

Minutes of the Meeting of City Council
April 19, 2010

The Council of the City of Sylvania, Ohio met in regular session on Monday, April 19, 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, Katie Cappellini, Keith Haddad, Doug Haynam, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0). Roll call: all present.

Boy Scout Bob Zirker led the Pledge of Allegiance to the United States of America. Pledge of Alleg.

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

Requests were made for the following additions to the agenda: Additions to the agenda.

- 5a. Proposed Eagle Scout project at Olander Park.
- 6a. Proposed Ordinance 36-2010.
- 6b. Proposed Ordinance 37-2010.
- 17a. Streets Committee report.
- 17b. Utilities & Environment Committee report.
- 17c. Zoning & Annexation Committee report.
- 17d. Schedule a Parks & Forestry Committee meeting.
- 19. Proposed Ordinance 38-2010.
- 20. Report on meeting regarding the Jamie Farr tournament.
- 21. Erie Street construction.
- 22. Retiring Police Chief's comments.

Mr. Milner moved, Mr. Haynam seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Haddad, Haynam, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

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

Mr. Haddad presented the April 5 meeting minutes. Mr. Haddad 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 April 5, 2010 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haddad, Haynam, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Approval of the April 5 meeting minutes.

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

Mr. Haddad reported on the 6:15 Committee-of-the-Whole meeting with TARTA General Manager James Gee. Sylvania representative to the TARTA Board, Tom Ramsdell, was present. He said a lengthy discussion ensued. Council had previously Legislation authorized, TARTA reorganization.

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sent Mr. Gee 16 questions for his response. Mr. Haddad moved, Mrs. Westphal seconded, to authorize legislation supporting the request to approve an agreement to form a reorganized TARTA which, if passed by all member communities, will allow TARTA to seek funding from an income tax levy versus the current property tax millage. Mr. Haynam noted that TARTA was asked to consider rolling back the real estate taxes in 2011 if the levy passes, to help even out the tax burden. Vote on the motion being: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Mr. Haddad reported that the Committee-of-the-Whole met at 7:15 to consider proposed Ordinance 19-2010, keeping the jail time as a possible sentence in one area of the Traffic Code per Judge Ramey's request. Law Director James Moan stated that he is waiting response from our State Representative on the reason for the change by the State legislature. The Ordinance is referred to the May 3 Council agenda.

Ordinance 19-2010, referred to May 3 agenda.

Boy Scout Bob Zirker explained his Eagle project of building an extension to the deck at Olander Park near the Fish and Bait shop. He is approaching community leaders for help in funding the materials. Mr. Haynam asked if he is getting money from the Olander Park Board since the park is benefitting from the project. Mr. Zirker does not know what amount they are giving at this time.

Eagle Scout project.

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

Mayor Stough presented the placement of the banners Flower Hospital is hanging for their 100th year celebration. Mr. Haynam noted that the next agenda item, proposed Ordinance No. 36-2010, deals with a different type of banner, the ones allowed across the 5800 block of Monroe Street. Section (2)A.1.(viii) of Chapter 1166.07 of the Codified Ordinances has been modified to clearly state the purpose of allowing the banner. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 36-2010, a written copy of same having been previously furnished to each member of Council, "Amending Chapter 1166 of the Sylvania Codified Ordinances by amending Section 1166.07 - Standards for Permitted Signs; and declaring an emergency." Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; Haddad (1) nay. The motion carried.

Ordinance 36-2010, "Amending Chapter 1166..."

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 36-2010 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam (6) yeas; Haddad (1) nay. The motion carried.

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Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 37-2010, a written copy of same having been previously furnished to each member of Council, “Authorizing Flower Hospital to affix banners to utility poles along Monroe Street and Harroun Road; 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. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Haddad, Haynam, Luetke (7) yeas; (0) nays. The motion carried. Ordinance 37-2010, “Authorizing Flower Hospital to affix banners...”

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 37-2010 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haddad, Haynam, Luetke, Milner (7) yeas; (0) nays. The motion carried.

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

Service Director Jeffrey Ballmer’s report on the change order for the train car barn at the Historical Village was placed on file. Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 28-2010, 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 Willson Builders, Inc. for the Historical Village Train Barn Project which reflects the additions to this project; increasing the contract amount by \$8,380; appropriating funds therefore; and declaring an emergency.” Mrs. Westphal moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Haddad, Haynam, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. Ordinance 28-2010, “...approve change order... train barn...”

Mrs. Westphal moved, Mr. Haddad seconded, that Ordinance No. 28-2010 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haddad, Haynam, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

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

Mayor Stough presented the Service Director’s report on the proposed traffic roundabout to replace the four-way stop at Brint and King Roads. There was accompanying Ordinance No. 29-2010, entering into a Joint Cooperation Agreement with Lucas County and Sylvania Township for the project. After considerable discussion, the proposed Ordinance was tabled until Council meets in Committee-of-the-Whole to hear public input on the project. The meeting is set for Monday, May 17 at 5:30 p.m. Brint/King roundabout to C-O-W, May 17, 5:30 p.m.

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

The Service Director's report on the 2010 Pavement Planing bids was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 30-2010, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of Gerken Paving, Inc. and awarding the contract for the Pavement Planing - 2010 Project to same; authorizing the expenditure for the improvements in the amount of \$22,989; appropriating funds therefore; 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, Cappellini (7) yeas; (0) nays. The motion carried.

Ordinance 30-2010, "Accepting the bid of Gerken Paving... Pavement Planing..."

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 30-2010 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Cappellini, Haddad (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 31-2010, a written copy of same having been previously furnished to each member of Council, "Authorizing a lease between the City of Sylvania, as Lessor, and William C. Eicholt, as Lessee, of 5703 N. Main Street, Suite B, Sylvania, Ohio for the purpose of operating a law firm; determining said City owned property not to be needed for municipal purposes during the time of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania, Ohio; and declaring an emergency." Mrs. Westphal moved, Mr. Haddad seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haddad, Haynam (7) yeas; (0) nays. The motion carried.

Ordinance 31-2010, "Authorizing a lease...5703 N. Main, Suite B ..."

Mrs. Westphal moved, Mr. Milner seconded, that Ordinance No. 31-2010 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haddad, Haynam, Luetke (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 32-2010, a written copy of same having been previously furnished to each member of Council, "Authorizing a lease between the City of Sylvania, as Lessor, and Jennifer Blakeman, Janna Buck and Deb Trzcinski, d/b/a Artisan Tea Cottage, as Lessees, of 5723 N. Main Street, Sylvania, Ohio, for the purpose of operating a retail store selling

Ordinance 32-2010, "Authorizing a lease...5723 N. Main..."

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local items with an artisan theme; determining said City owned property not to be needed for municipal purposes during the time of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania, Ohio; and declaring an emergency.” Mrs. Westphal moved, Mr. Haddad seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haddad, Haynam, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 32-2010 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Haddad, Haynam, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 33-2010, a written copy of same having been previously furnished to each member of Council, “Authorizing a lease between the City of Sylvania, as Lessor, and Amy Longsdorf-Gueli, d/b/a The Limelite Boutique, as Lessee, of 5725 N. Main Street, Sylvania, Ohio, for the purpose of retail sales of boutique type items and services; determining said City owned property not to be needed for municipal purposes during the time of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania, Ohio; and declaring an emergency.” Mrs. Westphal moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haddad, Haynam, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Ordinance 33-2010, “Authorizing a lease...5725 N. Main...”

Mrs. Westphal moved, Mr. Haddad seconded, that Ordinance No. 33-2010 be enacted as an emergency measure as declared therein; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

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

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 34-2010, a written copy of same having been previously furnished to each member of Council, “Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2010; establishing one district for said purpose in accordance with the provisions of Section 727.012 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency.” Mr. Brown moved, Mr. Haddad seconded, that Council

Ordinance 34-2010, “Providing ...cleaning...open drainage ditches...”

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dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Cappellini, Haddad (7) yeas; (0) nays. The motion carried.

Mr. Brown moved, Mr. Haynam seconded, that Ordinance No. 34-2010 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haddad, Haynam (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 35-2010, a written copy of same having been previously furnished to each member of Council, "Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2010; establishing one district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency." Mrs. Cappellini moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Haddad, Haynam, Luetke (7) yeas; (0) nays. The motion carried.

Ordinance 35-2010, "Providing for the controlling blight and disease of shade trees..."

Mrs. Cappellini moved, Mr. Haddad seconded, that Ordinance No. 35-2010 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haddad, Haynam, Luetke, Milner (7) 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 proposed improvements to Harroun Road. Mr. Milner moved, Mrs. Westphal seconded, to authorize the clerk to advertise for bids for the Harroun Road project; roll call vote being: Brown, Cappellini, Haddad, Haynam, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Clerk authorized to advertise for Harroun Road improvements.

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

Mayor Stough presented the Planning Commission's recommendation on application no. 1-2010, Honorary Designation of a Public Facility or Right-of-Way. Mr. Luetke moved, Mr. Haddad seconded, to authorize legislation naming the train car barn for Dr. Read Backus; roll call vote being: Cappellini, Haddad, Haynam, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Legislation authorized, name train car barn.

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

Mayor Stough presented the Planning Commission's recommendation for zoning ordinance amendment petition no. SUP-1-2010, a request for a special use of 5143 Allen St. for the purpose of operating a day care. Mr. Haynam moved, Mr. Haddad seconded, to schedule the public hearing for June 7 at 7:00 p.m., and to authorize the clerk to advertise for same; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Public hearing for
SUP-1-2010,
June 7, 7:00 p.m.

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

Mr. Milner reported that the Streets Committee met on April 16 to review the sites for the wayfinding signs. It also considered policies of two communities for their electronic signs. Mayor's Administrative Assistant Laura Bigelow was given the information and asked to prepare a proposed City policy for the electronic sign at Main and Monroe since she will administer it. Bill Sanford was asked to contact the downtown businesses for their input on the downtown informational map.

Streets Comm.
report.

Mr. Brown said the Utilities & Environment Committee met on April 16 and considered the extension to the refuse and recycling contracts. They recommend bidding it out, with an alternate bid for 65 gallon recycling containers. Mr. Brown moved, Mr. Haddad seconded, to direct the Administration to bid the refuse and the recycling contracts, and to authorize the clerk to advertise for same; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Cappellini, Haddad (7) yeas; (0) nays. The motion carried.

Clerk authorized
to advertise for
refuse and
recycling bids.

Mr. Brown reported that the committee also considered Audithead's proposal to be part of the refuse contract negotiations, and concluded that the Administration is capable of doing it.

Susan Searles, Toledo, Ohio, gave a presentation to the committee on the hazards of mosquito spraying. There has been no communication from Sylvania residents on the issue, and the City will continue to keep the spraying by the Toledo Area Sanitary District. Mr. Milner suggested that a representative from T.A.S.D. give a presentation on the chemicals used.

Mosquito
spraying.

Mr. Haynam said the Zoning & Annexation Committee met on April 15 and briefly considered the banner issue which has been addressed tonight with the passing of Ordinance No. 36-2010. They also had a working session with Poggemeyer on the zoning code changes. The committee will meet again on April 22 at 4:30 p.m. to continue with that.

Zoning Comm.,
April 22, 4:30
p.m.

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Mrs. Cappellini set a Parks & Forestry Committee meeting for April 28 at 7:30 a.m. to discuss grant money to help with taking care of the ash tree problem in Harroun Park. Parks & Forestry, April 28, 7:30 am

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

Mr. Milner set a Safety Committee meeting for May 5 at 8:00 a.m. to review the lighting system for the Sylvania River Trail crossing at Harroun Road. Safety Comm., May 5, 8:00 a.m.

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

Personnel Director/Treasurer George Eichenauer reported on the walk through at Plummer Pool and the pool house to identify necessary repairs prior to the pool's Memorial weekend opening. Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 38-2010, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to expend an amount not to exceed \$39,800 for the purpose of improving the Plummer Pool facility; appropriating funds therefore in an amount not to exceed \$39,800; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haddad, Haynam (7) yeas; (0) nays. The motion carried. Ordinance 38-2010, "...improving Plummer Pool facility..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 38-2010 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haddad, Haynam, Luetke (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 20.

Bill Sanford reported that he met with Judd Silverman to discuss in-kind exchange for Safety services for the July Jamie Farr golf tournament. The Employee & Community Relations Committee will review the items. Jamie Farr golf tournament safety services.

Mayor Stough stated that Council will now consider agenda item 21.

There was a brief discussion about the Erie Street closing and any efforts to notify citizens. Erie St. closing.

Police Chief Gerald Sobb's last day on the job is April 23. Mayor Stough praised the Chief's handling of his department, and thanked him for his many years with the City as first, a Patrolman, and then the Chief. Chief Sobb, who has been with the City for Police Chief Sobb.

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38 years, and Police Chief for 26 years, said it has been his pleasure to serve the Administration and the citizens.

Mayor Stough stated that all items on the agenda had been considered. Mr. Haynam moved, Mrs. Cappellini seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:15 p.m. Adjournment.

Clerk of Council

Mayor