

Sylvania City Council

September 16, 2019

6:15 p.m. Streets Committee

Hickory Grove street name change

6:30 p.m. Safety Committee

Request for Full-time Magistrate

7:30 p.m. Council Meeting

Agenda

1. Roll call. Mrs. Cappellini, Mr. Frye, Mr. Haynam, Mrs. Husman, Mr. Luetke, Mr. Richardson, Mrs. Westphal.
2. Pledge of Allegiance to the United States of America led by Mrs. Husman.
3. Additions to the agenda.
4. Approval of the Council meeting minutes of September 3, 2019.
5. Centennial Crossings, Plat 5 project.
 - a. Service Director's report on construction engineering and inspection services.
 - b. Proposed Ordinance No. 76-2019, Accepting the proposal of the Maakil Group, Ltd. to conduct Construction Engineering, Testing and Inspection Services for the Centennial Crossing Plat 5 project.
6. Street Banner Permit Application from the Sylvania Area Chamber of Commerce.
 - a. Proposed Ordinance No. 77-2019, Approving the Banner Application of Sylvania Area Chamber of Commerce.
7. Proposed Ordinance No. 78-2019, Authorizing to enter into an Economic Development Grant Agreement with Venture Visionary Partners.
8. Proposed Ordinance No. 79-2019, Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by amending Sylvania Codified Ordinance Chapter 131-Department of Law.
9. Plan Commission's recommendation for Zoning Ordinance Amendment application, SUP-1-2019, from Shalom of the Pie, LLC, 8216 Erie Street, Sylvania, Ohio to amend the Special Use for a change in hours and the use of the kitchen for catering. (Set public hearing for October 21, 2019.)
10. Report of Zoning Ordinance Amendment application ZA-1-2018, for property located at 4713 King Road from Bruce J. Fondren, Sr.

11. Approval of item to be offered for auction on GovDeals.com.
12. Committee reports.
 - a. Employee & Community Relations Committee held on 9/10/19.
 1. Proposed Ordinance No. 80-2019, Authorizing to accept the proposal of Environmental Design Group to provide a Sylvania Downtown Master Plan and Market Analysis.
 - b. Street Committee held on this date.
 - c. Safety Committee held on this date.
13. Committee referrals.

INFORMATION

- A. August 2019 Cash Report from the Division of Taxation.
- B. August 2019 Bank Reconciliation.
- C. Board of Architectural Review minutes from September 11, 2019.
- D. Municipal Planning Commission minutes from September 11, 2019.

Minutes of the Meeting of Council
September 3, 2019

The Council of the City of Sylvania, Ohio met in regular session on September 3, 2019 at 7:30 p.m. with Acting Mayor Westphal in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Patrick Richardson, Mary Westphal; (6) present; Mark Luetke, (1) absent.

Roll call:
Luetke absent:
excused.

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

Pledge of
Allegiance.

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

The following items were added to the agenda:

13a. Referral of Water Contract to Utilities Committee.

13b. Referral of Board of Elections letter regarding primary elections to COW.

13c. Referral of 911 Consolidation to Safety Committee and schedule of tour of 911 facility.

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

Agenda
approval.

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

Mrs. Westphal presented the August 19, 2019 meeting minutes. Mrs. Westphal moved, Mrs. Husman 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 19, 2019 be approved; roll call vote being: Frye, Haynam, Husman, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Approval of the
August 19
meeting
minutes.

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

Police Chief Schnoor introduced the City's new Police Officer Bradley Clay.

Introduction of
new Police
officer Bradley
Clay.

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

Mr. Richardson moved, Mrs. Westphal seconded to refer the Petition for a street name change from Hickory Grove to Hickory Grove Road to the Streets Committee; roll call vote being: Haynam, Husman, Richardson, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

Referral of
Petition-street
name change
(Hickory Grove)
to Streets Com.

Minutes of the Meeting of Council
September 3, 2019

Mr. Richardson moved, Mrs. Westphal seconded to set the Streets Committee meeting for Monday, September 16, 2019 at 6:15 p.m. Roll call vote being: Husman, Richardson, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

Set Streets Com.
Mtg. 9/16/19;
6:15 p.m.

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

Service Director's report on Municipal Bridge Inspection was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 70-2019, "Consenting to the City's participation in the Ohio Department of Transportation's Municipal Bridge Inspection Program; authorizing the Mayor and Director of Finance to execute contracts as required; declaring an emergency." Mr. Richardson moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Richardson, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

Ordinance No.
70-2019;
"Consenting to
participate in
ODOT Bridge
Inspection
Program...."

Mr. Richardson moved, Mr. Haynam seconded, that Ordinance No. 70-2019 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Richardson, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.

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

Service Director's report on Sylvania River Trail Phase 2 Change Order No. 2 was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 71-2019, "Authorizing the Mayor and Director of Finance to approve Change Order No. 2 to this City's Agreement with Miller Brothers Construction, Inc. for the River Trail Phase 2 Project which reflects additional work performed on this project; increasing the contract amount by \$16,808.30; appropriating funds therefore; declaring an emergency." Mrs. Cappellini moved, Mr. Frye seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.

Ordinance No.
71-2019, "...
approval River
Trail Phase 2
CO#2...."

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 71-2019 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Richardson, (6) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
September 3, 2019

Service Director's report on Sylvania River Trail Phase 2 Change Order No. 3 was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 72-2019, "Authorizing the Mayor and Director of Finance to approve Change Order No. 3 to this City's Agreement with Miller Brothers Construction, Inc. for the River Trail Phase 2 Project which reflects one item of additional work performed on this project; increasing the contract amount by \$391,114.83; appropriating funds therefore; declaring an emergency." Mrs. Cappellini moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Richardson, Westphal, (6) yeas; (0) nays. The motion carried.

Ordinance No. 72-2019, "... approval River Trail Phase 2 CO#3...."

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 72-2019 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 73-2019, "Authorizing the donation of Motorola Portable Radios and Chargers to the Swanton Police Department; determining said property to be of no further use to the City of Sylvania; declaring an emergency." Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Richardson, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.

Ordinance No. 73-2019; "...donation of portable radios to Swanton Police Dept...."

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 73-2019 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Richardson, (6) yeas; (0) nays. The motion carried.

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

Mr. Haynam moved, Mr. Frye seconded to refer proposed Ordinance No. 74-2019 to the Finance Committee for review and recommendation. Roll call vote being: Cappellini, Frye, Haynam, Husman, Richardson, Westphal, (6) yeas; (0) nays. The motion carried.

Refer Ordinance No. 74-2019 to Finance Committee.

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

Minutes of the Meeting of Council
September 3, 2019

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 75-2019, "Accepting the proposal of Flanders & Fuller for the 2020 City of Sylvania Calendar; appropriating funds therefore in an amount not to exceed \$3,000; declaring an emergency." Mrs. Westphal moved, Mr. Frye seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.	Ordinance No. 75-2019, "Accepting proposal of Flanders & Fuller...2020 City Calendar...."
Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance No. 75-2019 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Richardson, (6) yeas; (0) nays. The motion carried.	
Mayor Stough stated that there are not items for agenda item 12, so Council will now consider agenda item 13.	
Mayor Stough provided an update on the Water Contract. Council will tour the water facility on September 19 th . Mrs. Westphal moved, Mrs. Husman seconded to refer the Water Contract to the Utilities Committee for review and recommendation; roll call vote being: Cappellini, Frye, Haynam, Husman, Richardson, Westphal, (6) yeas; (0) nays. The motion carried.	Refer Water Contract to Utility Com.
Mrs. Westphal moved, Mr. Richardson seconded to set a Utilities Committee meeting for Monday, September 23, 2019 at 5:00 p.m. Roll call vote being: Frye, Haynam, Husman, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.	Set Util. Com. Mtg; 9/23/19, 5:00 p.m.
Mrs. Westphal moved, Mr. Haynam seconded to refer the Lucas County Board of Elections request to consider an earlier primary election date to the Committee of the Whole; roll call vote being: Haynam, Husman, Richardson, Westphal, Cappellini, Frye, (6) yeas; (0) nays. The motion carried.	Refer Bd. of Election request: Primary Election Date to COW.
Mr. Frye moved, Mr. Haynam seconded to refer the 911 Consolidation to the Safety Committee for review and recommendation; roll call vote being: Husman, Richardson, Westphal, Cappellini, Frye, Haynam, (6) yeas; (0) nays. The motion carried.	Refer 911 Consolidation to Safety Com.
Mrs. Westphal moved, Mr. Richardson seconded to schedule a Finance Committee meeting for Thursday, October 17, 2019 at 8:00 a.m. to discuss proposed Ordinance No. 74-2019, and 2020 Budget. Roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (6) yeas; (0) nays. The motion carried.	Set Finance Com. Mtg; 10/17/19, 8:00 a.m.

Minutes of the Meeting of Council
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Mrs. Westphal moved, Mr. Richardson seconded to adjourn at 8:50 p.m. Roll call vote being: Frye, Haynam, Husman, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. Adjournment.
The motion carried.

Clerk of Council

Mayor

5a



September 16, 2019

To: The Mayor and Members of Sylvania City Council

Re: **Construction Engineering and Inspection Services Proposal
Centennial Crossings Plat Five**

Dear Mr. Mayor and Council Members:

The construction plans and specifications prepared by the developer of Centennial Crossings Plat Five are complete and ready for construction. This plat calls for the installation of 18 lots and will extend Willow Circle to a cul-de-sac. This is the final plat in the Centennial Crossings Planned Development. The construction and administration of Plats One through Four were administered by the Lucas County Engineer's Office and Sylvania Township prior to this area being annexed.

The Service Department solicited a proposal from the Maakil Group out of Perrysburg, Ohio to provide the necessary construction engineering, testing, and inspection services on the project. The Maakil Group specializes in construction management services and will provide an inspector for the length of the project.

The Maakil Group submitted a proposal in the amount of \$24,075 to complete the scope of services. All costs associated with this work will be reimbursed to the City by the developer.

We would recommend approval of the proposal in the amount of \$24,075 with the Maakil Group.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin G. Aller", is written over a horizontal line.

Kevin G. Aller, P.E.

Director of Public Service

567 Fox View Court
Perrysburg, OH 43551



419.930.7141
www.maakilgroup.com

September 9, 2019

Proposal # 19-085 for City of Sylvania – Centennial Crossings Plat 5

Construction Inspection

Onsite Inspection	300 hours	Cost per hour <u>\$65/ hour</u>	Total <u>\$19,500</u>
Project Vehicle	25 each	Cost per each <u>\$50/ each</u>	Total <u>\$1,250</u>

Based on 5 weeks at 50 hours per week for underground installation and inspection for a total of 250 hours. An additional 50 hours of inspection has been added for Subgrade testing, 304 Testing, concrete testing and asphalt density testing.

Offsite hours and Miscellaneous Expenses

Item	Quantity	Total Cost
Administrative (Walk Through)	20 hrs @ \$65	\$1,300
As-built Drawing	20 hrs @ \$65	\$1,300
Concrete Cylinders per each	8 @ \$25	\$200
Proctor per each	1 @ \$225	\$225
Nuclear Gauge per day	6 @ \$50	\$300

SWP3 Weekly and Rain Event Inspections can be performed for \$125 each


The total project estimate is **\$24,075** and experience from previous projects has been utilized to create this budget. If we have good weather and everything goes well, the project could easily be completed in four weeks. Additional services can be quoted. Should you have any questions or require any additional information, please contact me at 419.930.7141 or by email at jmandell@maakilgrp.com.

Terms and Conditions.

- 1) Payment is due net 30 and will be billed on a monthly basis unless the project is complete
- 2) There is a four-hour minimum for inspection and testing services, but that will be waived for cylinder pickup, proctor pickups and meetings.
- 3) The project vehicle charge is for full time inspection only and not for meetings and sample pickups.
- 4) Reports will be emailed by Wednesday the next week.

Please let me know if you have any questions or need additional services.

Respectfully,
MAAKIL Group, Ltd.


Jeffrey A. Mandell, P.E.
President

5b

ORDINANCE NO. 76 -2019

ACCEPTING THE PROPOSAL OF THE MAAKIL GROUP, LTD. TO CONDUCT CONSTRUCTION ENGINEERING, TESTING AND INSPECTION SERVICES FOR THE CENTENNIAL CROSSINGS PLAT FIVE PROJECT; APPROPRIATING FUNDS THEREFORE IN THE AMOUNT OF \$24,075; AND DECLARING AN EMERGENCY.

WHEREAS, the construction plans and specifications for the Centennial Crossings Plat Five Project are complete and ready for construction; and,

WHEREAS, the plat provides for eighteen lots and the extension of Willow Circle to a cul-de-sac; and,

WHEREAS, the Director of Public Service, by report dated September 16, 2019, solicited a proposal from the Maakil Group to provide the necessary construction engineering, testing and inspection services for the Centennial Crossings Plat Five Project; and,

WHEREAS, the Director of Public Service, in a report dated September 16, 2019, has recommended that the proposal of the Maakil Group for the Construction Engineering and Inspection Services relative to the Centennial Crossings Plat Five Project at a cost of Twenty-Four Thousand Seventy-Five Dollars (\$24,075.00), be accepted.

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

SECTION 1. That the proposal of the Maakil Group in the amount of Twenty-Four Thousand Seventy-Five Dollars (\$24,075.00) for providing construction engineering, testing and inspection services relative to the Centennial Crossings Plat Five Project, is hereby accepted.

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

SECTION 3. That to provide funds for said services hereby authorized, there is hereby appropriated from the **CAPITAL FUND** from funds therein not heretofore appropriated to **Account No. 401-7610-53503, Street Improvements**, the amount of Twenty-Four Thousand Seventy-Five Dollars (\$24,075.00), with the understanding that all costs for this work will be reimbursed to the City by the developer.

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

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

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the City should provide for the construction engineering, testing, and inspection services 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 dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2019, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

City of Sylvania

STREET BANNER APPLICATION/PERMIT

Name of Organization: Sylvania Area Chamber of Commerce

Contact Person: Michelle Sprott

E-mail: msprott@sylvaniachamber.org Phone: 419.882.2135

Explanation of the Qualifying Event*: Sylvania Fall Festival

Dates of Event: October 20, 2019

Installation & Removal Dates of Banner: Sept. 29th - Oct. 31
[maximum four (4) weeks]

Banner Location: Monroe Street Fee: \$100.00 (Installation by Applicant)

☒ Main Street Fee: \$700.00 (Installation by City of Sylvania) (Due)

Text of Banner: Sylvania Fall Festival
3rd Sunday in October

Company Installing Banner (Monroe Street Only): _____

Address: _____

Email: _____ Phone: _____

Fax: _____

Insurance on File: Yes

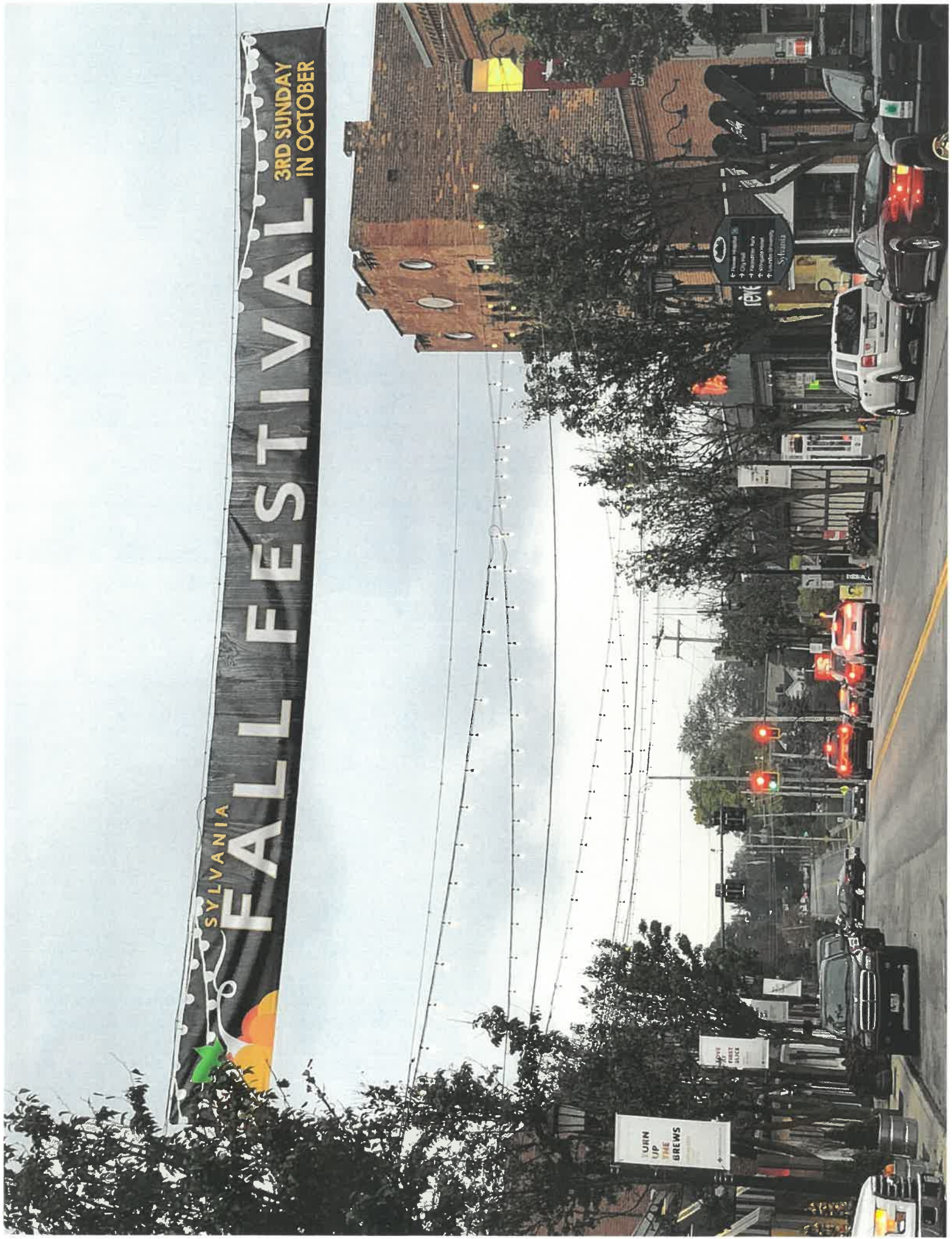
Edison Approval: _____

City Approval: Kimi A. Allen

The banner and installation shall meet the attached specifications.

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

SYLVANIA
FALL FESTIVAL
3RD SUNDAY
IN OCTOBER



6a

ORDINANCE NO. 77 -2019

APPROVING THE BANNER APPLICATION OF THE SYLVANIA AREA CHAMBER OF COMMERCE; AUTHORIZING THE ZONING ADMINISTRATOR TO INDICATE SUCH APPROVAL ON BEHALF OF THE CITY OF SYLVANIA; AND DECLARING AN EMERGENCY.

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

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

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

WHEREAS, the Sylvania Area Chamber of Commerce has submitted a request to hang a banner within said public right-of-way to promote the Fall Festival on October 20, 2019; and,

WHEREAS, the banner will hang from September 29, 2019 – October 21, 2019 and will comply with all of the terms and conditions set forth in Resolution No. 19-2000 and Ordinance No. 20-2018.

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

SECTION 1. That the application of the Sylvania Area Chamber of Commerce to hang a banner on across the downtown block of Main Street between Maplewood Avenue and Monroe Street is found to comply with Section 1166.07(h)(2)(A)(1) and is hereby approved.

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

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

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

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

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2019, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

ORDINANCE NO. 78 - 2019

**AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE
TO ENTER INTO AN ECONOMIC DEVELOPMENT GRANT
AGREEMENT WITH VENTURE VISIONARY PARTNERS; AND
DECLARING AN EMERGENCY.**

WHEREAS, Ordinance No. 54-95, passed May 15, 1995, adopted a Job Creation and Retention Program and adopted guidelines for administering the program; and,

WHEREAS, Ordinance No. 60-2013, passed August 19, 2013, revised the Job Creation and Retention Program guidelines; and,

WHEREAS, the Economic Development/Administrative Services Coordinator of this City negotiated with Craig Findley, Chief Executive Officer of Venture Visionary Partners and, after outlining to him the economic development proposal which would be available to Venture Visionary Partners ("VVP"), made a grant proposal to VVP, subject to the approval of the Mayor and the Sylvania City Council; and,

WHEREAS, VVP is a new company locating in the First Federal Building at 5520 Monroe St., Suite B in the City of Sylvania and the decision to locate to the City was based, in part, on receiving an economic development grant; and,

WHEREAS, the Mayor and Economic Development Director have recommended that the grant agreement between this City and VVP be formalized using the economic development letter grant agreement attached hereto as "Exhibit A."

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

SECTION 1. That the Mayor and Director of Finance be, and they hereby are, authorized and directed to enter into an agreement with VVP, in the form and substance of said "Exhibit A" and further authorized to send or deliver the same to VVP, 5520 Monroe St., Ste. B,

Sylvania, Ohio, and that upon receiving an accepted copy of said letter grant agreement pursuant to the letter on or before October 15, 2019, said grant agreement will be in full force and effect.

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 it is essential that the grant agreement be formalized forthwith so as to meet the promised prompt action of the grant request. Provided this Ordinance receives the affirmative vote of five (5) or more members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force thirty (30) days after it is approved by the Mayor or as otherwise provided by the Charter.

Vote dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2019 as an emergency measure.

President of Council

ATTEST:

Clerk of Council

APPROVED:

Mayor

Date

APPROVED AS TO FORM:

Director of Law

September 13, 2019

Venture Visionary Partners
5520 Monroe St., Ste. B
Sylvania, OH 43560

ATTN: Craig Findley, CEO

RE: Economic Development Letter Grant Agreement

Dear Mr. Findley:

You have represented to the City of Sylvania the following:

1. That Venture Visionary Partners, a financial services start-up, will occupy Suite B at 5520 Monroe St., Sylvania, Ohio, having entered into a ten (10) year lease providing for tenant build out and occupancy to commence no later than October 1, 2019; and
2. That the personnel of Venture Visionary Partners consists of eleven (11) full-time individuals with an annual employee payroll of approximately \$2,500,000 for a total of eleven additional jobs by the end of next year; and
3. That your decision to locate and operate in Sylvania was conditioned upon your receiving for calendar years 2020, 2021, 2022, 2023 and 2024 an annual economic development grant from the City of Sylvania equivalent to 1/3 of the annual municipal income payroll taxes paid by Venture Visionary Partners and/or its employees to this City; and
4. That the lease mentioned above has been finalized and the offices located at 5520 Monroe St., Ste. B will be occupied by Venture Visionary Partners no later than October 1, 2019.

Venture Visionary Partners
September 13, 2019
Page Two

Therefore, in accordance with your discussion with Economic Development/Administrative Services Coordinator, Bill Sanford, and in accordance with the authority granted by the Council of the City of Sylvania, as evidenced by a certified copy of Sylvania's ordinance delivered to you contemporaneously with this letter, and in reliance on the representations you have made to this City as heretofore set forth herein, you are hereby awarded an annual grant of one-third (1/3) of the actual amount remitted by Venture Visionary Partners and/or its employees as income tax on the Municipal Income Tax Base on the following terms and conditions.

- A. The annual grant amount will be payable to Venture Visionary Partners only out of non-tax revenues appropriated by the Council of the City of Sylvania for that purpose.
- B. The grant payments will be paid only after the annual W-2's and Composite Income Tax Return for Venture Visionary Partners have been filed for the calendar year 2020 with the City.
- C. Annual grant payments for subsequent years will continue to be paid after the initial grant payment and on the same basis as provided in B above for the initial grant payment for up to a total of four additional years. No grant payments will be made under this Agreement for calendar years after the year 2024.
- D. This letter grant agreement will be binding on the City of Sylvania only if it is accepted by you and an accepted copy thereof is returned to the City by October 15, 2019 together with a resolution authorizing the acceptance of the grant on the terms thereof including the representations recited in the letter grant agreement.

City of Sylvania

By _____
Craig A. Stough, Mayor

By _____
Toby Schroyer, Director of Finance

Date

Venture Visionary Partners
September 13, 2019
Page Three

ACCEPTANCE

Venture Visionary Partners affirms that it has made and does hereby make the representations numbered 1 through 4 in the foregoing Letter Grant Agreement and hereby accepts the grant offered hereinabove on the terms and conditions thereof and agrees to be bound thereby.

Venture Visionary Partners

By _____

Date

8

ORDINANCE NO. 79 -2019

**REVISING THE ADMINISTRATIVE, DEPARTMENTAL AND
DIVISIONAL ORGANIZATION OF THE CITY AND THE CODIFIED
ORDINANCES THEREOF BY AMENDING SYLVANIA CODIFIED
ORDINANCE CHAPTER 131 – DEPARTMENT OF LAW; AND
DECLARING AN EMERGENCY**

WHEREAS, the Director of Law has recommended that an additional Prosecutor position be created to provide for adequate staffing of the Law Department and Prosecutor's Office due to an upcoming retirement.

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

SECTION 1. That Section 131.01 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."

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 should be made 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 dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2019, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Director of Law

APPROVED:

Mayor

Date

131.01

DEPARTMENT OF LAW – DIRECTOR, DIVISION OF PROSECUTION;
CONSULTANT EXPENSE REIMBURSEMENT.

* * * * *

(c) The Department of Law shall have a Division of Prosecution comprised of two full-time chief prosecutors, one Secretary II and one Secretary who will be employed on a part-time basis, who shall serve under the direction of the Prosecutors. 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, subject to confirmation by a majority of the members of Council. 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. ____-2019. Passed ____-2019.)



DEPARTMENT OF PUBLIC SERVICE

KEVIN G. ALLER, PE DIRECTOR

9

September 12, 2019

To: Mayor and Members of City Council

Re: Council Referral – SUP No. 1-2019
Shalom of the Pie, LLC

Dear Mayor and Members of Council:

Following is an excerpt from the minutes of the regular meeting of the Municipal Planning Commission of September 11, 2019, Council Referral – Special Use Permit Amendment Application, SUP No 1-2019, from Shalom of the Pie, LLC, 8216 Erie Street, Sylvania, Ohio 43560:

..."Mr. McCann moved, Mr. Arnold seconded to recommend to Council to approve the application to amend the Special Use to extend the hours to 11am – 8pm Monday through Saturday and 11am – 5pm on Sunday and also to allow use of the kitchen for catering. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote."...

Sincerely,

Debra Webb, Secretary
Municipal Planning Commission

Memo

To: The Mayor and City Council
From: Kevin G. Aller, Director of Public Safety/Service
Date: 9/5/2019
Re: Obsolete Equipment



Council Members,

The following equipment is no longer of use in the Streets Department and we request authorization to post it for sale on GovDeals. Should the equipment fail to sell, it will be disposed of.

Paint Striper - 1992 Linear Dynamics Inc. model # HT-PUP

Please call if you have any questions. Thank you.

1291.

ORDINANCE NO. 80 -2019

AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ACCEPT THE PROPOSAL OF ENVIRONMENTAL DESIGN GROUP TO PROVIDE A SYLVANIA DOWNTOWN MASTER PLAN AND MARKET ANALYSIS; APPROPRIATING FUNDS THEREFORE IN AN AMOUNT NOT TO EXCEED \$26,103; AND DECLARING AN EMERGENCY.

WHEREAS, in 2012, Poggemeyer Design Group prepared a downtown plan for the City of Sylvania; and,

WHEREAS, the development of the South of Monroe Street (SOMO) site will have a significant impact on the downtown and, therefore, an updated downtown master plan and market analysis should be performed; and,

WHEREAS, the Economic Development Director has received a proposal from Environmental Design Group dated July 16, 2019 to perform a Sylvania Downtown Master Plan and Market Analysis; and,

WHEREAS, at the August 19, 2019 meeting of Sylvania City Council, the proposal was referred to the Employee and Community Relations Committee for its review and recommendation; and,

WHEREAS, the Employee and Community Relations Committee met on September 10, 2019 to consider the proposal of Environmental Design Group to complete a Sylvania Downtown Master Plan and Market Analysis and thereafter recommended approval of Tasks 1 and 2 of the July 16, 2019 proposal of Environmental Design Group; and,

WHEREAS, Tasks 1 and 2 of the proposal include review of existing conditions, inventory and analysis and completion of an economic market analysis study at a cost not to exceed Twenty-Six Thousand One Hundred Three Dollars (\$26,103.00); and,

WHEREAS, the Economic Development Director has recommended acceptance of Tasks 1 and 2 of the proposal of Environmental Design Group to provide a Sylvania Downtown Master Plan and Market Analysis at a cost not to exceed \$26,103.

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

SECTION 1. That the Mayor and the Director of Finance be, and they hereby are, authorized to sign the proposal of Environmental Design Group on behalf of this City, thereby indicating such approval and acceptance of Tasks 1 and 2 of the proposal for the completion of a Sylvania Downtown Master Plan and Market Analysis.

SECTION 2. That to provide funds for said services hereby authorized, there is hereby allocated from the **GENERAL FUND** from funds therein not heretofore allocated to **Account No. 11-7320-51294, Special Projects**, an amount not to exceed Twenty-Six Thousand One Hundred Three Dollars (\$26,103.00).

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

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

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that proposal for said professional services should be approved immediately so that the updated downtown master plan and market analysis 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 dispensing with the second and third readings: Yeas _____ Nays _____

Passed, _____, 2019, as an emergency measure.

President of Council

ATTEST:

APPROVED AS TO FORM:

Clerk of Council

Assistant Director of Law

APPROVED:

Mayor

Date



City of Sylvania

DIVISION OF TAXATION

CHRISTY M. GOLIS, COMMISSIONER OF TAXATION

September 3, 2019

Mayor Craig A. Stough and Members of Council
City of Sylvania
Sylvania, Ohio

Dear Mayor Stough and Council Members:

The monthly cash report from the Division of Taxation is as follows:

	Deposits	Refunds	Balance
August 31, 2019	706,231.49	21,138.44	685,093.05
August 31, 2018	626,117.36	20,804.54	605,312.82
Monthly Difference	80,114.13	333.90	79,780.23
Year to Date 2019	7,882,893.96	233,361.07	7,649,532.89
Year to Date 2018	7,281,250.73	214,049.75	7,067,200.98
Yearly Difference	601,643.23	19,311.32	582,331.91
			8.24%

Respectfully submitted,

Christy M. Golis
Tax Commissioner

c: Mr. Toby Schroyer, Finance Director

City of Sylvania
Bank Reconciliation
August 2019

B

Ending balance for July 2019	27,779,193.02
Add: Monthly Receipts	<u>3,964,024.88</u>
Subtotal	\$ 31,743,217.90
Less: Monthly Disbursements	<u>2,690,932.64</u>
Ending balance for August 2019	\$ 29,052,285.26

Less:	
CD Metamora Bank	\$ (2,112,763.72)
Star Ohio	(81,168.32)
Petty Cash (1)	(2,050.00)
Cemetery Savings	(1,062.86)
Toledo Community Fund	(31,803.18)
Key Bank Securities	(8,163.68)
5/3rd Securities	(7,886,307.12)
SJS Account	(5,707,493.59)
Morgan Stanley Investment	(200,000.00)
USB Financial	(3,988,821.98)
First Federal Bank (CD)	(2,031,013.65)
Key Bank (CD)	(1,014,895.83)
Sylvania Township Bonds	(305,000.00)
	\$ 5,681,741.33


adj	21.03
adj	4.00

	<u>\$ 5,681,766.36</u>
(1)	
Division of Public Service	\$ 150.00
Department of Finance	100.00
Division of Water	600.00
Division of Police	200.00
Municipal Court	700.00
Division of Taxation	150.00
Division of Forestry	150.00

Petty Cash Balance	\$ 2,050.00
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BANK BALANCE

EOM 5/3rd Bank Balance	\$ 5,816,887.71
Deposit in Transit:	
Income Tax	1,281.35
General Deposit	25,233.29
Subtotal	\$ 5,843,402.35
Less: Outstanding Checks (2)	161,635.99
Adjusted Bank Balance	\$ 5,681,766.36
(2)	
July Outstanding Checks	\$ 169,766.33
Checks written this month	1,147,122.85
Voided Ck#74287, dtd 6/4/19	(1,419.12)
Voided Ck#74384, dtd 6/18/19	(150.00)
Subtotal	<u>\$ 1,315,320.06</u>
Checks Cleared this month	<u>(1,153,684.07)</u>
August Outstanding Checks	\$ 161,635.99


Toby Schroyer
Director of Finance, City of Sylvania

Board of Architectural Review

Minutes of the regular meeting of September 11, 2019. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Daniel Arnold, Brian McCann, and Thomas Lindsley (5) present. Zoning Administrator, Timothy Burns present.

Mr. McCann moved, Mr. Arnold seconded to approve the Minutes of the August 14, 2019, meeting as submitted. Vote being: Stough, Arnold, McCann, Marciniak and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 – Regulated Sign – app. no. 30-2019 requested by Karrie Brock of Fast Signs for St. Joseph Parish, 5411 Main Street, Sylvania, Ohio 43560. Application is for two monument signs. Ms. Brock was present and stated the changes to the signs will include an update of the color on the green portion of the signs, a change in the verbiage from “St.” to “Saint”, and a change of the mass times. Signs are within the limits of the Sylvania Sign Code. Mr. Arnold moved, Mr. McCann seconded, to grant a Certificate of Appropriateness for the signs shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 4 – Building Review – app. no. 31-2019 requested by Jim Grzywinski of Appliance Center, 5660 Sylvania, Ohio 43560. Application is for an exterior façade renovation review. Mr. Grzywinski was present and stated that the update will be similar to the Appliance Center design next door and that although the pictures show red, they may use grey, but they will be using the same color scheme as the Appliance Center. Mr. Burns stated that the signs shown in the drawings submitted with the application are not being reviewed and that only the building renovation is being reviewed. Mr. Burns asked Mr. Grzywinski if they intended to paint the back of the building. Mr. Grzywinski stated that they were not painting the back of the building and that the back of the building would remain grey. Building design is within the limits of the Sylvania Code. Mr. Marciniak moved, Mr. Arnold seconded, to approve the design shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 5 – Building Review – app. no. 32-2019 requested by Kent Buehrer of Buehrer Group Architecture & Engineering, Inc. for Sylvania Southview High School, 7225 Sylvania Avenue, Sylvania, Ohio 43560. Application is for an exterior façade renovation review. Mr. Bueher was present and said that the building addition will be about 4,100 sq. ft. He added that an alternate addition of 200+ sq. ft. may also be built, but that the alternate building would be dependent upon the budget. He said that utility brick used on the other buildings is no longer available but that the exterior of new building will be closely matched to the other buildings. Mr. Lindsley asked if new landscaping will be added. Mr. Buehrer said that they did not intend to add landscaping due to budget constraints. Building is within the limits of the Sylvania Code. Mr. Arnold moved, Mr. Marciniak seconded, to approve the design shown in the drawing submitted with the application. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Board of Architectural Review
Minutes of September 11, 2019
Page 2

Item 6 – Regulated Sign – app. no. 33-2019 requested by Myra Gueli of Toledo Sign for First Federal & Venture, 5520 Monroe Street, Sylvania, Ohio 43560. Application is for a replacement monument sign and a new wall sign. Ms. Gueli was present and said that the existing base of the monument sign will be updated to a brick design, new face panels would be installed, and that the sign will be lit with spotlights. Ms. Gueli added that they no longer intend to install the wall sign shown in the drawings that were submitted with the application; and that the new sign will be a double plated steel sign and she presented a picture of the new design. She added that she will not be doing the sign so she did not have the dimensions of the new sign. Mr. Burns said that he was fine with the design of the wall sign being approved tonight but that he would need to be given the dimensions before issuing a sign permit. Signs are within the limits of the Sylvania Sign Code. Mr. Marciniak moved, Mr. Arnold seconded, to grant a Certificate of Appropriateness for the monument sign shown in the drawing submitted with the application and the wall sign drawing presented by Ms. Gueli at the meeting. Vote being: McCann, Marciniak, Arnold, Stough and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Mr. McCann moved, Mr. Arnold seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,

A handwritten signature in black ink that reads "Debra Webb". The signature is written in a cursive, flowing style.

Debra Webb, Secretary
Municipal Planning Commission

D

Sylvania Municipal Planning Commission

Minutes of the regular meeting of September 11, 2019. Mr. Lindsley called the meeting to order.

Members present: Mayor Craig Stough, Ken Marciniak, Daniel Arnold, Brian McCann, and Thomas Lindsley (5) present. Zoning Administrator, Timothy Burns present.

Mr. Arnold moved, Mr. McCann seconded to approve the Minutes of the August 14, 2019, meeting as submitted. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Item 3 - Council Referral – for Review and Recommendation, SUP No. 1-2019, a request from Shalom of the Pie, LLC, 8216 Erie Street, Sylvania, Ohio 43560, to amend the Special Use to change hours, and use of the kitchen for catering. Mayor Stough stated that the house was moved onto the sight over 10 years ago, has been respectfully used, and that it has been an asset to the community. He added that he did not believe that there have been any complaints from the area residents. Mr. Burns said he did receive a complaint when the barn was being used for “garage sales”, however the matter was quickly resolved when he made contact with one of the owners. Mr. Burns stated that the petition did not specify exactly what hours were being requested but that he had email correspondence between Bill Wersell, Leslie Brinning, and himself which clarified that they would like to ask for the times of operations to be extended to 11am to 8pm Monday through Saturday and 11am to 5pm on Sundays; and that they are not planning on being open during all those times but that they just want to offer more opportunities to book small events. Mr. McCann moved, Mr. Arnold seconded to recommend to Council to approve the application to amend the Special Use to extend the hours to 11am – 8pm Monday through Saturday and 11am – 5pm on Sunday and also to allow use of the kitchen for catering. Vote being: Stough, McCann, Marciniak, Arnold and Lindsley (5) aye; (0) nay. Motion passed by a 5 to 0 vote.

Mr. McCann moved, Mr. Arnold seconded to adjourn the meeting. All present voted aye. Meeting adjourned.

Submitted by,



Debra Webb, Secretary
Municipal Planning Commission