenda items have been addressed.

Minutes of the Meeting of Council September 2, 2025

Mrs. Westphal moved, Mr. McCann seco	Adjournment.	
being: Murphy, Westphal, Hansen, McCa	ann, Stough, Richardson, Haynam; (7) yeas;	-
(0) nays.		
Clerk of Council	Mayor	



RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

(CITY COUNCIL)

REVISED CODE, SECS. 5705.34-5705.35 Resolution No. 16-2025

The Council of the City	of Sylvania , Lucas Co	ounty, Ohio, met in_regularsession on the
15th day of September	₂₀ 25_, at the d	office of CityCouncil
with the following members	present:	
		Mary Westphal, President
		Marcus Hansen
		Douglas Haynam
		Brian McCann
		Shawn Murphy
		Patrick Richardson
		Lyndsey Stough
Mr/Mrs	moved	the adoption of the following Resolution:
WHEREAS, The Budget	Commission of Lucas	County, Ohio, has certified its action thereon to this
Council together with an es	timate by the County A	Auditor of the rate of each tax necessary to be levied by
this Council, and what part to	hereof is without, and v	what part within, the ten mill limitation; therefore, be it
RESOLVED, By the Coul	ncil of the City of Sylv	vania, Lucas County, Ohio, that the
amounts and rates, as dete	rmined by the Budget (Commission in its certification, be and the same are
hereby accepted; and be it f	uther	
RESOLVED, That there b	be and is hereby levied	d on the tax duplicate of said City the rate of
each tax necessary to be lev	vied within and without	the ten mill limitation as follows:

SCHEDULE A SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to Be Derived from Levies Outside 10 Mill Limitation	Amount Approved by Budget Com- mission Inside 10 Mill Limitation	County A Estima Rate to b Inside 10 M. Limit	te of Tax
	Column II	Column IV	V	VI
General Fund (CHARTER)	320,000	1,300,000	2.00	0.50
General Bond Retirement Fund	975,000			1.50
Police Pension	515,000	175,000	0.30	0.80
TOTAL	1,810,000	1,475,000	2.30	2.80

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to Be levied	County Auditor's Estimate of Yield of Levy (Carry to Schedule A, Column II)		
GENERAL FUND:				
Current Expense Levy authorized by voters on				
for not to exceed years. , 20				
Current Expense Levy authorized by voters on				
for not to exceed years. , 20				
Total General Fund Outside 10 mill Limitation.	0.50	320,000		
Park Fund: Levy authorized by voters on				
for not to exceed years.				
Total Police Pension Fund Outside Mills	0.80	515,000		
Total Bond Retirement Fund Outside Mills	1.50	975,000		
Total	2.80	1,810,000		

and be it further

RESOLVED, That the Clerk of this Council be, and he is hereby directed to certify a copy of this Resolution to the County Auditor of Said County

Mr/Mrs					seconded the Resolution	and the ro	ll being called
upon its add	option the	vote resulted	d as follows:				
	Mr/Mrs.	Westphal					
	Mr/Mrs.	Hansen					
	Mr/Mrs.	Haynam					
	Mr/Mrs.	McCann					
	Mr/Mrs.	Murphy					
Adopted	the	15th	_day of	Septemb	er		_, 2025_
, ittoot.							
				-		Presiden	t of Council
			Clerk	of Council			

CERTIFICATE OF COPY

ORIGINAL ON FILE

The state of Ohio, Lucas County, ss.		
1,	Clerk of the Council of the City of Sylv	ania, within
and for said County, and in whose custody the	Files and Records of said Council are i	required by the
Laws of the State of Ohio to be kept, do hereb	y certify that the foregoing is taken and	copied from the
original		
		-
now on file, that the foregoing has been compa	ared by me with said original document,	and that the same
is a true and correct copy thereof.		
WITNESS my signature, this	day of	, 20
		Clerk of Council

ORDINANCE NO. 103-2025

AN ORDINANCE TO AUTHORIZE AND RATIFY THE EXECUTION OF THEN AND NOW CERTIFICATES BY THE FINANCE DIRECTOR AND THE PAYMENT OF AMOUNTS DUE FOR VARIOUS PURCHASE ORDERS; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the City may not enter into any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the City's Finance Director that the amount required to meet the obligation has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances; and,

WHEREAS, Ohio Revised Code Section 5705.41(D)(1) further provides that in such circumstances when no certificate is furnished as required and the expenditure is for \$3,000 or more, the City's Council, may authorize the drawing of a warrant in payment of amounts due upon such contract or order upon certification by the Finance Director that there was at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances; and,

WHEREAS, such certificate of the Finance Director is known as a "Then and Now Certificate" meaning that the funds were available when the contract was made and when the amount due under the contract was/is paid; and,

WHEREAS, the City is issuing Then and Now Certificates in connection with payments due and owing as shown on the "Exhibit A" attached; and,

WHEREAS, City Council deems it to be in the best interest of the health, safety, and

welfare of the City to approve the execution by the Finance Director of Then and Now Certificates and to authorize and ratify the payment of amounts due under the contracts or orders, requiring the expenditure of \$3,000 or more. NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, members elected thereto concurring: SECTION 1. That the Council of the City of Sylvania, pursuant to Section 5705.41(D)(1) of the Ohio Revised Code, hereby approves and ratifies the execution of Then and Now Certificates by the Finance Director authorizes payments due and owing, in accordance with the schedule attached as "Exhibit A" and incorporated herein. 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 proposal for said professional services should be approved immediately so that the Then and Now Certificates are approved and ratified 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 approved 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

CITY OF SYLVANIA	THEN AND NOW CERTIFICATIONS	,	15-Sep-25
DATE	VENDOR/DESCRIPTION		AMOUNT
8/13/2025 8/14/2025 8/21/2025 8/25/2025 9/3/2025	Buckeye State Pipe & Supply/ Utilities Meters Cummins Sales & Service/ Sewer dept generator repair Griffin Pavement Striping/ Streets traffic paint J & L Mechanical/ Court new VFD installed J & L Mechanical/ Court repair boiler pump		6,865.36 3,755.08 6,585.00 5,650.00 5,031.11

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ORDINANCE NO. 104-2025

REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE SECTION 131.01 – DEPARTMENT OF LAW – DIRECTOR AND DIVISION OF PROSECUTION; AMENDING SYLVANIA CODIFIED ORDINANCE SECTION 139.03(e)(3) TO SET THE SALARY OF THE "VICTIM ADVOCATE" AT \$65,000 ANNUALLY COMMENCING OCTOBER 1, 2025 AND THEREAFTER; AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, members elected thereto concurring: SECTION 1. That Sections 131.01 and 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended, be, and the same hereby is, amended to read as set forth on the attached "Exhibit A-1 and A-2" effective October 1, 2025 and thereafter. SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements. including Section 121.22 of the Ohio Revised Code. SECTION 3. That the Clerk of Council is hereby directed to post a copy of this Ordinance in the Office of the Clerk of Council in the Municipal Building pursuant to ARTICLE III, Sections 11(c) and 12, of the Charter of this City. SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the changes to the administrative structure should be made at the earliest possible time. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter. Vote on passage as an emergency: Yeas Nays Passed, , 2025, as an emergency issue.

President of Council

ATTEST:	
Clerk of Council	
APPROVED:	APPROVED AS TO FORM:
Mayor	Director of Law
Date	

131.01 DEPARTMENT OF LAW - DIRECTOR, DIVISION OF PROSECUTION.

- (a) The Solicitor required by Article VIII Section 1.0(a) of the Charter shall be the head of the Department of Law. As head of the Department of Law, he/she shall be known as the Director of Law. The Director of Law shall serve the Mayor, Council, the administrative departments and the officers, boards and commissions of the City as legal counsel in connection with municipal affairs and subject to the direction of the Mayor, shall represent the City in all proceedings in Court or before any administrative board, pursuant to the Charter. The Director of Law shall prepare all contracts, bonds and other instruments in writing in which the City is concerned, and shall endorse on each his/her approval of the form thereof. He/She shall perform all other duties now or hereafter imposed upon municipal solicitors under the laws of the State except that he shall not, as Director of Law, provide legal advice, counsel or service to a City school district under Ohio R.C. 3313.35. (Ord. -2025.)
- (b) The Director of Law shall be an attorney at law duly admitted to practice law in the State of Ohio. He/She shall serve the City as an officer of the City pursuant to the Position and Compensation Plan as to salary. The Law Director shall be compensated in accordance with the provisions made for them in the Position and Compensation Plan. The Director of Law shall oversee the Division of Prosecution.
- (Ord. 77-2013. Passed 10-7-13.) (Ord. ____-2025. Passed ____-2025.) (c) The Department of Law shall have a Division of Prosecution comprised of one full-time chief prosecutor, one full-time assistant prosecutor, one Victim Advocate, one Secretary II and one Secretary who will be employed on a part-time basis, who shall serve under the direction of the Chief Prosecutor. The prosecutors in the Division of Prosecution shall be responsible for the prosecution of all City of Sylvania and State cases in Sylvania Municipal Court and the cases of all municipalities with whom the City of Sylvania has contracted to provide prosecutorial services in addition to other duties as assigned by the Director of Law, subject to the oversight of the Director of Law. The prosecutors shall be attorneys at law duly admitted to practice law in the State of Ohio. The prosecutors shall be appointed by the Mayor. The Director of Law may appoint, on a case by case basis, such Special Prosecutors as may be necessary when the prosecutors have a potential conflict of interest or there exists other legal grounds why the prosecutors should not prosecute a particular case. The Prosecutors shall be compensated in accordance with the provision made for them in the Position and Compensation Plan and/or in accordance with the compensation provided for them in an ordinance of Council and/or a separate agreement authorized by an ordinance of the Council. The Prosecutors shall submit reports to the Director of Law at such frequency, in such detail and covering such matters as the Director shall require. (Ord. _____-2025. Passed

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

TITLE	RAT	E			
	*	*	*		
Victim Advocate	\$65,0	00 annually	effective Oct	ober 1, 2025 and ther	eafter.
	*	*	*		

((Ord.	-2024. Passed	-2024.)

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



REVISING THE ADMINISTRATIVE CODE OF THE CITY AND THE CODIFIED ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED ORDINANCE CHAPTER 111 – COUNCIL; BY AMENDING SECTION 111.01 – COUNCIL RULES; AND DECLARING AN EMERGENCY.

WHEREAS, at the September 2, 2025 meeting of Sylvania City Council, a discussion was held on the start time of City Council meetings which is provided for in Section 111.01(a)(1) of the Sylvania Codified Ordinances; and. WHEREAS, following the discussion, legislation was ordered to change the start time of City Council meetings from 7:30 p.m. to 6:30 p.m. effective January 1, 2026. NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sylvania, Lucas County, Ohio, _____ members elected thereto concurring: SECTION 1. That Section 111.01 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" effective on and after January 1, 2026. 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 amendments to Sylvania Codified Ordinance Section 111.01 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

President of Council

ATTEST:	APPROVED AS TO FORM:	
Clerk of Council	Director of Law	
APPROVED:		
Mayor		
Date		

111.01 COUNCIL RULES.

(a) Meetings.

Regular meetings. Regular meetings of Council shall be held in the Council chambers at 6:30 p.m. on the first and third Monday of each month, provided that regular meetings may be held once only during the months of July and August. Regular meetings may be held in the Council chambers on Tuesday or Wednesday at 6:30 p.m. whenever the date of a regular meeting falls on a legal holiday. Council may, by majority vote, change the day and hour of holding any regular meeting, or adjourn the same to a day and hour determined by a like vote of the members present, if constituting a quorum.

(Ord. No. _____-2025. Passed _____-2025.)

CITY OF SYLVANIA, OHIO SCHEDULE OF REGULAR MEETINGS FOR THE YEAR 2026

City Council meets in Council Chambers located in the City Council/Police Division building located at 6635 Maplewood Ave., Sylvania, Ohio 43560 at 6:30 p.m. unless otherwise noted.

The Municipal Planning Commission meets via ZOOM at 5:30 p.m. unless otherwise noted. (Please contact Tim Burns at tburns@cityofsylvania.com for meeting link)

The Board of Appeals (Zoning) meets in Council Chambers as needed.

JANUARY	FEBRUARY	MARCH
5 City Council Monday	2 City Council Monday	2 City Council Monday
14 Plan Commission Wed	11 Plan Commission Wed	11 Plan Commission Wed
20 City Council Tuesday	17 City Council Tuesday	16 City Council Monday
APRIL	MAY	JUNE
6 City Council Monday	4 City Council Monday	1 City Council Monday
15 Plan Commission Wed	13 Plan Commission Wed	10 Plan Commission Wed
20 City Council Monday	18 City Council Monday	15 City Council Monday
		•
JULY	<u>AUGUST</u>	SEPTEMBER
15 Plan Commission Wed	12 Plan Commission Wed	SEPTEMBER 8 City Council Tuesday
15 Plan Commission Wed	12 Plan Commission Wed	8 City Council Tuesday
15 Plan Commission Wed 20 City Council Monday	12 Plan Commission Wed 17 City Council Monday	8 City Council Tuesday 16 Plan Commission Wed 21 City Council Monday
15 Plan Commission Wed 20 City Council Monday OCTOBER	12 Plan Commission Wed 17 City Council Monday NOVEMBER	8 City Council Tuesday 16 Plan Commission Wed 21 City Council Monday DECEMBER
15 Plan Commission Wed 20 City Council Monday OCTOBER 5 City Council Monday	12 Plan Commission Wed 17 City Council Monday NOVEMBER 2 City Council Monday	8 City Council Tuesday 16 Plan Commission Wed 21 City Council Monday DECEMBER 7 City Council Monday
15 Plan Commission Wed 20 City Council Monday OCTOBER 5 City Council Monday 14 Plan Commission Wed	12 Plan Commission Wed 17 City Council Monday NOVEMBER 2 City Council Monday 12 Plan Commission Thur	8 City Council Tuesday 16 Plan Commission Wed 21 City Council Monday DECEMBER 7 City Council Monday 16 Plan Commission Wed
15 Plan Commission Wed 20 City Council Monday OCTOBER 5 City Council Monday	12 Plan Commission Wed 17 City Council Monday NOVEMBER 2 City Council Monday	8 City Council Tuesday 16 Plan Commission Wed 21 City Council Monday DECEMBER 7 City Council Monday

ORDINANCE NO. 106-2025

AMENDING PART ELEVEN – PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED, BY AMENDING SECTION 1121.07 – ACCESSORY BUILDINGS AND USES; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service red	commends that carports be permitted in
certain zoning classifications with certain construction	n requirements as set forth on the attached
"Exhibit A."	
NOW, THEREFORE, BE IT ORDAINED by	the Council of the City of Sylvania, Lucas
County, Ohio, members elected thereto conc	curring:
SECTION 1. That Section 1121.07 – Access Ordinances of Sylvania, 1979, as amended, be and it is on the attached "Exhibit A."	ory Buildings and Uses of the Codified is, hereby further amended to read as set forth
SECTION 2. It is hereby found and determine concerning and relating to the passage of this Ordinan Council, and that all deliberations of this Council and formal action, were in meetings open to the public, in including Section 121.22 of the Ohio Revised Code.	nce were adopted in an open meeting of this of any of its committees that resulted in such
SECTION 3. That the Clerk of Council is her Ordinance in the Office of the Clerk of Council in the III, Section 12, of the Charter of this City.	reby directed to post a copy of this Municipal Building pursuant to ARTICLE
SECTION 4. That this Ordinance is hereby denecessary for the immediate preservation of the public and for the further reason that the amendment to this Ordinance receives the affirmative vote Council, it shall take effect and be in force immediate Mayor; otherwise, it shall take effect and be in force to Mayor or as otherwise provided by this Charter.	c peace, health, safety, property and welfare Chapter should be provided for immediately. of five (5) or more members elected to ely upon its passage and approval by the
Vote on passage as an emergency: Yeas	Nays
Passed,, 2025, as a	an emergency measure.
	President of Council APPROVED AS TO FORM:

Director of Law

Clerk of Council

APPROVED:	
Mayor	
Date	

Accessory buildings and uses, as defined in Chapter 1101, are permitted, including but not limited to the following and meeting the specified restrictions:

(a) Roadside stands for sale of agricultural products raised on the premises only.

(b) Private automobile garages, provided that garages accessory to single-family dwellings

shall be limited in width to three parking stalls.

(c) Swimming pools provided they are located only in the buildable portion of a lot or in a required rear yard, and are no closer to any lot line than ten feet. This includes all decks, mechanical equipment, slides, diving boards, deck material, etc.

(Ord. 55-2011. Passed 7-18-11.)

(d) Recreational Vehicle, Utility Trailers and Equipment Storage.

(1) All recreational vehicles and equipment shall be kept in clean, good repair and carry a

current license plate and registration where required by law.

- (2) No recreational vehicles, utility trailers and/or equipment shall be parked or stored on a property unless it is titled to, leased or used exclusively by one or more of the permanent occupants of the residence where the recreational vehicle, utility trailer, and/or equipment is located.
- (3) Only one recreational vehicle, utility trailer or equipment shall be in the rear or side yard, no front yard storage permitted, except that such recreational vehicle, utility trailer and/or equipment may be parked on the driveway or paved portions of a front yard for the purpose of loading and unloading for a period of time not to exceed seventy-two (72) hours within any consecutive seven (7) day period.

(4) Recreational vehicles, utility trailers, and/or equipment shall be a minimum of five (5) feet from any lot line and the front foremost point of the recreational vehicle, trailer and/or equipment shall be a minimum of five (5) feet to the rear of the front of any dwelling on the same lot or an adjacent lot, whichever dwelling has the greater setback from the street.

(5) Any recreational vehicle, utility trailer, and/or equipment in excess of 20 feet in length shall be an additional one foot from any lot line for each additional five (5) feet or any portion thereof of vehicle, utility trailer and/or equipment storage length, i.e., a recreational vehicle 33' in length shall be 8' from any property line.

(6) Recreational vehicle, utility trailer, and/or equipment which is so parked shall not have

fixed connections to electrical, water, gas or sewer facilities.

(7) Recreational vehicle, utility trailer, and/or equipment which is so parked shall not be used for living or housekeeping purposes.

(8) Recreational vehicles, utility trailers, and/or equipment must be stored on a properly maintained hard surface (crushed stone, concrete, or asphalt).

- (9) Recreational equipment shall not be covered with any type of tarp material other than covers specifically manufactured for the vehicle/equipment being stored. Covers with snaps made to attach to boats/equipment are acceptable.
- (10) No recreational equipment shall be openly visible from an adjoining lot. Landscape screening and fencing, as permitted within this Zoning Code, are permissible to satisfy this requirement. Screening of evergreens or other suitable plant material, not less than five feet high with an expected normal growth to seven feet are also permissible to satisfy this requirement.

(11) Recreational equipment on corner lots shall be at least sixty (60) feet from both the front lot line and the side yard lot line nearest the street. All screening requirements are to

be adhered to.

(e) Location of Accessory Buildings. An accessory building not exceeding twenty feet in height may be located in the buildable portion of a lot, but may occupy not more than thirty percent of the area of a rear yard. No accessory building shall be closer than ten feet to the main building, closer than sixty feet to the front lot line nor closer than three feet to any other lot line, except that an accessory building may be within five feet of a residential main building if no windows or doors are located in that portion of a wall of the dwelling that is directly opposite and parallel to a wall of the accessory building.

- (f) Temporary Parking of Business Trailer. No person shall park or store a business trailer in a residential area of the City, except in a completely enclosed garage or building, excepting therefrom the temporary outside parking of such business trailer shall be permitted in the front yard and/or side yard for a period not to exceed a total of twenty-four hours in any consecutive ten day period.
- (g) Portable Storage Containers. Residential use properties are permitted one portable storage container for an aggregate of fourteen total days per year. The container must be situated on a paved surface and be set back a minimum of ten feet from the right of way, easement of access, or edge of pavement, whichever is the greater setback. A portable storage container is intended to provide "temporary" storage for moving and similar short-term purposes. These units are not permitted as a permanent accessory storage structure, regardless of the proposed location of the unit. A temporary/accessory residential use zoning certificate is required before the container is placed on-site. Nonresidential use properties are permitted one portable storage container for fourteen total days per year. The container must be situated on a paved surface and be set back a minimum of ten feet from the right of way, easement of access, or edge of pavement, whichever is the greater setback. These units are not permitted as a permanent accessory storage structure. regardless of the proposed location of the unit. A temporary commercial use zoning certificate is required before the container is placed on site.

(Ord. 73-2013. Passed 11-18-13.)

(h) <u>Carports.</u> Any such carport may be approved by the Zoning Administrator or the Director of Public Service if the following items are complied with:

The carport shall be a minimum of three (3) feet from the side or rear property line;

The carport shall not be in front of any habitable space;

(2) (3) The carport shall not be in front of or below the main building;

The carport shall be constructed in a permanent manner;

(5)The roof line of the carport shall not exceed the height of the second floor line of the dwelling:

(6) The carport including all supports, roof and fascia shall match the same construction as the main building;

(7) The carport shall be a maximum of 10 feet wide by 20 feet long in size, in no case shall be permitted to exceed the length of the main building;

(8) A concrete or asphalt base shall be installed for the area of the carport, subject to review and approval of the Director of Public Service or his/her designee, gravel shall not be permitted:

The carport shall be used for vehicle storage purposes only. No other storage of any kind shall not be permitted in or around the carport.

Carports or detached garages shall not be counted toward the maximum number of (i) accessory structures permitted on a lot.

(Ord	-2025.	Passed	-2025.)



September 15, 2025

To: The Mayor and Members of Sylvania City Council

Re: McNelly Park Invasive Species Control

Property Management Agreement (The Nature Conservancy)

Dear Mr. Mayor and Council Members:

The Parks & Forestry Department was recently contacted by The Nature Conservancy (TNC) with an interest in performing invasive species control work in McNelly Park. McNelly Park is an approximately 3-acre area north of Balfour Road that was purchased by the City in 1974 to preserve well established and high-quality native Oak trees. Based on a review by TNC, this area has had recent ingrowth of invasive Japanese Knotwood at the southerly end of the Park and would be a priority area of interest for plant management control in Oak Openings Region for Ohio and Michigan.

TNC has proposed a 3-year Property Maintenance Agreement (through December 31, 2028) to undertake restoration activities and invasive plant management in the Park at no cost to the City. TNC has additional invasive species control management grant funds to expend through the National Fish and Wildlife Foundation, U.S. Fish and Wildlife Service, and other entities. McNelly Park was a location of interest based on past successes by TNC in Harroun Park.

TNC will use the area for studies, scientific, educational, and research programs during the term of the Agreement. The City's sole obligation is to keep the property undisturbed and in its natural restored state for a minimum of five (5) years and not introduce invasive plants to the treated areas.

We recommend approval of the Property Management Agreement with The Nature Conservancy for this work in McNelly Park. Please call with any questions.

Sincerely,

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

ORDINANCE NO.107-2025

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A PROPERTY MANAGEMENT AGREEMENT WITH THE NATURE CONSERVANCY TO PROVIDE INVASIVE SPECIES TREATMENTS IN McNELLY PARK; AND DECLARING AN EMERGENCY.

WHEREAS, since 2019, the City has been working with The Nature Conservancy to provide Invasive Species Treatments in Harroun Park; and,

WHEREAS, the restoration efforts have removed invasive woody plants near the Ottawa River providing greater access to the river for wildlife and views of the river for park visitors; and,

WHEREAS, The Director of Public Service has received a proposal from The Nature Conservancy to provide invasive species control in McNelly Park at no cost to the City; and,

WHEREAS, the Director of Public Service, by report dated September 15, 2025, recommends approval of a 3-year Property Management Agreement with The Nature Conservancy to undertake restoration activities and invasive plant management in McNelly Park from October, 2025 through December 31, 2028 at no cost to the City; and,

WHEREAS, The Nature Conservancy will use the area for studies, scientific, educational, and research programs during the term of the Agreement; and,

WHEREAS, in exchange for the restoration work being performed, the City agrees to maintain the property in its undisturbed and natural restored state for a minimum of five (5) years and to not introduce invasive plants to the treated areas.

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 enter into the Property Management Agreement with The Nature Conservancy on behalf of this City, thereby indicating such approval of the proposal for the invasive species treatments in McNelly Park as provided in the Property Management Agreement now on file with the Clerk of Council. 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 proposal for said professional services should be approved immediately so that the invasive species treatments in McNelly 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. President of Council ATTEST: APPROVED AS TO FORM: Clerk of Council Director of Law APPROVED:

Mayor

Date

PROPERTY MANAGEMENT AGREEMENT

THIS AGREEMENT is made by and between	_McNelly Park (The City of Sylvania)_	("Owners") and The Nature
Conservancy, a non-profit corporation organized and	existing under the laws of the District of	Columbia (the "Conservancy"
or "TNC").		,

Recitals

- A. The Owners are owners of approximately __3__ acres of land described in Exhibit A attached hereto and incorporated herein by reference (hereinafter the Property).
- B. The Conservancy is a non-profit organization dedicated to the preservation, protection, restoration and maintenance of natural areas and ecological systems and the plant and animal species they support for scientific, educational and public awareness purposes.
- C. The Property owned by the Owners is within the project area of the Conservancy's Oak Openings Restoration Crew and is a priority area for invasive plant control in the Oak Openings Region of Ohio and Michigan.
- D. The Conservancy wishes to undertake activities of restoration invasive plant management on the Property, as well as programs and activities such as biological and physical inventory and vegetative management.

NOW THEREFORE, the Owners authorize the Conservancy to manage the property under the following terms and conditions:

[put date below 1-3 years from signing]

1. MANAGEMENT. For the period beginning from the date this Agreement is signed by the parties through December 31, 2028 (the "Management Period"), the Conservancy, its employees, contractors, representatives, and volunteers are hereby granted permission to manage and maintain the ecological values of the Property by the use techniques and methods consistent with the preservation, protection and restoration of the natural features and ecological values of the Property. Such ecological management techniques shall specifically include, but are not limited to: Invasive plant removal, and ecological monitoring.

The Conservancy may also conduct scientific, educational and research programs on the Property. The Conservancy, its employees, contractors, representatives and volunteers may enter the Property for such purposes.

The Conservancy agrees to notify the Owners when activities conducted by the Conservancy, its employees, contractors, representatives or volunteers are to take place on the Property. Such notification may occur via phone or email.

Any activities on the Property done under this provision shall be at the option and expense of the Conservancy. The Conservancy's activities under this Agreement are not for the purpose of meeting any obligations of the Owners with respect to the Property, and no such obligations are transferred to or hereby imposed on the Conservancy by this Agreement.

Either party may shorten the Management Period by providing 30 days advance written notice to the other party.

2. DISCLOSURES & INSPECTIONS. The Owners acknowledge that the funding for the activities on the property is typically funded in whole or in part by a grant to the Conservancy through entities such as the National Fish and Wildlife Foundation (NFWF), the U.S. Fish and Wildlife Service (USFWS) or other funders. The Owners consent to the disclosure of information relevant to the grant to them and the Property to the funding agency/agencies as may be required for the Conservancy's compliance with its grant requirements. The Owners further consent to the inspection of the activity site by the Conservancy, the funding agency/agencies, and their respective employees and representatives.

The Owners further acknowledge and agree that this Agreement and the results of any studies or investigations accomplished under this Agreement may be published by the Conservancy. The Owners further agree that the Conservancy may itself or allow others to photograph the site and use photographs, information and materials related to the Property and the activities thereon in marketing materials and for other purposes.

3. RESTORED AREAS. The Owners agree to allow the treated or restored areas of the Property to remain in their natural restored state for a minimum of five (5) years. The Owners further agree not to introduce invasive plants

within the treated or restored areas of the Property. If the Property is transferred during the 10-year period, Owners agree to obtain this same commitment from the subsequent owner.

4. LIABILITY/INSURANCE. The Conservancy shall be responsible for any personal injury or property damage proximately caused by the negligent acts of the Conservancy, its employees or volunteers on the Property. Throughout the duration of this Agreement, the Conservancy shall carry a policy of liability insurance covering its activities on the Property described herein. At the request of the Owners, the Conservancy shall provide the Owners with a certificate or other evidence that such insurance is in effect.

The Owners release the Conservancy and its funders from any damage to the Owners' property arising out of the activities authorized under this Agreement.

- 5. OWNERS' REPRESENTATIONS. Owners represent and warrant the following to the Conservancy:
 - a. Owners are the owners of the Property and has full authority to enter into this Agreement.
- b. Owners are not subject to a finding for recovery under R.C. 9.24, or it has taken appropriate remedial steps required under R.C. 9.24 or otherwise qualifies under that section.
- c. To the best of its knowledge the information Owners have provided on the Conservancy's Conflict Inquiry Form, now or up to two years prior to the commencement date of this Agreement, is true and correct.
- 6. NOTICE. Where this agreement requires written notice or the submission of reports to the parties, these documents shall be hand delivered or mailed to the parties at the physical addresses set forth below; similarly, when this agreement allows notice via email or phone, such notice may be provided using the information provided below:

The Nature Conservancy	City of Sylvania
	Property Address:
Kitty Todd Nature Preserve	McNelly Park
10420 Old State Line Rd	5921, 5931, 5941, 5951, 6001, 6011, 6021, and 6031 Balfour Ro

Sylvania OH 43560

Phone: 567-703-4257 Mailing Address:

Email: peter.blank@tnc.org City of Sylvania (attn: Joseph E. Shaw, P.E., P.S., Service Director)

6730 Monroe Street Sylvania, Ohio 43560 Phone: 419-885-8965

Email: jshaw@cityofsylvania.com

If notice is mailed, it shall be effective when deposited in the mail.

7. GENERAL PROVISIONS

Swanton, OH 43558

- (i) Counterterrorism, Anti-Money Laundering and Economic Sanctions Laws. Owners represent and warrant that, to the best of Owners' knowledge, Owners and Owners' subsidiaries, principals, and beneficial owners, if any (collectively, the "Owners 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 Owners 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 Owners Parties is pending.

Should Owners become aware that Owners or any other of the Owners Parties is subject to any of the above conditions of this Section during the Agreement Term, Owners must immediately notify TNC in writing. If TNC determines that Owners or any of the Owners Parties is subject to any of the above conditions of this Section, TNC may terminate this Agreement effective immediately upon written notice to Owners and TNC may pursue all available remedies under applicable laws.

- (ii) 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. 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/tnchelpline.
- (iii) Consent to electronic signatures. Facsimile or scanned signatures on this Agreement and any related documents, and digital or electronic signatures where authorized under applicable laws, will be fully binding for all purposes under this Agreement.
- (iv) Severability; No Waiver. If any provision of this Agreement 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 Agreement by either party will constitute a waiver of that right or remedy or of any other right or remedy under this Agreement or under applicable laws.
- (v) Counterparts. This Agreement may be executed in one or more counterparts, each of which will be deemed an original and all of which will constitute the complete Agreement.
- (vi) Authorization to Sign. Each party represents and warrants that the person signing this Agreement on behalf of that party is duly authorized to sign this Agreement on that party's behalf.
- (vii) Survival. The "Disclosures and Inspections," "Restored Areas," and "Liability/Insurance" Sections of this Agreement will survive the expiration or earlier termination of the Agreement.

Ву:	
Printed Name:	Printed Name: Mark R. Frye
Title:	Title: Mayor
Date:	Date:
	Printed Name: Toby A. Schroyer
	Title: Director of Finance
	Date:

EXHIBIT A

McNelly Park is a small 3 acres community park owned by the City of Sylvania, located at the end of Balfour Rd. in Sylvania Ohio. The park has high-quality examples of Oak Openings wet flatwoods habitats and a variety of native herbaceous plants in the understory. A population of invasive Japanese knotweed exists at the south entrance to the park that TNC will target during restoration.





September 15, 2025

To: The Mayor and Members of Sylvania City Council

Re: Downtown Transportation Improvements (Aerial Utility Bury)

Toledo Edison Subordination Agreement

Dear Mr. Mayor and Council Members:

There are four (4) utility companies with aerial facilities in the second block of Main Street between Maplewood Avenue and Erie Street including Buckeye Cable, Frontier Communications, Spectrum, and Toledo Edison. These utility companies have been asked to relocate from aerial facilities to below grade as a part of the Downtown Transportation Improvements Project.

The Service Department has been coordinating the relocation work with Toledo Edison and they have requested the execution of a Subordination Agreement with the City. The Agreement is an acknowledgment that should Toledo Edison be asked to relocate facilities again within the established public right-of-way they will not be responsible for any of the costs.

Furthermore, the Agreement grants Toledo Edison a perpetual easement right to install, construct, and maintain these facilities, but all rights-of-way would remain under the full control and use by the City (i.e. Toledo Edison facilities subordinate to the City). Also, any "additions or betterments" to facilities desired by Toledo Edison that did not exist prior to the project and relocation effort are to be bore by Toledo Edison and not the City.

We request approval of the Toledo Edison Subordinate Agreement. Please call with any questions.

Sincerely,

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

146.

ORDINANCE NO. 108-2025

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AND DELIVER TO THE TOLEDO EDISON COMPANY A SUBORDINATION AGREEMENT AND EASEMENT FOR UTILITY PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, part of Phase 2 of the Downtown Transportation Improvement Project includes relocating aerial facilities to below grade in the second block of Main Street; and,

WHEREAS, Buckeye Cablevision, Frontier Communications, Spectrum and The Toledo Edison Company ("Toledo Edison") have aerial facilities in the second block of Main Street and the Service Department has been coordinating the relocation work with the utility companies; and,

WHEREAS, Toledo Edison has requested the City enter into a Subordination Agreement, a copy of which is attached hereto as "Exhibit A"; and,

WHEREAS, the Director of Public Service, by report dated September 15, 2025, has recommended approval of the proposed Subordination Agreement.

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

- SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized to execute on behalf of this City, the Subordination Agreement set forth as "Exhibit A" and to deliver the same to The Toledo Edison Company.
- 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 subordination agreement should be entered into immediately in order to facilitate the aerial utility burial as it relates to the Downtown Transportation Improvement Project. 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	_

CITY OF SYLVANIA SUBORDINATION AGREEMENT

This Subordination Agreement ("Agreement") ("Agreement") is made thisday of
, 2025, between the City of Sylvania, with a principal place of business of 6730 Monro
Street, Sylvania, Ohio 43560 ("City") and The Toledo Edison Company, an Ohio corporation, with
principal place of business of 76 S. Main Street, Akron, Ohio, 44308 (the "Company").

WITNESSETH:

WHEREAS, the City has acquired certain lands for roadway purposes ("Public Right of Way") as located by surveys and shown on plans on file in the City's Department of Public Service as part of the Sylvania "Downtown Utility Conversion to Underground" project; and

WHEREAS, the Company is the owner of certain electric facilities, including, communications, ("Electric Facilities") which are currently constructed as overhead facilities for which the City has requested the Company to relocate underground within the Public Right of Way and within Utility Easements for the convenience its project, at substantial cost to the Company; and

WHEREAS, in exchange for relocating its Electric Facilities underground, the City and the Company agreed that the Company shall bear no costs if it is asked by the City at some time in the future to relocate the Electric Facilities elsewhere within the Public Right of Way or newly expanded public right of way for the City.

NOW THEREFORE, for and in consideration of the mutual covenants hereinafter stated, the sufficiency of which is hereby acknowledged, it is agreed between the parties as follows:

1. The City shall permit any requested future the relocation of the Company's Electric Facilities to be placed within the Public Right of Way, if feasible, at no cost to the Company for use of such Public Right of Way for this purpose. In exchange for the Company relocating its overhead Electric Facilities underground for the convenience of the City's project, the City grants the Company a perpetual easement for its underground Electric Facilities for which the Company shall have the perpetual right to (i) install, construct, and maintain all Electric Facilities within

the Public Right of Way, including the rights of ingress and egress to do so, (ii) to trim, remove, and cut any obstructions, trees, underbrush or vegetation consistent with its own maintenance standards and accepted utility industry practices that, within in its sole judgment, may interfere or threatens to interfere with the safe and reliable operation of its Electric Facilities, (iii) and the Company's right to have access to said Electric facilities to ensure the efficient and effective operation and maintenance thereof, without cost.

- 2. The Company agrees that within the Public Right of Way are the following described areas: (As notated in the "Downtown Utility Conversion to Underground" construction plans).
- 3. The Company's rights and use of the Public Right of Way under this agreement shall be subordinate and subject to the Public Right of Way and the City's rights thereunder, but only to the extent that the Company shall be required to relocate its Electric Facilities at the request of the City in connection with any use by the City of the Public Right of Way, in accordance with paragraph 4, and in a manner that does not interfere or threaten to interfere with the safe and reliable operation of the Electric Facilities.
- 4. Any future or further alteration and/or relocation of any facility of the Company within the subordinate easement area as described in paragraph 2, which is required by the City in connection with any use by the City of the Public Right of Way or any of the rights thereunder after completion of the original construction of the new road, shall be performed by the Company and the City shall reimburse the Company for all costs associated with such performance. Prior to any relocation, the City shall provide the Company with a suitable relocation location, as acceptable to the Company. However, the City shall not be responsible to reimburse the Company for any additions to or betterments of Electric Facilities existing at the time such alteration and/or relocation, in accordance with the Company's applicable Tariff, as filed with the Public Utilities Commission of Ohio.
- 5. The Agreement shall bind and inure to the benefit of the successors and assigns of the Company and the City, respectively.

- 6. The Whereas clauses set forth above shall be deemed part of this Agreement in the same manner as the numbered paragraphs of the Agreement.
- 7. This Agreement can be entered into by separate counterparts. Electronic signatures shall be given the same full force and effect as an original signature.
- 8. This Agreement shall be governed by the laws of the State of Ohio.

IN WITNESS WHEREOF, the parties hereunto have caused this Agreement to be duly executed as of the day and year first above written.

[Signature Page Follows]

City of Sylvania	City of Sylvania
By:	By:
Name: Mayor Mark R. Frye	Name: Finance Director Toby A. Schroyer
State of Ohio County of	
The foregoing instrument was acl	knowledged before me on this by
	NOTARY PUBLIC My Commission expires:
Toledo Edison Company	
By:	
Name:	
Its:	
State of Ohio County of	
The foregoing instrument was ack	knowledged before me on this by
, its _	on behalf of Toledo Edison
Company.	
	NOTARY PUBLIC My Commission expires:





September 15, 2025

To: The Mayor and Members of Sylvania City Council

Re: Downtown Transportation Improvements (Aerial Utility Bury)

Toledo Edison Easements (5727 Main Street, 5734 Lane Drive, and 6501 Monroe Street)

Dear Mr. Mayor and Council Members:

There are four (4) utility companies with aerial facilities in the second block of Main Street between Maplewood Avenue and Erie Street including Buckeye Cable, Frontier Communications, Spectrum, and Toledo Edison. These utility companies have been asked to relocate from aerial facilities to below grade as a part of the Downtown Transportation Improvements Project.

The Service Department has been coordinating the relocation work with Toledo Edison. Most of the Toledo Edison infrastructure including conduit, cabling, sectionalizers, transclosures, and transformers can be located in the public right-of-way. However, some infrastructure will need to be located outside the public right-of-way on City-owned property. There are three (3) City-owned parcels located at 5727 Main Street, 5734 Lane Drive, and 6501 Monroe Street that will require dedicated easements.

The easements at the Main and Lane locations are within the Historical Village area and have been reviewed and coordinated with existing on-site facilities. The Monroe location is on the south side across from Summit Street within the old "Joe's Tire" property. The Monroe location will allow Toledo Edison to bring a major power supply line under Monroe Street to Summit Street which will significantly reduce the number of new poles that would be required on Maplewood Avenue.

We request the Toledo Edison easements on City-owned property located at 5727 Main Street, 5734 Lane Drive, and 6501 Monroe Street be approved. Please call with any questions.

Sincerely,

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

14d.

ORDINANCE NO. 109-2025

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AND DELIVER TO THE TOLEDO EDISON COMPANY AN EASEMENT AGREEMENT FOR UTILITY PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, part of Phase 2 of the Downtown Transportation Improvement Project includes relocating aerial facilities to below grade in the second block of Main Street; and,

WHEREAS, Buckeye Cablevision, Frontier Communications, Spectrum and The Toledo Edison Company ("Toledo Edison") have aerial facilities in the second block of Main Street and the Service Department has been coordinating the relocation work with the utility companies; and,

WHEREAS, most of the Toledo Edison infrastructure including conduit, cabling, sectionalizers, transclosures, and transformers can be located in the public right-of-way, however, some of the infrastructure will need to be located outside the right-of-way on Cityowned property; and,

WHEREAS, Toledo Edison has requested a 10' Easement from the City of Sylvania for the installation and maintenance of infrastructure at 6501 Monroe Street; and,

WHEREAS, the Director of Public Service, by report dated September 15, 2025, has recommended approval of the proposed Easement; and,

WHEREAS, the granting of said Easement as set forth in "Exhibit A" will permit Toledo Edison to properly install and maintain the necessary infrastructure at 6501 Monroe Street.

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

<u>SECTION 1.</u> That the Mayor and Director of Finance be, and they hereby are, authorized to execute on behalf of this City, the Easement set forth as "Exhibit A" and to deliver the same to The Toledo Edison Company.

SECTION 2. That the method, manner, consideration and procedure for the granting of said easement to The Toledo Edison Company is hereby determined to be as set forth in this Ordinance.

SECTION 3. That the City execute the easement for the above mentioned purposes.

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the easement should be granted immediately so that Toledo Edison can install and maintain the electricity infrastructure necessary to provide service. 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 APPROVED:	Director of Law
Mayor	
Date	=

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That, City of Sylvania, with a mailing address of 6730 Monroe St, Sylvania, Ohio 43560, collectively and individually, hereinafter referred to as the "Grantor", claiming title by virtue of instrument recorded number 20230519-0015678 of the Lucas County Records, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations received to its full satisfaction of THE TOLEDO EDISON COMPANY, an Ohio corporation, having its principal place of business at 76 South Main Street, Akron, Ohio, 44308, hereinafter referred to as the "Grantee", does hereby grant unto Grantee, its successors and assigns, an easement and right-of-way, together with the rights and privileges hereinafter set forth, for lines for the distribution of electric current, including communication facilities, in, under and across the following described premises:

Situated in the City of Sylvania, County of Lucas, State of Ohio; A parcel of land located in the Northwest Quarter of Section 10, Town 9 South, Range 6 East, further described as Permanent Parcel Number 8203707 ("Premises").

The easement area, which is under and across the above-described premises, is described as follows:

A strip of land being 10.00 feet wide, lying 5.00 feet on each side of the centerline of electric facilities and as further shown on Exhibit "A", attached hereto and made part hereof.

In addition to said easement and right-of-way, the following rights are hereby granted to Grantee:

- (1) To install, construct, inspect, operate, replace, repair, patrol, maintain and remove in, under and along said easement area across Premises such cables, wires, pipes, conduits, service pedestals, above-surface and sub-surface transformers, transformer pads, service hand-holes and other usual fixtures and appurtenances as may by Grantee be deemed necessary or become necessary for or in connection with the underground distribution of electric current, including communication facilities;
- (2) To enter and pass on, over and across any part of Premises when reasonably necessary for access to and from said easement area, and to use the portion of Premises that is parallel to and adjoining the boundaries of the easement area for piling dirt and for the operation of apparatus, appliances and equipment in exercising any of its rights enumerated herein;
- (3) To trim, cut, remove or control by any means at any and all times any trees, limbs, roots,

underbrush or other obstructions within or near said easement area which may in the judgment of the Grantee interfere with, limit access to or endanger transformers, service pedestals, cables or their appurtenances, or their efficient operation;

(4) To install, construct, inspect, operate, replace, repair, patrol, maintain and remove in, under and along said easement area and within the street limits cables, wires, pipes, conduits, street light standards and other usual fixtures and appurtenances as may by Grantee be deemed necessary or become necessary for or in connection with the operation of streetlights.

At Grantor's sole risk, Grantor reserves the right to use the right of way area, but only for the purpose of installing pavement and parking areas, planting grass, flowers, and ornamental shrubbery and subject to Grantee's rights enumerated herein. In the event Grantee digs up the right of way area or a portion thereof, or otherwise uses the easement area for any of the purposes herein enumerated, which requires the removal of said flowers or shrubbery, Grantee shall exercise ordinary care in removing and replanting them but will not assure the continued life of the flowers or shrubbery so removed and replanted. Any repair or replacement of any pavement, parking area, grass, flowers, and/or ornamental shrubbery dug up by Grantee for any purposes herein shall be at Grantor's cost.

TO HAVE AND TO HOLD the said easement, rights and right-of-way and its appurtenances unto said Grantee, its successors, and assigns, forever; and the Grantor represents that it is the owner of the Premises herein described.

[Signature Page to Follow]

N WITNESS WHEREOF, the Grantor(s) h	ereunto set their hand this day of
GRANTOR:	
Mark R. Frye, Mayor	
Toby Schroyer, Finance Director	
STATE OF	
COUNTY OF	3
	, 20, before me, a Notary Public, the
	Sylvania Mayor, Mark R. Frye, and City of Sylvania to me (or satisfactorily proven) to be the person(s
	ithin instrument, and acknowledged that he/she/they
executed the same for the purposes therein	n contained.
IN WITNESS WHEREOF, I hereunto	set my hand and official seal.
954	
SEAL	Notary Public
	My Commission Expires:

Exhibit A



LEGAL DESCRIPTION

Toledo Edison Easement - 0.025 acres

A parcel of land located in the Northwest Quarter of Section 10, Town 9 South, Range 6 East, City of Sylvania, Lucas County, Ohio and being further bounded and described as follows:

Beginning from the Northeasterly corner of the Grantor, also being on the Southerly right of way line of Monroe Street (66' right of way);

- 1. Thence Southerly along the Easterly line of the Grantor, **South 00 degrees 27 minutes 16 seconds West,** a distance of **106.04 feet** to the Southeasterly corner of the Grantor;
- Thence Westerly along the Southerly line of the Grantor, South 72 degrees 32 minutes 08 seconds West, a distance of 10.51 feet to a point;
- 3. Thence Northerly along a line parallel with the Easterly line of the Grantor, North 00 degrees 27 minutes 16 seconds East, a distance of 109.77 feet to a point on the Southerly right of way line of said Monroe Street;
- 4. Thence Easterly along the Southerly right of way line of said Monroe Street, South 86 degrees 42 minutes 19 seconds East, a distance of 10.01 feet to the True Point of Beginning, containing in all 0.025 acres of land more or less, subject however to all legal highways and prior easements of record.

City of Sylvania, Ohio claims title by Instrument Number 20230519-0015678 of the Lucas County Records.

The above legal description is based on public and private records and is not based on a land survey, by DGL Consulting Engineers, LLC. and was written and prepared by Peter J. Segaard, Ohio Professional Surveyor #7883.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

Toledo Edison Easement – 0.025 acres Page | 2

Peter J. Segaard, P.S.

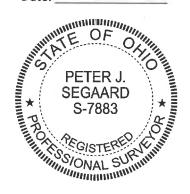
Ohio Professional Surveyor #7883

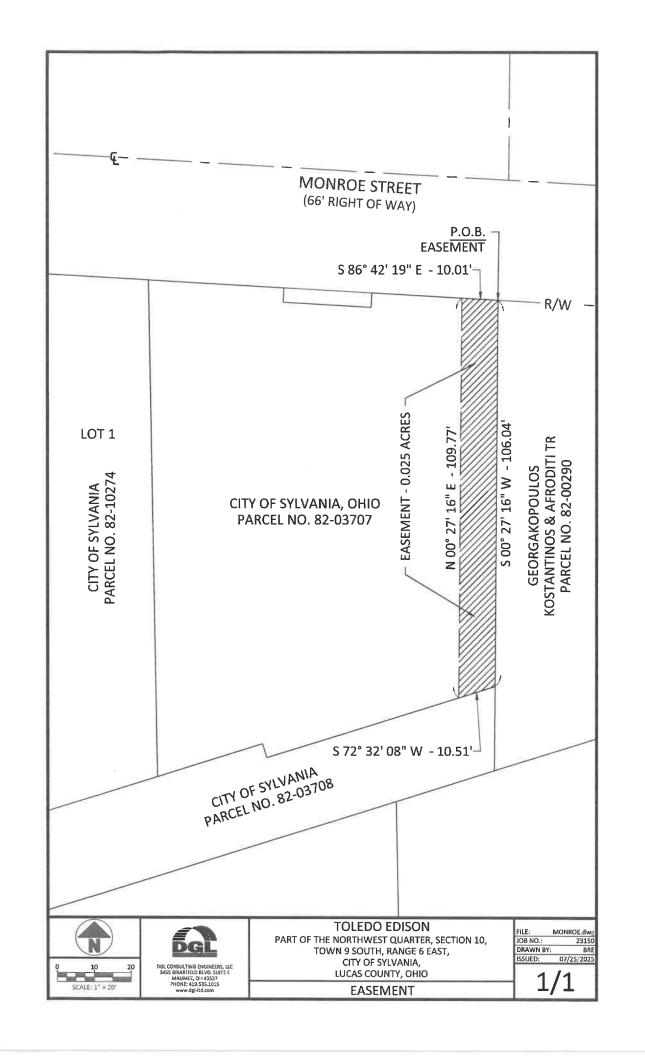
DGL Consulting Engineers, LLC 3455 Briarfield Blvd, Suite E

Maumee, Ohio 43537

Phone: (419)535-1015, Ext 221

Date: 7/25/2025







ORDINANCE NO. 110-2025

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AND DELIVER TO THE TOLEDO EDISON COMPANY AN EASEMENT AGREEMENT FOR UTILITY PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, part of Phase 2 of the Downtown Transportation Improvement Project includes relocating aerial facilities to below grade in the second block of Main Street; and,

WHEREAS, Buckeye Cablevision, Frontier Communications, Spectrum and The Toledo Edison Company ("Toledo Edison") have aerial facilities in the second block of Main Street and the Service Department has been coordinating the relocation work with the utility companies; and,

WHEREAS, most of the Toledo Edison infrastructure including conduit, cabling, sectionalizers, transclosures, and transformers can be located in the public right-of-way, however, some of the infrastructure will need to be located outside the right-of-way on Cityowned property; and,

WHEREAS, Toledo Edison has requested an easement from the City of Sylvania for the installation and maintenance of infrastructure within the Sylvania Historical Village (5727 Main Street); and,

WHEREAS, the Director of Public Service, by report dated September 15, 2025, has recommended approval of the proposed Easement; and,

WHEREAS, the granting of said Easement as set forth in "Exhibit A" will permit Toledo Edison to properly install and maintain the necessary infrastructure at the Sylvania Historical Village.

NOW, THEREFORE BE IT ORDA	AINED by	the Council of the City of Sylvania, Lucas
County, Ohio, members elected the	ereto conci	urring:
SECTION 1. That the Mayor and authorized to execute on behalf of this City the same to The Toledo Edison Company.	Director of the Easen	of Finance be, and they hereby are, ment set forth as "Exhibit A" and to deliver
SECTION 2. That the method, masaid easement to The Toledo Edison Compordinance.	anner, cons oany is here	sideration and procedure for the granting of eby determined to be as set forth in this
SECTION 3. That the City execu	ite the ease	ement for the above mentioned purposes.
	his Ordinar ouncil and to the publ	lic, in compliance with all legal
SECTION 5. That the Clerk of Corollary Ordinance in the Office of the Clerk of Corollary, Section 12, of the Charter of this City.		ereby directed to post a copy of this e Municipal Building pursuant to ARTICLE
necessary for the immediate preservation o and for the further reason that the easement can install and maintain the electricity infra facilities. Provided this Ordinance receives	of the publict should be astructure as the affirm one in force and be in	native vote of five (5) or more members immediately upon its passage and approval a force thirty (30) days after it is approved
Vote on passage as an emergency:	Yeas	Nays
Passed,	, 2025 as a	an emergency measure.
ATTEST:		President of Council APPROVED AS TO FORM:
Clerk of Council APPROVED:	Ī	Director of Law
Mayor		

Date

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That, City of Sylvania, with a mailing address of 6730 Monroe St, Sylvania, Ohio 43560, collectively and individually, hereinafter referred to as the "Grantor", claiming title by virtue of instrument recorded in Assessor Plat of 1859, Instrument Number 20051220-0094709, of the Lucas County Records, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations received to its full satisfaction of THE TOLEDO EDISON COMPANY, an Ohio corporation, having its principal place of business at 76 South Main Street, Akron, Ohio, 44308, hereinafter referred to as the "Grantee", does hereby grant unto Grantee, its successors and assigns, an easement and right-of-way, together with the rights and privileges hereinafter set forth, for lines for the distribution of electric current, including communication facilities, in, under and across the following described premises:

Situated in the City of Sylvania, County of Lucas, State of Ohio; A parcel of land located in part of Lot 5, Assessors Plat of 1859, further described as Permanent Parcel Number 82-03492 ("Premises").

The easement area, which is under and across the above-described premises, is described as follows:

A strip of land with variable width as further shown on Exhibit "A", attached hereto and made part hereof.

In addition to said easement and right-of-way, the following rights are hereby granted to Grantee:

- (1) To install, construct, inspect, operate, replace, repair, patrol, maintain and remove in, under and along said easement area across Premises such cables, wires, pipes, conduits, service pedestals, above-surface and sub-surface transformers, transformer pads, service hand-holes and other usual fixtures and appurtenances as may by Grantee be deemed necessary or become necessary for or in connection with the underground distribution of electric current, including communication facilities:
- (2) To enter and pass on, over and across any part of Premises when reasonably necessary for access to and from said easement area, and to use the portion of Premises that is parallel to and adjoining the boundaries of the easement area for piling dirt and for the operation of apparatus, appliances and equipment in exercising any of its rights enumerated herein:
- (3) To trim, cut, remove or control by any means at any and all times any trees, limbs, roots, underbrush or other obstructions within or near said easement area which may in the judgment of the Grantee interfere with, limit access to or endanger transformers, service pedestals, cables or

their appurtenances, or their efficient operation;

(4) To install, construct, inspect, operate, replace, repair, patrol, maintain and remove in, under and along said easement area and within the street limits cables, wires, pipes, conduits, street light standards and other usual fixtures and appurtenances as may by Grantee be deemed necessary or become necessary for or in connection with the operation of streetlights.

At Grantor's sole risk, Grantor reserves the right to use the right of way area, but only for the purpose of installing pavement and parking areas, planting grass, flowers, and ornamental shrubbery and subject to Grantee's rights enumerated herein. In the event Grantee digs up the right of way area or a portion thereof, or otherwise uses the easement area for any of the purposes herein enumerated, which requires the removal of said flowers or shrubbery, Grantee shall exercise ordinary care in removing and replanting them but will not assure the continued life of the flowers or shrubbery so removed and replanted. Any repair or replacement of any pavement, parking area, grass, flowers, and/or ornamental shrubbery dug up by Grantee for any purposes herein shall be at Grantor's cost.

TO HAVE AND TO HOLD the said easement, rights and right-of-way and its appurtenances unto said Grantee, its successors, and assigns, forever; and the Grantor represents that it is the owner of the Premises herein described.

[Signature Page to Follow]

IN WITNESS WHEREOF, the Grantor(s) he , 20	reunto set their hand this day of
GRANTOR:	
Mark R. Frye, Mayor	
Toby Schroyer, Finance Director	
STATE OF	8
COUNTY OF	3
On this, the day of	, 20, before me, a Notary Public, the
	ylvania Mayor, Mark R. Frye, and City of Sylvania
	to me (or satisfactorily proven) to be the person(s)
executed the same for the purposes therein	thin instrument, and acknowledged that he/she/they contained.
IN WITNESS WHEREOF, I hereunto s	et my hand and official seal.
SEAL	
	Notary Public
	My Commission Expires:

Exhibit A



LEGAL DESCRIPTION

Toledo Edison Easement – 0.106 acres

A parcel of land located in part of Lot 5, Assessors Plat of 1859, City of Sylvania, Lucas County, Ohio and being further bounded and described as follows:

Beginning from the Northeasterly corner of the Grantor, also being on the Westerly right of way line of North Main Street (70' right of way);

- Thence Southerly along the Easterly line of the Grantor, also being the Westerly right of way line of said North Main Street, South 01 degrees 02 minutes 04 seconds East, a distance of 22.94 feet to a point;
- 2. Thence Westerly along a line parallel with the Northerly line of the Grantor, South 88 degrees 57 minutes 56 seconds West, a distance of 17.52 feet to a point;
- Thence Northerly along a line parallel with the Easterly line of the Grantor, North 01
 degrees 02 minutes 04 seconds West, a distance of 6.47 feet to a point;
- 4. Thence Westerly along a line parallel with the Northerly line of the Grantor, **South 88**degrees 57 minutes 56 seconds West, a distance of 49.06 feet to a point;
- Thence Southwesterly along a line, South 44 degrees 34 minutes 35 seconds West, a distance of 13.94 feet to a point;
- 6. Thence Southerly along a line parallel with the Easterly right of way line of the Grantor, **South 01 degrees 02 minutes 04 seconds East,** a distance of **46.44 feet** to a point;
- Thence Easterly along a line parallel with the Northerly line of the Grantor, North 88
 degrees 57 minutes 56 seconds East, a distance of 45.39 feet to a point;
- 8. Thence Southerly along a line parallel with the Easterly line of the Grantor, **South 01 degrees 02 minutes 04 seconds West,** a distance of **9.37 feet** to a point on the Southerly line of the Grantor;
- Thence Westerly along the Southerly line of the Grantor, South 88 degrees 57 minutes 56 seconds West, a distance of 55.38 feet to a point;
- 10. Thence Northerly along a line parallel with the Easterly line of the Grantor, **North 01** degrees 02 minutes 04 seconds West, a distance of 67.80 feet to a point;

- 11. Thence Westerly along a line parallel with the Northerly line of the Grantor, South 88 degrees 57 minutes 56 seconds West, a distance of 112.13 feet to a point;
- 12. Thence Southwesterly along a line, South 54 degrees 43 minutes 10 seconds West, a distance of 8.39 feet to a point;
- 13. Thence Westerly along a line parallel with the Northerly line of the Grantor, South 88 degrees 57 minutes 56 seconds West, a distance of 13.41 feet to a point on the Westerly line of the Grantor;
- 14. Thence Northerly along the Westerly line of the Grantor, North 01 degrees 02 minutes 04 seconds West, a distance of 18.95 feet to the Northwesterly corner of the Grantor;
- 15. Thence Easterly along the Northerly line of the Grantor, North 88 degrees 57 minutes 56 seconds East, a distance of 219.00 feet to the True Point of Beginning, containing in all 0.106 acres of land more or less, subject however to all legal highways and prior easements of record.
- 16. The above legal description is based on public and private records and is not based on a land survey, by DGL Consulting Engineers, LLC. and was written and prepared by Peter J. Segaard, Ohio Professional Surveyor #7883.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

Peter J. Segaard, P.S.

Ohio Professional Surveyor #7883

DGL Consulting Engineers, LLC

3455 Briarfield Blvd, Suite E

Maumee, Ohio 43537

Phone: (419)535-1015, Ext 221

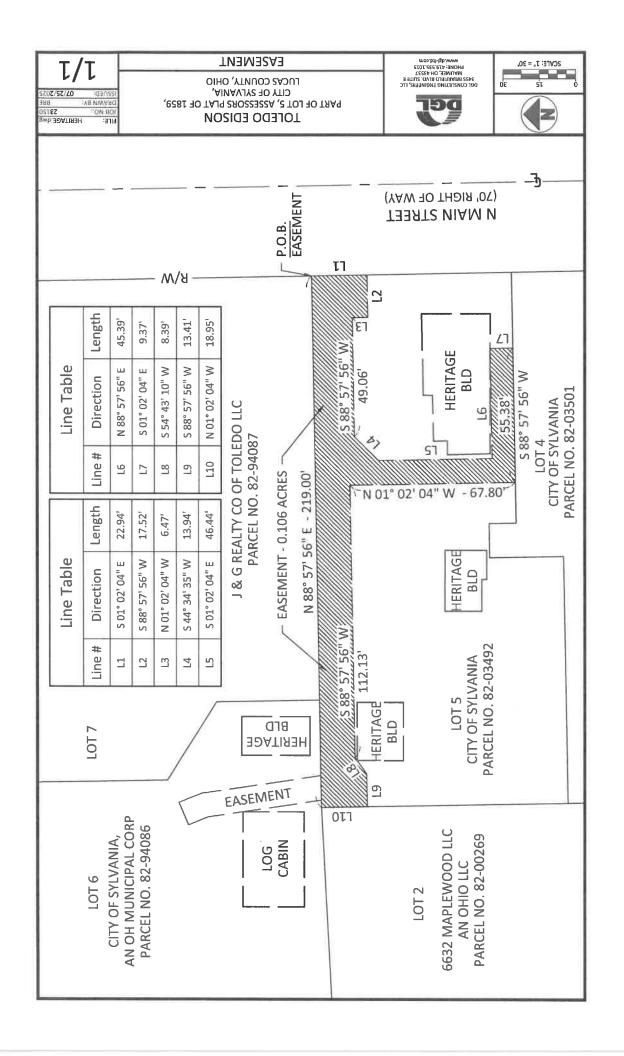
Date: 7/25/2025

William Dennie

PE SEG, S-78

* PROPOSITION OF THE PROPOSITION OF T





14f.

ORDINANCE NO. 111-2025

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO EXECUTE AND DELIVER TO THE TOLEDO EDISON COMPANY AN EASEMENT AGREEMENT FOR UTILITY PURPOSES; AND DECLARING AN EMERGENCY.

WHEREAS, part of Phase 2 of the Downtown Transportation Improvement Project includes relocating aerial facilities to below grade in the second block of Main Street; and,

WHEREAS, Buckeye Cablevision, Frontier Communications, Spectrum and The Toledo Edison Company ("Toledo Edison") have aerial facilities in the second block of Main Street and the Service Department has been coordinating the relocation work with the utility companies; and,

WHEREAS, most of the Toledo Edison infrastructure including conduit, cabling, sectionalizers, transclosures, and transformers can be located in the public right-of-way, however, some of the infrastructure will need to be located outside the right-of-way on Cityowned property; and,

WHEREAS, Toledo Edison has requested a 10' Easement from the City of Sylvania for the installation and maintenance of infrastructure within the Sylvania Historical Village (5734 Lane Drive, Sylvania, Ohio); and,

WHEREAS, the Director of Public Service, by report dated September 15, 2025, has recommended approval of the proposed 10' Easement; and,

WHEREAS, the granting of said Easement as set forth in "Exhibit A" will permit Toledo Edison to properly install and maintain the necessary infrastructure at the Sylvania Historical Village.

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

County, Ohio,	members elected th	thereto concurring:				
SECTION 1. authorized to execute of the same to The Toled	on behalf of this Cit	y, the Ease	of Finar ement s	ance be, and they hereby are, set forth as "Exhibit A" and to del	iver	
SECTION 2. said easement to The Tordinance.	That the method, ma Γoledo Edison Comp	anner, con pany is her	siderat eby de	tion and procedure for the granting etermined to be as set forth in this	g of	
SECTION 3.	That the City execu	ute the eas	ement	for the above mentioned purposes	3.	
SECTION 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.				this		
SECTION 5. Ordinance in the Offic III, Section 12, of the 0	e of the Clerk of Co	ouncil is he uncil in th	ereby d e Muni	directed to post a copy of this icipal Building pursuant to ARTI	CLE	
necessary for the immo and for the further reas can install and maintai facilities. Provided this elected to Council, it s	ediate preservation of son that the easement in the electricity infractions of ordinance receives thall take effect and land, it shall take effect	of the public should be astructure as the affirm be in force at and be in	ic peace grant necess native vimmed force	ed to be an emergency measure ce, health, safety, property and we ted immediately so that Toledo Ec sary to provide service to the City' vote of five (5) or more members ediately upon its passage and appro- te thirty (30) days after it is approve	dison 's oval	
Vote on passage as an	emergency:	Yeas		Nays		
Passed,		, 2025 as	an eme	ergency measure.		
ATTEST:				ent of Council OVED AS TO FORM:	-	
Clerk of Council		j	Directo	or of Law		
APPROVED:						
Mayor						

Date

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That, City of Sylvania, an OH Municipal Corp, with a mailing address of 6730 Monroe St, Sylvania, Ohio 43560, collectively and individually, hereinafter referred to as the "Grantor", claiming title by virtue of instrument recorded in Assessors Plat of 1859, Instrument Number 20051220-0094709 of the Lucas County Records, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations received to its full satisfaction of THE TOLEDO EDISON COMPANY, an Ohio corporation, having its principal place of business at 76 South Main Street, Akron, Ohio, 44308, hereinafter referred to as the "Grantee", does hereby grant unto Grantee, its successors and assigns, an easement and right-of-way, together with the rights and privileges hereinafter set forth, for lines for the distribution of electric current, including communication facilities, in, under and across the following described premises:

Situated in the City of Sylvania, County of Lucas, State of Ohio; A parcel of land located in Lot 6, Assessors Plat of 1859, further described as Permanent Parcel Number 82-94086 ("Premises").

The easement area, which is under and across the above-described premises, is described as follows:

A strip of land being 10.00 feet wide, lying 5.00 feet on each side of the centerline of electric facilities and as further shown on Exhibit "A", attached hereto and made part hereof.

In addition to said easement and right-of-way, the following rights are hereby granted to Grantee:

- (1) To install, construct, inspect, operate, replace, repair, patrol, maintain and remove in, under and along said easement area across Premises such cables, wires, pipes, conduits, service pedestals, above-surface and sub-surface transformers, transformer pads, service hand-holes and other usual fixtures and appurtenances as may by Grantee be deemed necessary or become necessary for or in connection with the underground distribution of electric current, including communication facilities:
- (2) To enter and pass on, over and across any part of Premises when reasonably necessary for access to and from said easement area, and to use the portion of Premises that is parallel to and adjoining the boundaries of the easement area for piling dirt and for the operation of apparatus, appliances and equipment in exercising any of its rights enumerated herein;
- (3) To trim, cut, remove or control by any means at any and all times any trees, limbs, roots,

underbrush or other obstructions within or near said easement area which may in the judgment of the Grantee interfere with, limit access to or endanger transformers, service pedestals, cables or their appurtenances, or their efficient operation;

(4) To install, construct, inspect, operate, replace, repair, patrol, maintain and remove in, under and along said easement area and within the street limits cables, wires, pipes, conduits, street light standards and other usual fixtures and appurtenances as may by Grantee be deemed necessary or become necessary for or in connection with the operation of streetlights.

At Grantor's sole risk, Grantor reserves the right to use the right of way area, but only for the purpose of installing pavement and parking areas, planting grass, flowers, and ornamental shrubbery and subject to Grantee's rights enumerated herein. In the event Grantee digs up the right of way area or a portion thereof, or otherwise uses the easement area for any of the purposes herein enumerated, which requires the removal of said flowers or shrubbery, Grantee shall exercise ordinary care in removing and replanting them but will not assure the continued life of the flowers or shrubbery so removed and replanted. Any repair or replacement of any pavement, parking area, grass, flowers, and/or ornamental shrubbery dug up by Grantee for any purposes herein shall be at Grantor's cost.

TO HAVE AND TO HOLD the said easement, rights and right-of-way and its appurtenances unto said Grantee, its successors, and assigns, forever; and the Grantor represents that it is the owner of the Premises herein described.

[Signature Page to Follow]

IN WITNESS WHEREOF, the Grantor(s)	hereunto set their hand this day of
, 20	
GRANTOR:	
Mark R. Frye, Mayor	
Toby Schroyer, Finance Director	
STATE OF	- 0
COUNTY OF	8
COUNTY OF	-
On this, the day of	, 20, before me, a Notary Public, the
undersigned, personally appeared City of	Sylvania Mayor, Mark R. Frye, and City of Sylvania
Finance Director, Toby Schroyer know	n to me (or satisfactorily proven) to be the person(s)
whose name(s) is/are subscribed to the	within instrument, and acknowledged that he/she/they
executed the same for the purposes there	ein contained.
IN WITNESS WHEREOF, I hereunte	o set my hand and official seal.
SEAL	
SEAL	Notary Public
	My Commission Expires:

Exhibit A



LEGAL DESCRIPTION

Toledo Edison Easement - 0.013 acres

A parcel of land located in part of Lot 6, Assessors Plat of 1859, City of Sylvania, Lucas County, Ohio and being further bounded and described as follows:

Commencing from the Southeasterly corner of the Grantor;

Thence Westerly along the Southerly line of the Grantor, **South 88 degrees 57 minutes 56 seconds West,** a distance of **31.22 feet** to the **True Point of Beginning** of the easement herein described;

- 1. Thence continuing Westerly along the Southerly line of the Grantor, **South 88 degrees 57** minutes **56 seconds West**, a distance of **10.00 feet** to a point;
- 2. Thence Northerly along a line, **North 08 degrees 26 minutes 32 seconds West,** a distance of **46.79 feet** to a point;
- 3. Thence Northwesterly along a line, North 22 degrees 24 minutes 34 seconds West, a distance of 8.63 feet to a point;
- 4. Thence Northeasterly along a line, **North 67 degrees 35 minutes 26 seconds East**, a distance of **10.00 feet** to a point;
- 5. Thence Southeasterly along a line, **South 22 degrees 24 minutes 34 seconds East**, a distance of **9.51 feet** to a point;
- 6. Thence Southerly along a line, South 08 degrees 26 minutes 32 seconds East, a distance of 49.64 feet to the True Point of Beginning, containing in all 0.013 acres of land more or less, subject however to all legal highways and prior easements of record.

City of Sylvania, an OH Municipal Corp claims title by Instrument Number 20051220-0094709 of the Lucas County Records.

Toledo Edison Easement - 0.013 acres

Page | 2

The above legal description is based on public and private records and is not based on a land survey, by DGL Consulting Engineers, LLC. and was written and prepared by Peter J. Segaard, Ohio Professional Surveyor #7883.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

Peter J. Segaard, P.S.

Ohio Professional Surveyor #7883

DGL Consulting Engineers, LLC

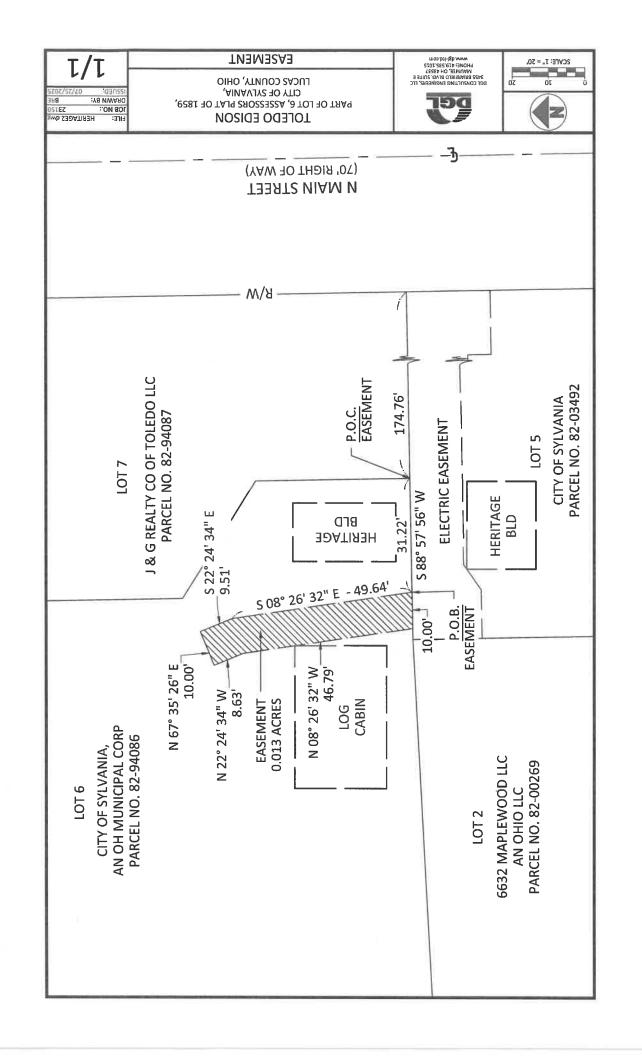
3455 Briarfield Blvd, Suite E

Maumee, Ohio 43537

Phone: (419)535-1015, Ext 221

Date: 7/25/2025







September 15, 2025

To: The Mayor and Members of Sylvania City Council

Re: Letters of Interest (LOI) for Design Engineering Services

(Brint/Main/Holland-Sylvania Roundabout) – LUC-CR 1572-7.89 (PID 124560)

Dear Mr. Mayor and Council Members:

On March 17, 2025 City Council authorized the Service Department to submit a grant application for funding consideration in the March 2025 solicitation for eligible projects in the Ohio Department of Transportation's Highway Safety Improvement Program (Res. 6-2025).

The Service Department was notified in July 2025 our application for an elliptical roundabout improvement project at the intersection of Brint Road/Main Street/Holland-Sylvania Road was successful. The total cost of the project was \$2,914,900 and we received \$116,694 in preliminary engineering design funding assistance for fiscal year 2026, \$272,286 in final design and \$175,950 in right-of-way acquisition funding assistance for fiscal year 2027, and \$1,734,734 in construction funding assistance for fiscal year 2028 (\$2,299,664 in total).

The next step in this process is to request Letters of Interest (LOI) from engineering consultants to design the project. City staff members will review the LOI's and select the most qualified consultant to complete the design. Once the consultant is selected the City will enter into fee negotiations with the goal of having a consultant ready to initiate work by November 2025. Construction is scheduled for 2028.

We request authorization to begin the LOI solicitation. Please call with any questions.

Sincerely,

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





DEPARTMENT OF PUBLIC SERVICEJOSEPH E. SHAW, P.E., P.S., DIRECTOR

September 11, 2025

To: Mayor and Members of City Council

Re: Council Referral – SUP#3-2025

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of September 10, 2025, Petition for Zoning Ordinance Amendment No. SUP 3-2025 – submitted by Benjamin and Amanda Milliron, to allow for ground-mounted solar energy systems at 5916 Main Street, in the R-2 Single-Family Residential Small Lot District:

..." Mayor Frye moved, Ms. Fischer seconded recommend to Council to approved the Special Use Permit as requested. Vote being: Frye, Fischer and Schaaf (3) aye; Marciniak (1) nay. Motion passed by a 3 to 1 vote."...

Sincerely,

Debra Webb, Secretary

Municipal Planning Commission

PETITION FOR ZONING ORDINANCE AMENDMENT

To: City of Sylvan City Council a Municipal Pla			SUP# Application No. 3-2025 Date 6/11/2025
Petitioner Name(s):	Benjamin and Amanda Milliron		
Petitioner Address:	5916 Main St Sylvania OH 43560		SHAROLA CONTRACT
Email: benjaminmi	lliron@yahoo.com	Telephone:	419-902-2511
Location of property f	or which zoning amendment is req	uested: See Attached	American Management and an administrative and administrative administrative and administrative and administrative administrat
Purpose of amendment			tial district is to provide homeowners with articularly when rooftop installations are not
Current Zoning: R-	2	Requested Zoning:	R-2 SUP
Attachments: 1. F 2. A 3. S A check for \$300.00 +	Iment, hereby petition for an Ame nces of the City of Sylvania, Ohio, a ull legal description of the propertirea location map. ite plan - if plan is larger than 11" a cost of advertising, payable to the tood that no refund is to be made:	as amended. y for which the Zoning Am x 17", eighteen (18) copies City of Sylvania is assected	endment is proposed. must be submitted. If for processing of said
	and the no retains to be made	and the second s	6-11-2025
		Ben gar	Million Million
Date referred by Coun	cil:		
Date of Commission A	ction:		
Date of Council Action			
Action:	to the state of th		
***************************************	For Office	Use Only	***************************************
Date: 6(11(2=25)	Check#:	Cash:	Fee: \$ 300 ==
Paid - 144-2	2x-20miny 1321		



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

6730 MONROE STREET SYLVANIA, OH 43560

DATE:

July 15, 2025

PROJECT:

5916 Main St (Benjamin & Amanda Milliron) – Solar Special Use Permit

PURPOSE:

Special Use Permit – Preliminary Site Plan Review (Comments)

PREPARED BY:

Eric M. Barnes, P.E., S.I, Deputy Director

The Department of Public Service received a site plan for improvements at the property of 5916 Main Street.

Our department has the following comments:

PLAN REVIEW & INSPECTION FEES

1. The Special Use Permit Application Fee of \$300 was paid on June 11, 2025.

PLAN REVIEW COMMENTS

- 1. Please provide more information regarding the details of what these arrays will look like. I want to see following information: (All of the below information has been provided)
 - a. Size
 - b. Orientation
 - c. Height
 - d. Color/Style
 - e. Fencing/Screening
 - f. Any renderings
- 2. Add dimensions to the site plan for the array size as well as offsets from property lines and adjacent buildings. (Dimensions have been provided)
- 3. Make the addresses and adjoining property label larger (Comment has been addressed)
- 4. Add zoning classifications to the site plan (Zoning classification added: R-2)
- 5. Is there any additional infrastructure or equipment that will be on the premise such as capacitors or electrical control boxes? These will need shown on the site plan and labeled accordingly. (Objects have been labeled)

NOTABLE ITEMS

 This property sits within a Historic District. The intent of this district is to maintain the distinctive appearance of an older historic neighborhood. Consideration should be given to the surrounding aesthetic of the area and if the requested solar array coincides with that aesthetic.





DEPARTMENT OF PUBLIC SERVICETIMOTHY S. BURNS, ZONING ADMINISTRATOR

Project:

Benjamin and Amanda Milliron

Ground Mount Solar Field

Requires a Council Approved SUP

Purpose:

Zoning review - Requested Application for SUP

Prepared By:

Timothy S. Burns, Zoning Administrator

Zoning District:

R-2 SUP Solar Field

The proposed ground mounted solar filed is up for review.

In the R-2 Zoned District, the code permits for roof mounted solar panels as described below.

1161.05 SOLAR PANELS.

Solar panels are allowed in any zoning district when located on a roof surface and do not protrude more than 12 inches above the roof surface it is attached to. Solar panels that are free-standing structures, supported on racking systems or other structural elements permanently affixed to the ground are considered to be a Special Uses pursuant to Chapter 1153.

For Ground Mount Solar Fields, a Special Use Permit is required and shall require City Council approval.

1153.02 SPECIAL USES.

Council shall have authority to permit, by ordinance, the following uses of land or structures in any district, except as herein qualified and subject to the conditions and procedures set forth herein:

1153.02 (x) Solar panels (free standing) supported on racking systems or other structural elements permanently affixed to the ground.

It should be noted the proposed solar field located within the Neighborhood Character Architectural District and the cohesive nature of this historic area of town.

1187.02 THREE ARCHITECTURAL DISTRICTS AS OVERLAY DISTRICTS.

There are three Architectural Districts that apply to specific areas in the City. The Neighborhood Character Architectural District is created to help maintain the distinctive appeal of older residential neighborhoods in and near downtown Sylvania. These residential areas are locally-significant with historic roots associated with the earliest days of the City of Sylvania.

1121.08 FENCES AND HEDGES.

- (a) Fences or hedges may not exceed three and one-half feet in height in the required front yard.
- (b) Fences may not exceed four feet in height in the required side yard adjacent to the main building and projected to the required front yard.
- (c) Fences may not exceed seven feet in height in any other location on a lot. (See Diagram A for illustration.)

All new fencing requires a permit. Fence height restrictions as stated above.

General Review

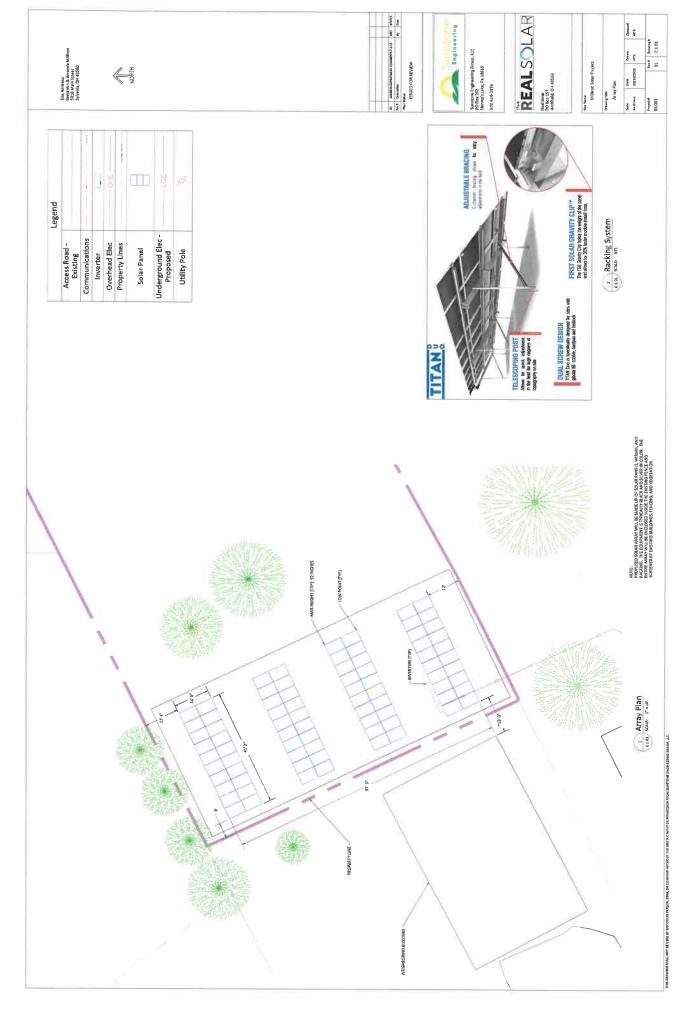
Since there is no specific set back requirements, it should be considered the minimal required setback in an R-2 District is 6'. The proposed solar field would meet this setback (See Engineering Review for Additional Comments).

It is recommended that the Historic Overlay District this property is located should be considered.

Sincerely,

Timothy S Burns

City of Sylvania Zoning Administrator







DEPARTMENT OF PUBLIC SERVICEJOSEPH E. SHAW, P.E., P.S., DIRECTOR

September 11, 2025

To: Mayor and Members of City Council

Re: Council Referral – ZA#1-2025

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of September 10, 2025, Petition for Zoning Ordinance Amendment No. ZA 1-2025 – submitted by Mike Hojnacki for 5440 Centennial Rd, to change current Mixed Zoning to B-2 Zoning for Flex Space Development:

..." Mr. Marciniak moved, Mayor Frye seconded to recommend to Council to approve the Zoning Amendment as submitted. Vote being: Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote."...

Sincerely,

Debra Webb, Secretary

Municipal Planning Commission

PETITION FOR ZONING ORDINANCE AMENDMENT

			A
To: City of Sylva City Council Municipal P			Application No. 1-2025 Date7/23/2025
Petitioner Name(s):	Mike Hojnacki		
Petitioner Address:	2415 211 2		
mikhq Location of property	buckeye-express.com j agmail.com y for which zoning amendment is rec		419-824-0000 419-467-342 MIKE
5540 N Cente			
Purpose of amendm		lex Space Develo	pment
Current Zoning:	MX	Requested Zoning: _	B-2
changed by the ame of the Codified Ordin Attachments: 1. 2. 3. A check for \$300.00	eing one or more of the owners, lesse endment, hereby petition for an Ame nances of the City of Sylvania, Ohio, a Full legal description of the propert Area location map. Site plan - if plan is larger than 11" a + cost of advertising, payable to the erstood that no refund is to be made	endment to the Zoning Cod as amended. Ey for which the Zoning Am Ex 17", eighteen (18) copies City of Sylvania is attached after the filing of the Pont By:	nendment is proposed. s must be submitted.
Date of Commission Date of Council Action Action:	Action:	e Use Only	
Date: 8/4/25	Check #: 007209	_ Cash:	Fee: \$ 300.00

All that part of the Northwest 1/4 of Section 8, Town 9 South, Range 6 East in Sylvania Township, Lucas County, Ohio, bounded and described as follows:

Beginning at a point 858 feet North of the Southwest corner of said Northwest 1/4; thence North on the West line of said Section a distance of 264 feet, thence East 660 feet on a line parallel with the center line of said Section; thence South 264 feet on a line parallel with the West line of said Section; thence West 660 feet on a line that is parallel with the center line of said Section to the place of beginning. Subject to legal highways.

Excepting therefrom the South five (5) feet thereof.

jul

TD 78-12056 5540 N. Centennial Road, Sylvania, OH 43560





DEPARTMENT OF PUBLIC SERVICETIMOTHY S. BURNS, ZONING ADMINISTRATOR

Project:

Centennial Road Flex Space Site Plan

5540 Centennial Rd.

Purpose:

Zoning review

Prepared By:

Timothy S. Burns, Zoning Administrator

Zoning District: Rezone to B-2

The proposed site is approximately 3.75 acres. The property is surrounded by Centennial Rd to the West, a private R-1 zoned property to the East, and to the North and South are individual properties that are both zoned MX.

MX is not a specified zoning district within the City of Sylvania. The MX zoning is a result of an annexation which moved the properties from Sylvania Township into the City proper. Any future development requires any MX property to rezone to an appropriate City of Sylvania defined Zoning Class.

When considering a re-zone, a review should be made for any proposed project that may be connected, but also a review of permitted uses that are attached to the Zoned District. A Zoning Change sticks with the property for any future development or changes.

Proposed Zoning to B-2: All activities or uses within the property will be required to be a permitted use within the B-2 Zoned property. Below is a list of permitted uses:

1137.07 PERMITTED USES.

Uses permitted in the B-2 District shall be as follows:

- (a) Accessory uses, provided that no accessory buildings shall be located in any required yard.
- (b) Animal hospitals and veterinary offices where there are no outside runs or kennels.
- (c) Automobile sales and service businesses including used car lots and repair garages but excluding repair garages which engage primarily in car painting, body repair or truck repair.
 - (d) Art Education Facility, Private
 - (e) Bars, cocktail lounges or any business serving alcoholic beverages.
- (f) Building material sales and contractors' offices if conducted wholly within an enclosed building.
 - (g) Cabinet shop conducted wholly within an enclosed building.
- (h) Commercial offices, including administrative and sales offices. However, tangible merchandise may not be offered for sale on the premises.
 - (i) Commercial parking lots and garages.
- (j) Commercial recreation businesses including bowling alleys, dance halls, miniature golf courses, etc.
 - (k) Copy or Business Center
- (l) Distributors' warehouses and wholesale outlets with no outdoor storage, and no processing or fabrication.
 - (m) Educational facilities, elementary school
 - (n) Educational facilities, high school
 - (o) Educational facilities, junior high school
 - (p) Educational facilities, nursery school or preschool
 - (q) Educational facilities, vocational or trade school
 - (r) Funeral homes.
 - (s) Home Occupations
 - (t) Hotels
 - (u) Hotels, Extended Stay
 - (v) Lodges and fraternal organizations.
 - (w) Medical pharmacy limited to medical type merchandise only.
 - (x) Microbrewery
 - (v) Mobile home and travel trailer sales and service.
 - (z) Monument works having retail outlet on premises.
 - (aa) Motels
 - (bb) Multiple dwellings.
- (cc) Offices and activities of an office nature including banks, doctors' and dentists' offices and clinics and other professional and business offices.
 - (dd) Parks, playgrounds and community buildings owned or operated by public agencies.
- (ee) Personal service businesses including barber shops, beauty parlors, shoe repair shops, laundry and dry cleaning pick-up stations, photography studios and similar businesses meeting the purpose and performance characteristics of this District.
 - (ff) Print shop.
 - (gg) Repair services and businesses.
 - (hh) Restaurant
 - (ii) Restaurant, with outdoor customer dining area
 - (jj) Restaurants with drive-through window service
 - (kk) Restaurants, Drive-in
 - (ll) Retail bakeries.
 - (mm) Retail Sales Establishments

- (nn) Sales rooms.
- (00) Single-family dwellings, in a mixed use building
- (pp) Special uses as indicated in Chapter 1153.
- (qq) Two-family dwellings.
- (rr) Utility facilities necessary for local service to the adjacent area.

Other Consideration

The setback requirement for B-2 zoned land is reached through viewing the B-1-B Section of the codified Ordinance. Both Sections are listed below:

1137.04 YARD REQUIREMENTS.

(See Section <u>1135.08</u> for residential building requirements.) Front, side and rear yards: Same as B-1-B District, Section 1135.04.

1135.04 YARD REQUIREMENTS.

(See Section 1135.08 hereof for residential building requirements.)

- (a) Front yard Twenty feet. (See Chapter <u>1161</u> for special requirements for required front yards and building projections.)
- (b) Side yard No side yard is required, except that a ten foot side yard is required adjacent to a residential zoning district.
- (c) Rear yard No rear yard is required, except that a thirty foot rear yard is required adjacent to a residential zoning district.

Comments:

B-2 Zoning has no side yard setback requirement unless adjacent to residential properties. The adjacent properties north and south of the 5540 Centennial are zoned as Mixed Use - MX (undefined), and are currently utilized as residential properties. Due to the lack of MX use zoning in the codified ordinance, there are very limited protection or restrictions for those properties regarding adjacent parcel setbacks.

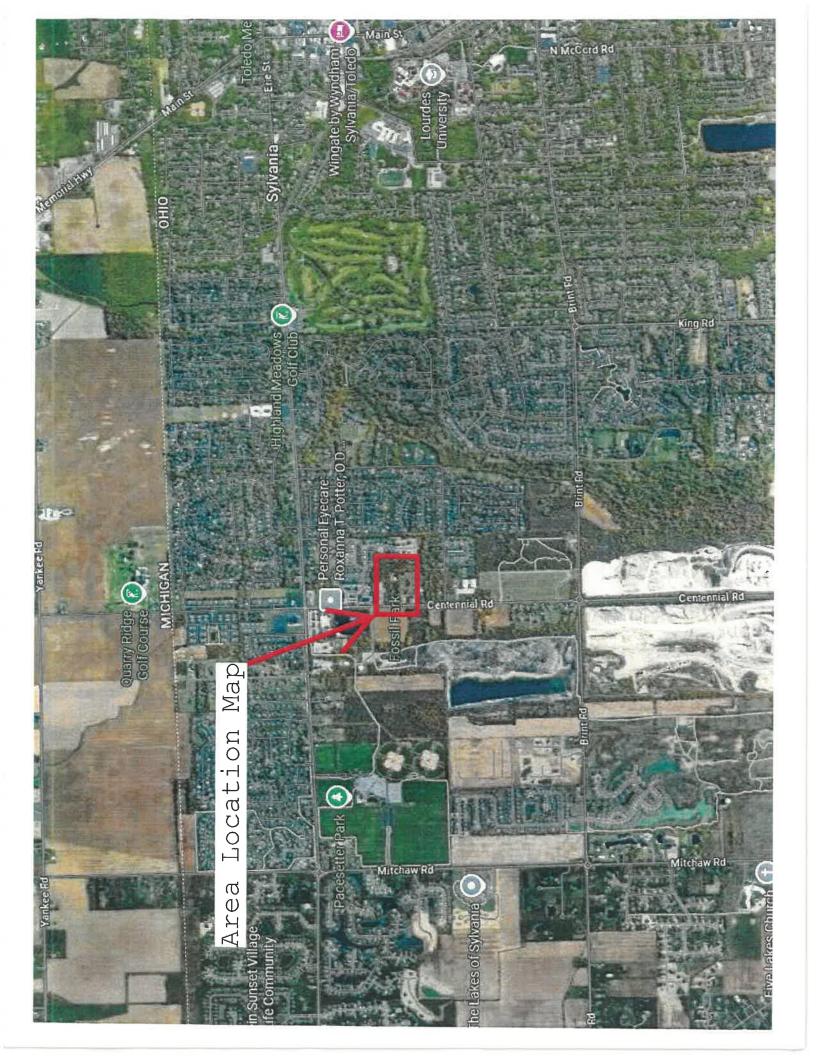
Since the existing use of the adjacent properties is MX and used as residential and any potential future development limitations brought on by zero lot line setback of an adjacent property, it is the Zoning Administrators recommendation that this zoning amendment be approved subject to a minimum of a 10' Side Yard and 30' Rear Yard.

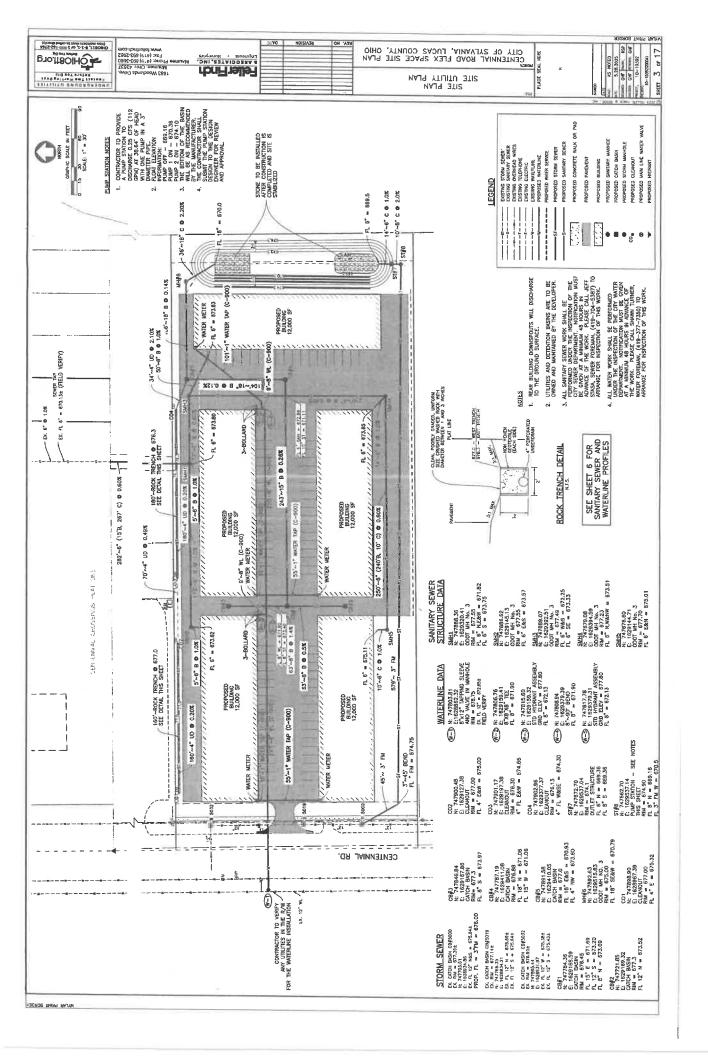
Timothy'S Burns

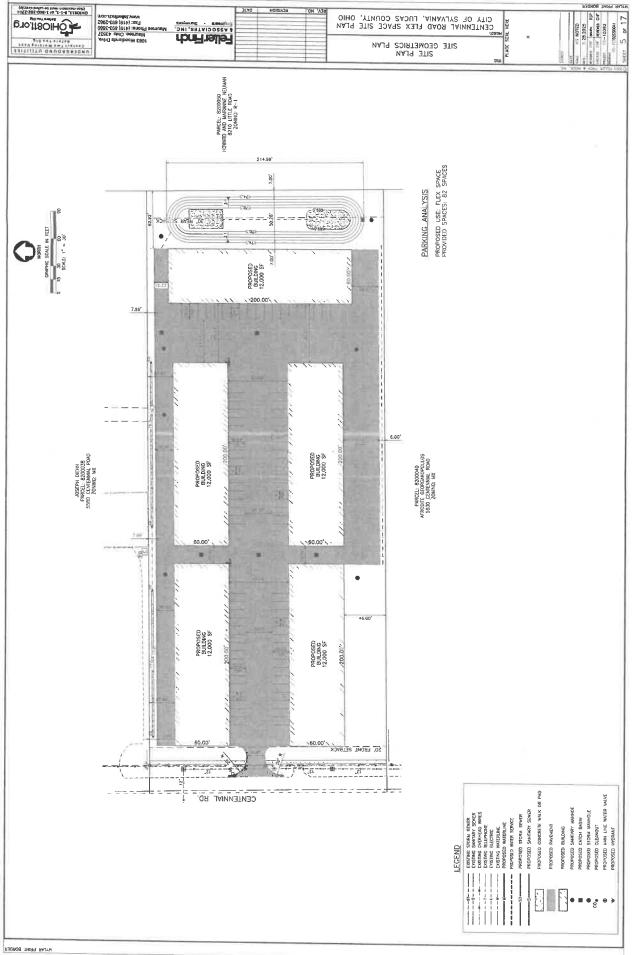
Zoning Administrator











24x36 PAPEP LIMITS

24x36 PAPER LIMITS





DEPARTMENT OF PUBLIC SERVICEJOSEPH E. SHAW, P.E., P.S., DIRECTOR

September 11, 2025

To: Mayor and Members of City Council

Re: Council Referral – Proposed Ordinance No. 91-2025

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of September 10, 2025, Proposed Ordinance No. 91-2025, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended by amending Chapter 1179 – Principals of Acceptability, Section 1179.05-Lots:

..." Ms. Fischer moved, Mr. Marciniak seconded to refer the ordinance back to Council [Sic]. Vote being: Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote."...

Sincerely,

Debra Webb, Secretary

Municipal Planning Commission

ORDINANCE NO. 91-2025

AMENDING PART ELEVEN – PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF SYLVANIA, 1979, AS AMENDED, BY AMENDING CHAPTER 1179 – PRINCIPLES OF ACCEPTABILITY, SECTION 1179.05 – LOTS; AND DECLARING AN EMERGENCY.

WHEREAS, the Director of Public Service recommends that Section 1179.05 – Lots,

Chapter 1179 – Principles of Acceptability of Part Eleven - Planning and Zoning Code be

amended to provide an exception for compliance with the depth-to-width ratio if an irregular or

L-shaped lot will be created; and,

WHEREAS, the Director of Public Service recommends that Sylvania Codified

Ordinance Section 1179.05 be amended as set forth on the attached "Exhibit A."

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

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

County, Ohio, _____ members elected thereto concurring:

- SECTION 1. That Section 1179.05 Lots 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 Section 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.

by the Mayor, otherwise, it shall take effect and be in force thirty (30) days after it is approve 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:	President of Council	
ATTEST:	APPROVED AS TO FORM:	
Clerk of Council	Director of Law	
APPROVED:		
Mayor		
Date		

* * *

(f) Exception to Depth-to-Width Ration to Avoid Irregular Lot Shapes

1. Purpose. The purpose of this subsection is to promote orderly, functional, and aesthetically consistent lot development by allowing relief from strict depth-to-width ratio requirements where strict application would otherwise necessitate the creation of irregularly shaped lots, including L-shaped or flag lots.

2. <u>Applicability.</u> This exception applies to subdivisions, land divisions or proposed lot splits where a lot depth-to-width ratio is otherwise required.

3. <u>Exception Standard.</u> Where the enforcement of minimum lot depth-to-width ratio requirements would result in the creation of:

i. An irregularly shaped lot, including but not limited to an L-shaped, T-shaped or flag-shaped configuration; or

ii. A lot with significant unusable or residual land area due to unusual parcel geometry, topography or existing development patterns; the depth-to-width ratio requirement may be waived, provided the following conditions are met:

The proposed lot contains a contiguous buildable area that meets all required yard setbacks and minimum lot width at the building line:

ii. The lot has direct and adequate frontage on a public or approved private street;

iii. The lot configuration is not primarily designed to circumvent other dimensional or density standards;

iv. The resulting lot configuration is consistent with the general pattern of development in the surrounding area;

v. The waiver is granted by the Planning Commission as part of the subdivision or lot split approval process.

4. The Zoning Administrator or Planning Commission may require the applicant to provide a lot layout plan, survey or other documentation demonstrating the need for the exception and compliance with the conditions above.

SIDEWALKS ARE FOR PEOPLE, NOT PARKING



State and local law prohibits parking in a driveway in a manner that obstructs the public sidewalk.

This public service message is brought to you by the City of Sylvania and Sylvania Township



wheels need room here! Keep sidewalks clear,





Public sidewalks are considered a public right-of-way, and obstructing them can violate the ADA Act of 1990, which aims to ensure accessibility for people with disabilities.



This public service message is brought to you by the City of Sylvania and Sylvania Township



B.

Board of Architectural Review

Minutes of the regular meeting of September 10, 2025. Mr. Schaaf called the meeting to order.

Acting Secretary, Timothy Burns, took the roll call. Members present: Mayor Mark Frye, Kate Fischer, Ken Marciniak and Jeff Schaaf. (4) present. Carol Lindhuber, absent.

Mr. Marckiniak moved, Ms. Fischer seconded to approve the Minutes of the August 13, 2025, meeting as submitted. Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 – Regulated Sign – app. no. 23-2025 requested by Mia Asta of Gardner Signs for The Seafood, 5504 W. Alexis, Sylvania, Ohio 43560. Application is for a new monument sign (replacing an existing pole sign) and two replacement wall signs.

Ms. Asta was present.

Ms. Fischer moved, Mr. Marciniak seconded, to approve the signs shown in the drawing submitted with the application. Vote being: Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,

Timothy Burns, Acting Secretary Municipal Planning Commission

C.

Sylvania Municipal Planning Commission

Minutes of the regular meeting of September 10, 2025. Mr. Schaaf called the meeting to order.

Acting Secretary, Timothy Burns, took the roll call. Members present: Mayor Mark Frye, Kate Fischer, Ken Marciniak and Jeff Schaaf. (4) present. Carol Lindhuber, absent.

Ms. Fischer moved, Mr. Marciniak seconded to approve the Minutes of the August 13, 2025, meeting as submitted. Vote being: Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 3 — Council Referral for Review and Recommendation — Petition for Zoning Ordinance Amendment No. SUP 3-2025 — submitted by Benjamin and Amanda Milliron, to allow for ground-mounted solar energy systems at 5916 Main Street, in the R-2 Single-Family Residential Small Lot District. (Tabled at the 8/13/2025 meeting)

Mr. Milliron was present with Mr. Cameron Tilkins of Real Solar.

Mr. Burns stated that he had received letters of support from three of the neighboring properties and also presented pictures of an aerial view of the property as well as a ground view of the property from the neighboring property.

Ms. Fischer said that she went out to the property and that, from a visual perspective, she has no concerns.

Mr. Marciniak said that the solar panels should be installed on the existing pergola and not on the ground; and that this design is more of a commercial application, rather than a residential application. He added that he could not support the design.

More discussion took place between the members, Mr. Milliron and Mr. Tilkins.

Mayor Frye moved, Ms. Fischer seconded recommend to Council to approved the Special Use Permit as requested. Vote being: Frye, Fischer and Schaaf (3) aye; Marciniak (1) nay. Motion passed by a 3 to 1 vote.

Mayor Frye moved, Ms. Fischer seconded to recommend that Council have a broader evaluation of limitations, or modifications, which are permissible on a residentially zoned property for the same structure. Vote being: Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 4 – Council Referral for Review and Recommendation – Petition for Zoning Ordinance Amendment No. ZA 1-2025 – submitted by Mike Hojnacki for 5440 Centennial Rd, to change current Mixed Zoning to B-2 Zoning for Flex Space Development.

Mike Hojnacki explained that the project will consist of five 12,000 sq. ft. buildings, broken up into 3,000 sq. ft. units, to be used for warehouses and offices for smaller businesses, such as plumbing.

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Mr. Marciniak moved, Mayor Frye seconded to recommend to Council to approve the Zoning Amendment as submitted. Vote being: Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

Item 5 – Council Referral for Review and Recommendation – Proposed Ordinance No. 91-2025, Amending Part Eleven – Planning and Zoning Code of the Codified Ordinances of Sylvania, 1979, as amended by amending Chapter 1179 – Principals of Acceptability, Section 1179.05-Lots.

Discussion took place amongst the members and they expressed approval for the code change.

Ms. Fischer moved, Mr. Marciniak seconded to refer the ordinance back to Council [Sic]. Vote being: Frye, Fischer, Marciniak and Schaaf (4) aye; (0) nay. Motion passed by a 4 to 0 vote.

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

Submitted by,

Timothy Burns, Acting Secretary Municipal Planning Commission