

Minutes of the Meeting of City Council  
June 21, 2010

The Council of the City of Sylvania, Ohio met in regular session on Monday, June 21, 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. Brown 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.

- 4a. Report from Bob Zirker on his Eagle Scout project.
- 4b. Report of the 6:00 Committee-of-the-Whole and Ordinance 39-2010.
- 10a. Utility & Environment Committee meeting.
- 10b. Interim report on the zoning code amendments and schedule a meeting.
- 12. Commendation for Miss Ohio.
- 13. Set a special meeting to award bids.

Mr. Haddad 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 June 7 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 June 7, 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 June 7 meeting minutes.

Bob Zirker reported that he has obtained the necessary funds for his deck extension project at Olander Park as part of his Eagle Scout goal. He expects to be finished by June 30.

Deck extension project.

Mr. Haddad reported that many people were in attendance for the 6:00 Committee-of-the-Whole meeting regarding the TARTA sales tax proposal, and made comments for and against it. The committee recommends support of their efforts to place the issue on the ballot. Mr. Haddad presented and read aloud by title only, proposed Ordinance No. 39-2010, a written copy of same having been previously furnished to each member of Council, "An Ordinance amending the ordinances and resolutions previously

Ordinance 39-2010, "... amending... created.... TARTA ..."

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adopted which created and governed the Toledo Area Regional Transit Authority (“TARTA”) by: (1) adding Lucas County as a member of TARTA; (2) eliminating TARTA’s 2.5 mill property taxes and substituting a one-half percent sales tax; (3) revising the manner by which member communities may withdraw from or join TARTA; and (4) adopting a new organizational structure and agreement for TARTA; provided, that all such changes are contingent upon voter approval of the new TARTA funding system at the November 2, 2010 general election; 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: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Mr. Haddad moved Mr. Milner seconded, that Ordinance No. 39-2010 be enacted as an emergency measure as declared therein. Mr. Haynam read a statement about the sales tax increase having a negative economic impact for Lucas County. The roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haddad (6) yeas; Haynam (1) nay. The motion carried.

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

After discussion about correcting the typo in the title of the ordinance by deleting 5134 and replacing it with 5143 Allen Street, Mr. Haynam read aloud by title only, proposed Ordinance No. 54-2010, a written copy of same having been previously furnished to each member of Council, “Approving the recommendation of the Municipal Planning Commission to grant a special use permit to allow a daycare to operate at 5143 Allen Street, Sylvania, Ohio, on the application of Tiffany DuMond and Heather Woronec; approving the recommendation as modified; and declaring an emergency.” Mr. Haynam moved, Mr. Haddad 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 54-2010, “...special use permit... daycare... 5143 Allen...”

Mr. Haddad moved, Mr. Milner seconded, that Ordinance No. 54-2010 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 6.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 55-2010, a written copy of same having been previously furnished to each member of Council, “Accepting the proposal of Bronner’s Commercial Display for the furnishing of garland and lights for downtown Christmas decorations not to exceed the total sum of \$25,000; appropriating funds therefore; and declaring an emergency.” Mrs.

Ordinance 55-2010, “Accepting the proposal... downtown Christmas

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Cappellini moved, Mr. Luetke 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. decorations..."

Mrs. Cappellini moved, Mr. Haddad seconded, that Ordinance No. 55-2010 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 7.

Service Director Jeffrey Ballmer's report and recommendation on the bids received for the Centennial Farms improvements was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 56-2010, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of KF Ventures, Inc. and awarding the contract for the Centennial Farms improvement project to same; authorizing the expenditure for the improvements in the amount of \$266,907.85; appropriating funds therefore; 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. Ordinance 56-2010, "Accepting the bid of KF Ventures... Centennial Farms improvement..."

Mr. Brown moved, Mr. Milner seconded, that Ordinance No. 56-2010 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 8.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 57-2010, a written copy of same having been previously furnished to each member of Council, "Accepting from O'Reilly Automotive, Inc. a warranty deed of right-of-way for the improvement of Alexis Road; dedicating the same for public purposes; 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, Cappellini, Haddad, Haynam (7) yeas; (0) nays. The motion carried. Ordinance 57-2010, "Accepting from O'Reilly Automotive... deed of right-of-way...Alexis..."

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 57-2010 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 9.

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Mr. Haynam presented zoning ordinance amendment petition no. SUP-2-2010, a request to amend the existing special use at 5227 Main Street to allow the expansion of the building and parking lot, and to relocate the play area once an additional adjoining parcel is purchased. Mr. Haynam moved, Mr. Milner seconded, to refer SUP-2-2010 to the Municipal Planning Commission for review and recommendation; roll call vote being: Westphal, Brown, Cappellini, Haddad, Haynam, Luetke, Milner (7) yeas; (0) nays. The motion carried.

SUP-2-2010,  
5227 Main, to  
Planning Comm.

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

Mr. Brown reported that the Utilities & Environment Committee met on June 11 to review the recycling and refuse collection bids from three companies. After comparing the specs from the two companies who were closest in contract amount, the committee recommends acceptance of the bids from Allied Waste. There was considerable discussion on the terms of the bids, and the cost differences between them. Mr. Haddad moved, Mr. Haynam seconded, to refer the bid results to the Administration for recommendation; roll call vote being: Brown, Cappellini, Haddad, Haynam, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Refuse and  
recycling bids  
referred to  
Administration.

Mr. Haynam said the first draft of the zoning code has been sent, and he will forward it to committee members. The Zoning & Annexation Committee will meet on July 14 at 8:00 a.m. for discuss the draft.

Zoning Comm.,  
July 14, 8:00 a.m.

There were no items for 11, and Mayor Stough stated that Council will now consider agenda item 12.

After a brief discussion on Northview alumni Becky Minger being crowned Miss Ohio 2010, Mr. Haddad moved, Mr. Milner seconded, to coordinate celebration events through the Mayor's office and Downtown Business Association's Candy Sturtz, and to authorize a resolution of congratulations; roll call vote being: Cappellini, Haddad, Haynam, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Congratulations  
Miss Ohio 2010.

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

The Service Director requested that Council set a special meeting once the Griffith Park project bids are opened and reviewed so that work can start soon since the next regular meeting is not until July 19. Mr. Milner moved, Mr. Haynam seconded, to set a special meeting for June 29 at 5:00 p.m. in order to award the bids; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Special meeting  
set for June 29,  
5:00 p.m.

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Mr. Haddad moved, Mr. Brown seconded, to refer the crossing guard issue for McCord Jr. High to the Safety Committee; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Cappellini, Haddad (7) yeas; (0) nays. The motion carried. The meeting was set for July 9 at 8:00 a.m. in Council Chambers. Safety Comm.  
July 9, 8:00 a.m.

Mayor Stough stated that all items on the agenda had been considered. Mr. Brown moved, Mrs. Westphal 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.

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Clerk of Council

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Mayor