

Minutes of the Meeting of Council  
April 5, 2010

The Council of the City of Sylvania, Ohio met in regular session on Monday, April 5, 2010 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: V. Michael Brown, Keith Haddad, Doug Haynam, Mark Luetke, Todd Milner, Mary J. Westphal (6); absent: Katie Cappellini (1), excused by Mayor Stough.

Roll call:  
Cappellini absent,  
excused.

A visiting Boy Scout, Ben, led the Pledge of Allegiance to the United States of America.

Pledge of  
Allegiance.

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

Requests were made for the following amendments to the agenda:

Amendments to  
the agenda.

- 8. Revised Ordinance 19-2010 was distributed.
- 18a. Schedule a Utilities & Environment Committee meeting.
- 18b. Schedule a Streets Committee meeting.
- 18c. Plummer Pool repairs update.
- 18d. Report from the Zoning & Annexation Committee meeting.
- 19. Report on the demolition of the Sylvania Professional Building.

Mr. Haddad moved, Mr. Milner seconded, to approve the agenda as amended; roll call vote being: Brown, Haddad, Haynam, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

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

Mr. Haddad presented the March 15 meeting minutes. Mr. Haddad moved, Mr. Luetke 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 March 15, 2010 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Approval of the  
March 15  
meeting minutes.

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

Kate Conway, Downtown Decorations Committee, presented the designs for the spring/summer banners. She said Allied Waste has committed to \$5,000 to sponsor them, and requested \$3,100 from the City to pay the balance. Mr. Milner moved, Mr. Haddad seconded, to approve the banners as presented, and to approve the additional \$3,100 necessary for the project; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Haddad (6) yeas; (0) nays. The motion carried.

Spring/summer  
downtown  
banners  
approved.

Minutes of the Meeting of Council  
April 5, 2010

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

Mr. Haddad presented and read aloud by title only, proposed Resolution No. 12-2010, a written copy of same having been previously furnished to each member of Council, “Appointing Norman R. Ladd to the Zoning Board of Appeals to fill the unexpired term of Karen Smith; and declaring an emergency.” Mr. Haddad moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Milner, Westphal, Brown, Haddad, Haynam (6) yeas; (0) nays. The motion carried.

Resolution 12-2010, “Appointing Norman Ladd to the Zoning Board of Appeals ...”

Mr. Haddad moved, Mr. Haynam seconded, that Resolution No. 12-2010 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Haddad, Haynam, Luetke (6) yeas; (0) nays. The motion carried.

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

Mr. Haddad presented and read aloud by title only, proposed Resolution No. 13-2010, a written copy of same having been previously furnished to each member of Council, “A Resolution supporting the governmental efforts to protect the Great Lakes Region from invasive species; and declaring an emergency.” Mr. Haddad moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Westphal, Brown, Haddad, Haynam, Luetke, Milner (6) yeas; (0) nays. The motion carried.

Resolution 13-2010, ...supporting the governmental efforts to protect the Great Lakes Region...

Mr. Haddad moved, Mr. Luetke seconded, that Resolution No. 13-2010 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Haddad, Haynam, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

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

Assistant Law Director Leslie Brinning explained the changes to the traffic code suggested by Judge Ramey. Mr. Haynam requested an explanation of why the legislature made the changes in the first place. Mr. Haynam moved, Mr. Milner seconded, to refer proposed Ordinance No. 19-2010 to a meeting of the Committee-of-the-Whole at 7:15 p.m. on April 19; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Ordinance 19-2010 referred to C-O-W, April 19, 7:15 p.m.

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

Service Director Jeffrey Ballmer’s report on the refuse and recycling contracts, and his recommendation to extend the contracts with Allied Waste for a two year period was

Extension of refuse and

Minutes of the Meeting of Council  
April 5, 2010

placed on file. Mr. Haddad said that Sylvania Township is considering providing the services, and if the City bids jointly with them, there is a possibility that the cost will be lower. Township Trustee Kevin Haddad was present and said that the issue will be on the November ballot. Mr. Brown moved, Mr. Haddad seconded, to refer the matter to the Utilities & Environment Committee for consideration; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Haddad (6) yeas; (0) nays. The motion carried.

recycling  
contracts to  
Utilities &  
Environment  
Comm.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 24-2010, a written copy of same having been previously furnished to each member of Council, "Approving the banner application of St. Joseph Church; authorizing the Deputy Director of Public Service to indicate such approval on behalf of the City of Sylvania; and declaring an emergency." Mr. Haynam moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Haddad, Haynam (6) yeas; (0) nays. The motion carried.

Ordinance 24-  
2010, "Approving  
the banner  
application of St.  
Joseph Church..."

Mr. Haynam moved, Mr. Milner seconded, that Ordinance No. 24-2010 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Haddad, Haynam, Luetke (6) yeas; (0) nays. The motion carried.

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

Mr. Haddad presented proposed Ordinance No. 25-2010 and mentioned that Sylvania Area Joint Recreation District has requested to be involved in next year's decision for the fireworks show since it is making a monetary contribution. Mr. Haddad read the Ordinance aloud by title only, a written copy of same having been previously furnished to each member of Council, "Authorizing an agreement with S. Vitale Pyrotechnic Industries, Inc. d/b/a Pyrotecnico for the Independence Day Celebration on July 3, 2010 at Centennial Terrace and Quarry; authorizing the Mayor and Director of Finance to sign an agreement for the fireworks display which will cost twenty-seven thousand five hundred dollars (\$27,500); authorizing a 50% deposit payment upon the signing of the agreement which will be shared by the City, Sylvania Township, Coca-Cola Corporation and the Sylvania Area Joint Recreation District; and declaring an emergency." Mr. Haddad moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Haddad, Haynam, Luetke, Milner (6) yeas; (0) nays. The motion carried.

Ordinance 25-  
2010,  
...Pyrotecnico..  
Independence  
Day celebration  
on July 3, 2010  
..."

Minutes of the Meeting of Council  
April 5, 2010

Mr. Haddad moved, Mr. Brown seconded, that Ordinance No. 25-2010 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Haddad, Haynam, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 26-2010, 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 Cooperation Agreement on behalf of this City of Sylvania with Sylvania Township, relative to the Silica Drive Improvement project; appropriating \$58,640 for said project; and declaring an emergency.” Mr. Milner moved, Mr. Haddad seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Ordinance 26-2-2010, “...agreement...Sylvania Township...Silica Drive Improvement...”

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 26-2010 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Haddad (6) yeas; (0) nays. The motion carried.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 27-2010, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to enter into an agreement on behalf of the City of Sylvania between the City of Sylvania and the Board of Lucas County Commissioners for the Suburban Court Services program; agreeing to participate in funding a portion of the local share for Suburban Courts’ Services; appropriating \$25,000 therefore; and declaring an emergency.” Mr. Milner moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Haddad, Haynam (6) yeas; (0) nays. The motion carried.

Ordinance 27-2010, “...agreement...Suburban Court Services...”

Mr. Milner moved, Mr. Haddad seconded, that Ordinance No. 27-2010 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Haddad, Haynam, Luetke, Milner (6) yeas; (0) nays. The motion carried.

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

Mayor Stough presented the Service Director’s report on the improvements for Angleview Dr. and Angleview Ct. Mr. Milner moved, Mr. Haddad seconded, to

Clerk to advertise for Angleview

Minutes of the Meeting of Council  
April 5, 2010

authorize the clerk to advertise for bids for the project; roll call vote being: Brown, Haddad, Haynam, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried. improvements bids.

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

Mr. Haynam presented zoning ordinance amendment petition no. SUP-1-2010, a request from Tiffany DuMond and Heather Woronec to operate a day care center at 5143 Allen St. Mr. Haynam moved, Mr. Haddad seconded, to refer application no. SUP-1-2010 to the Municipal Planning Commission for review and recommendation; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried. SUP-1-2010 to Planning Comm.

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

Mayor Stough presented the request from TARTA for approval of reorganizing. The issue will be on the November ballot. There was discussion on the impact of the change to the citizens of Sylvania. John Plenzler, 5902 Apple Meadow, cited 2008 figures he obtained of ridership in the City and Township versus the cost to the taxpayers. Mr. Haddad moved, Mr. Milner seconded, to refer the request to the Committee-of-the-Whole on April 19 at 6:15 p.m. provided James Gee, TARTA General Manager, can be present to answer Council's questions; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Haddad (6) yeas; (0) nays. The motion carried. TARTA request referred to C-O-W, April 19, 6:15 p.m.

Mayor Stough stated that Council will now consider agenda item 17.

Mayor Stough presented the Special Response Teams of Lucas County Memorandum of Understanding. Police Chief Gerald Sobb said this agreement is a result of the Columbine tragedy when it became apparent that SWAT teams from surrounding communities who responded were not trained to interact cohesively with each other. The Memorandum of Understanding is a commitment for area agencies to train together. He said there is no funding needed, it is the area law enforcement chiefs agreeing to cooperate. After discussion, Mr. Luetke moved, Mr. Milner seconded to endorse the SWAT teams of Lucas County Memorandum of Understanding; roll call vote being: Luetke, Milner, Westphal, Brown, Haddad, Haynam (6) yeas; (0) nays. The motion carried. Endorsement of SWAT Memorandum of Understanding.

Mayor Stough stated that Council will now consider agenda item 18.

Minutes of the Meeting of Council  
April 5, 2010

The Utilities & Environment Committee will meet on April 16 at 4:00 p.m. to consider a recommendation for the refuse and recycling contracts, and the banning of mosquito spraying in the City limits. Utilities Comm., April 16, 4:00.

The Streets Committee will meet on April 16 at 4:45 p.m. to review the final proposals for the placement of the wayfinding signs, and to consider the policy for content on the electric sign at the northwest corner of Main and Monroe. Streets Comm., April 16, 4:45.

Mrs. Westphal reported that the Building & Grounds Committee went on site to Plummer Pool and identified the immediate need for repairs to the roof, filtering system, hot water tank, electrical work, and other minor repairs for a total cost of \$32,500. Mrs. Westphal moved, Mr. Haddad seconded to authorize legislation approving the expenditure; roll call vote being: Milner, Westphal, Brown, Haddad, Haynam, Luetke (6) yeas; (0) nays. The motion carried. Legislation authorized, Plummer Pool repairs.

Mr. Haynam reported that the Zoning & Annexation Committee met on March 25 for an initial review of Poggemeyer's report outlining some zoning change recommendations that came out of the Land Use Plan document. The plan will be reviewed in its entirety at a meeting scheduled for 3:30 p.m. on April 15. The committee will also consider street banner use and criteria. Zoning Comm. report and meeting set for April 15, 3:30.

Mayor Stough stated that Council will now consider agenda item 19.

Service Director Jeffrey Ballmer reported that Habitat for Humanity is salvaging materials from the Sylvania Professional Building before it is demolished. The 30 day notice will be posted. Mr. Haddad moved, Mrs. Westphal seconded, to authorize notification of the demolition, and authorize the clerk to advertise for demolition bids; roll call vote being: Westphal, Brown, Haddad, Haynam, Luetke, Milner (6) yeas; (0) nays. The motion carried. Demolition bids authorized.

Two audience members invited the Mayor and Council to attend the May 14 performance of Shen Yun at the Stranahan Theater. They requested an official letter of welcome from the City. The Mayor will prepare a letter for them. Request for letter of welcome.

Mr. Brown thanked Sylvania Township Fire Chief Fred Welsh for attending the Mayor's staff meeting.

There was a brief discussion about the southbound U.S. 23 ramp being closed for 75 days beginning April 12. The bridges over Ten Mile Creek will be resurfaced.

Minutes of the Meeting of Council  
April 5, 2010

Mayor Stough stated that all items on the agenda had been considered. Mrs. Westphal moved, Mr. Milner seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 9:15 p.m. Adjournment.

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Clerk of Council

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Mayor