

Minutes of the Meeting of Council
August 16, 2010

The Council of the City of Sylvania, Ohio met in regular session on Monday, August 16, 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.

Mr. Haddad led the Pledge of Allegiance to the United States of America.

Pledge of Alleg.

Requests were made for the following additions to the agenda:

Additions to the agenda.

4a. Introduction of new employees.

10c. Proposed Ordinance 83-2010.

14a. Parks & Forestry Committee report.

14b. Economic Development sub-Committee report.

14c. Zoning & Annexation Committee report.

16. Letter from the Council President.

17. Council to adjourn to Executive Session to discuss property acquisition.

Mrs. Westphal moved, Mr. Luetke 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 July 19 meeting minutes. Mr. Haddad moved, Mr. Brown 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 July 16, 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 July 19 meeting minutes.

Police Chief William Rhodus introduced Amanda Hubaker and Brian Sobb, two new dispatchers in the Police Division. He noted that both of them have experience working for the City of Toledo in dispatch.

New employees.

Mayor Stough presented the lithograph that Representative Marcy Kaptur gave to the City at the Burnham Memorial Wall dedication in City Hall.

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

Sylvania Community Services Executive Director Claire Proctor explained the activities and usage of the Sylvania Senior Center, and asked for Council's support of

Resolution 20-2010, "...supporting the..."

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the five year .32 mill renewal levy. She introduced Joanne Stack, a City resident and volunteer participant at the center who briefly reported on the activities and services available. Mr. Haddad presented and read aloud by title only, proposed Resolution No. 20-2010, a written copy of same having been previously furnished to each member of Council, "A Resolution of the Council of the City of Sylvania supporting the five-year, 0.32 mill renewal operating levy for the Sylvania Senior Center; and declaring an emergency." Mr. Haddad moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

operating levy...
Senior Center..."

Mr. Haddad moved, Mr. Milner seconded, that Resolution No. 20-2010 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 6.

Gerald Nielson, a resident on Cushman Road said that traffic noise from U.S. 23 is increasing, especially from trucks. He asked for a sound barrier wall to be erected to help ease the situation in the neighborhood. Mayor Stough said the City will investigate obtaining funding for the project.

Request for traffic
sound barriers on
Cushman Rd.

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

Service Director Jeffrey Ballmer's report on the construction costs, and proposed assessments for the replacement of the timber structure cover on the Olde Post Road bridge over Ten Mile Creek was placed on file. Mr. Milner presented and read aloud by title only, proposed Resolution No. 19-2010, a written copy of same having been previously furnished to each member of Council, "Declaring it necessary to improve the City of Sylvania, Lucas County, Ohio Olde Post Bridge over Ten Mile Creek within Sleepy Hollow Plats 1, 2 and 3 in the City of Sylvania, Lucas County, Ohio by providing a timber structure cover; and declaring an emergency." Mr. Milner moved, Mr. Haddad seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haddad, Haynam (7) yeas; (0) nays. The motion carried.

Resolution 19-
2010, "Declaring
it necessary...
Olde Post Road
bridge...Sleepy
Hollow..."

Mr. Milner moved, Mr. Haddad seconded, that Resolution No. 19-2010 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 8.

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Mr. Haddad presented and read aloud by title only, proposed Ordinance No. 71-2010, 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 Economic Development Grant Agreement with Athena Education Group, Ltd.; and declaring an emergency.” Mr. Haddad moved, Mr. Luetke 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. Ordinance 71-2010, “... economic development grant... Athena Education Group...”

Mr. Haddad moved, Mr. Luetke seconded, that Ordinance No. 71-2010 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 9.

The Service Director’s report on the repairs to the Police/Council building was placed on file. Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 72-2010, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to approve a change order to this City’s agreement with Harp Contractors, Inc. for the Police and Council Building improvements which reflects the actual work performed; increasing the contract amount by \$1,813.55; 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: Cappellini, Haddad, Haynam, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Ordinance 72-2010, “...approve change order... Police and Council building improvements...”

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 72-2010 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 10.

The Service Director’s report on the proposals received for the demolition of a house was placed on file. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 73-2010, a written copy of same having been previously furnished to each member of Council, “Accepting the proposal of Recycle Waste Services, Inc. to demolish the existing house at 5111 Main St., Sylvania, Ohio; appropriating funds therefore in the amount of \$5,500; 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, Haddad (7) yeas; (0) nays. The motion carried. Ordinance 73-2010, “Accepting the proposal of Recycle Waste Services... demolish 5111 Main...”

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Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 73-2010 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.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 83-2010, a written copy of same having been previously furnished to each member of Council, "Providing for the assessment of the cost and expense of demolition of 5111 Main St., Sylvania, Ohio upon the property as a lien; and declaring an emergency." Mr. Luetke moved, Mr. Haynam 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 83-2010, "Providing for the assessment ...demolition of 5111 Main..."

Mr. Luetke moved, Mr. Haynam seconded, that Ordinance No. 83-2010 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 11.

The Service Director's report on the bids received for the demolition of the Sylvania Professional Building, 6465 Monroe Street, was placed of file. Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 74-2010, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of Baumann Enterprises, Inc., and awarding the contract for the Sylvania Professional Building demolition to same authorizing the expenditure in the amount of \$118,300.00; 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 74-2010, "Accepting the bid of Baumann Enterprises... Sylvania Professional Building demolition..."

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 74-2010 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 12.

The following eight ordinances accept easements for drainage and storm sewer purposes from property owners in the Highland Meadows/Griffith Park Subdivisions.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 75-2010, a written copy of same having been previously furnished to each member of Council, "Accepting an easement from the United Church of Christ for drainage and storm

Ordinance 75-2010, "Accepting an easement from

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sewer purposes; and declaring an emergency.” Mr. Brown moved, Mr. Haynam 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. the United Church of Christ ...”

Mr. Brown moved, Mr. Luetke seconded, that Ordinance No. 75-2010 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.

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 76-2010, a written copy of same having been previously furnished to each member of Council, “Accepting a temporary easement from Sylvania United Church of Christ for drainage and storm sewer purposes; and declaring an emergency.” Mr. Haynam moved, Mrs. Westphal 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 76-2010, “Accepting a temporary easement from Sylvania United Ch of Christ...”

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 76-2010 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.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 77-2010, a written copy of same having been previously furnished to each member of Council, “Accepting an easement from Edward W. and Cynthia Church for drainage and storm sewer purposes; and declaring an emergency.” Mr. Luetke moved, Mr. Milner 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. Ordinance 77-2010, “Accepting an easement from ...Church...”

Mr. Luetke moved, Mrs. Westphal seconded, that Ordinance No. 77-2010 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.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 78-2010, a written copy of same having been previously furnished to each member of Council, “Accepting an easement from Kenneth B. and Bridget J. Gummow, Jr., for drainage and storm sewer purposes; and declaring an emergency.” Mr. Milner moved, Mrs. Westphal 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 78-2010, “Accepting an easement... Gummow...”

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Mr. Milner moved, Mr. Haddad seconded, that Ordinance No. 78-2010 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.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 79-2010, a written copy of same having been previously furnished to each member of Council, "Accepting an easement from Robert D. and Ruth M. Heetfield, for drainage and storm sewer purposes; 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: Haynam, Luetke, Milner, Westphal, Brown, Cappellini, Haddad (7) yeas; (0) nays. The motion carried.

Ordinance 79-2010, "Accepting an easement... Heetfield..."

Mrs. Westphal moved, Mr. Milner seconded, that Ordinance No. 79-2010 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.

Mr. Haddad presented and read aloud by title only, proposed Ordinance No. 80-2010, a written copy of same having been previously furnished to each member of Council, "Accepting an easement from Vincent P. and Martha Horosewski for drainage and storm sewer purposes; 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: Milner, Westphal, Brown, Cappellini, Haddad, Haynam, Luetke (7) yeas; (0) nays. The motion carried.

Ordinance 80-2010, "Accepting an easement... Horosewski..."

Mr. Haddad moved, Mr. Haynam seconded, that Ordinance No. 80-2010 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.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 81-2010, a written copy of same having been previously furnished to each member of Council, "Accepting an easement from Gerald F. and Ramona Ritz, for drainage and storm sewer purposes; and declaring an emergency." Mr. Brown moved, Mr. Haddad 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 81-2010, "Accepting an easement... Ritz..."

Mr. Brown moved, Mr. Luetke seconded, that Ordinance No. 81-2010 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.

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Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 82-2010, a written copy of same having been previously furnished to each member of Council, "Accepting an easement from the Sisters of St. Francis of Sylvania for drainage and storm sewer purposes; and declaring an emergency." Mrs. Cappellini moved, Mr. Brown 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 82-2010, "Accepting an easement... Sisters of St. Francis..."

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 82-2010 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 13.

Mr. Haddad moved, Mr. Milner seconded, to set "Trick or Treat" in the City of Sylvania for Sunday, October 31, 2010 from 6:00 - 7:30 p.m.; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haddad, Haynam (7) yeas; (0) nays. The motion carried. Trick or Treat to be Oct. 31, 6:00-7:30.

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

Mrs. Cappellini reported that the Parks & Forestry Committee met at 6:00 to discuss the removal of ash trees at Harroun Park, and tree replacement. Parks & Forestry Dept. Superintendent Patrick O'Brien presented a budget and plan that the committee supports. Mrs. Cappellini said the members also considered repairs and improvements to Burnham Park. She will report to the SAJRD Board on the available City owned site for a skate park. The committee will meet on October 4 at 6:30 p.m. to consider the General Management Plan. Mr. Haddad moved, Mrs. Cappellini seconded, to offer the land at the corner of Monroe and Parkwood at no cost to SAJRD for the life of the improvement; roll call vote being: Milner, Westphal, Brown, Cappellini, Haddad, Haynam, Luetke (7) yeas; (0) nays. The motion carried. Parks & Forestry report.

Mr. Luetke said the Economic Development sub-Committee met on August 11 for continuing consideration of the Gateway project, and wants to move forward. The Administration is requested to present a plan to Council within 30 days to declutter the Gateway area of utility lines, landscaping, etc., and also to revisit the idea of an island or boulevard. The committee will meet again on September 14 at 8:00 a.m. Gateway project to move forward.

Mr. Haynam reported that the Zoning & Annexation Committee met twice for review of the zoning code, and will meet again on August 23 and August 31 at 4:30 p.m. Zoning code update.

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There were no items for 15, and Mayor Stough stated that Council will now consider agenda item 16.

Mayor Stough read the letter of resignation from Council President Keith Haddad effective August 30 since he is moving out of the City limits. He has served on Council since 1993. Haddad resignation letter.

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

At 8:50 p.m. Mr. Haddad moved, Mrs. Westphal seconded, to adjourn to Executive Session of Council to discuss the possible acquisition of property; roll call vote being: Westphal, Brown, Cappellini, Haddad, Haynam, Luetke, Milner (7) yeas; (0) nays. The motion carried. Executive Session.

At 9:55 p.m. Mr. Luetke moved, Mr. Milner seconded, to return to Regular Session of Council; roll call vote being: Brown, Cappellini, Haddad, Haynam, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. Regular Session.

Mayor Stough reported that the acquisition of property for a City project was discussed during the Executive Session, and no action was taken then, and will not be taken at this time.

Mayor Stough stated that all items on the agenda had been considered. Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn. All present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:57 p.m. Adjournment.

Clerk of Council

Mayor