

Minutes of the Meeting of City Council
June 7, 2010

The Council of the City of Sylvania, Ohio met in regular session on Monday, June 7, 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.

Mayor Stough 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.

- 12a. Utilities & Environment Committee report.
- 12b. Safe Routes to School study update.
- 12c. Oak Openings publication.
- 14a. Economic Development sub-Committee report.
- 14b. Proposed Ordinance 53-2010, promotional video funds.
- 15. Report on the 7:00 public hearing for SUP-1-2010.
- 16. Appointment to TMACOG Environmental Council.

Mr. Milner moved, Mrs. Westphal 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 May 17 meeting minutes. Mr. Haddad moved, Mrs. Westphal 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 May 17, 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 May 17 minutes.

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

Kate Conway, Downtown Decorations Committee reported on the proposed holiday decorations for the downtown area. It is a multi-phased project. The first phase provides for new LED lighted garland for the lamp posts. She said the Chamber will provide poinsettias for the street planters. Mrs. Cappellini moved, Mr. Milner seconded, to authorize legislation approving the purchase; roll call vote being: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Legislation authorized for purchase of lighted garland for downtown.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 49-2010, a written copy of same having been previously furnished to each member of Council, “Approving the recommendation of the Municipal Planning Commission, with certain modifications, relative to planned development application no. PD-1-2010 of 4 M Investors, LLC; 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: Haynam, Luetke, Milner, Westphal, Brown, Cappellini, Haddad (7) yeas; (0) nays. The motion carried.

Ordinance 49-2010, “Approving the recommendation...PD-1-2010 ...”

Mr. Haynam moved, Mr. Milner seconded, that Ordinance No. 49-2010 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.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 50-2010, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to enter into agreements with a head teacher, teachers, and aides for the Sylvania Safety City program being conducted by the Sylvania Division of Police; providing funds therefore; and declaring an emergency.” Mr. Milner 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 50-2010, “...agreements...Safety City...”

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 50-2010 be enacted as an emergency measure as declared within; 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 8.

Mayor Stough presented the Fiscal Officer’s Certificate in connection with the issuance of notes to pay the cost of street improvements. Mr. Haddad moved, Mrs. Westphal seconded, to accept the Fiscal Officer’s Certificate in connection with the proposed issue of \$3,250,000 of notes, to be issued in anticipation of the issuance of bonds to pay costs of improving (i) Acres Road from its intersection with Marshall Road northerly to the City’s corporate boundary, (ii) Elliott Road from its intersection with West Alexis Road northerly to its intersection with Marshall Road, (iii) Roan Road from its intersection with West Alexis Road northerly to Marshall Road, (iv) the entire length of Indian Trail, and Fairway Lane from a point approximately 200' southerly of

Fiscal Officer’s Certificate accepted for filing.

its intersection with Indian Trail to a point approximately 150' northerly of its intersection with Indian Trail, and (v) the entire length of Arrowhead Drive by removing the existing pavement and curbing, catch basins, manholes, water mains, underdrains and drainage facilities, and (vi) Olde Post Road by improving the existing bridge over Ten Mile Creek by removing the existing bridge deck, approach slabs, curbing, box beams and bearings and constructing and installing new elastomeric bearings, pre-stressed concrete box beams, approach slabs, deck and sidewalks, all together with the necessary related improvements and appurtenances thereto; roll call vote being: Brown, Cappellini, Haddad, Haynam, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Mr. Haddad presented and read aloud by title only, proposed Ordinance No. 51-2010, a written copy of same having been previously furnished to each member of Council, "An Ordinance providing for the issuance and sale of \$3,250,000 of notes, in anticipation of the issuance of bonds, to pay costs of improving certain streets in the City by removing the existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, improving catch basins, manholes, water mains, underdrains and drainage facilities, and related bridges by removing the existing bridge deck, approach curbs, curbing, box beams and bearings and constructing and installing new elastomeric bearings, pre-stressed concrete box beams, approach slabs, deck and sidewalks, and declaring an emergency." Mr. Haddad 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 51-2010,
"...issuance...
notes...streets..."

Mr. Haddad moved, Mr. Haynam seconded, that Ordinance No. 51-2010 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 9.

Mayor Stough presented the Fiscal Officer's Certificate in connection with the issuance of notes to pay the cost of street improvements. Mr. Haddad moved, Mr. Haynam seconded, to accept the Fiscal Officer's Certificate in connection with the proposed issue of \$3,700,000 of notes, to be issued in anticipation of the issuance of bonds to pay costs of improving (i) Graystone Drive from Grenlock Drive to its southerly terminus, (ii) Gregory Drive from Gillingham Drive to Grenlock Drive, (iii) Gillingham Drive from Graystone Drive to San Reno Drive, (iv) Orvieto Drive from Graystone Drive to San Reno Drive, (v) Grenlock Drive from Graystone Drive to Gillingham Drive, (vi) Orvieto Drive from Brainard Drive to Angleview Drive, (vii) Angleview Drive from Orvieto Drive to a point approximately 100' northerly of its

Fiscal Officer's
Certificate
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intersection with Altara Drive, and (viii) Angleview Court from Angleview Drive to its northerly terminus by removing the existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, underdrains and drainage facilities, water lines, hydrants, valves, and sanitary sewers and sanitary facilities, and (ix) Alexis Road from Acres Road to Whiteford Road by removing the existing pavement, pouring asphalt concrete over an aggregate base and improving pavement and curbing, and installing thermoplastic pavement markings and video vehicular detection cameras, all together with the necessary related improvements and appurtenances thereto; roll call vote being: Haynam, Luetke, Milner, Westphal, Brown, Cappellini, Haddad (7) yeas; (0) nays. The motion carried.

Mr. Haddad presented and read aloud by title only, proposed Ordinance No. 52-2010, a written copy of same having been previously furnished to each member of Council, “An Ordinance providing for the issuance and sale of \$3,700,000 of notes, in anticipation of the issuance of bonds, to pay costs of improving certain streets in the City by removing the existing pavement and curbing, pouring asphalt concrete over an aggregate base and installing concrete curbing, catch basins, manholes, underdrains and drainage facilities, water lines, hydrants, valves, and sanitary sewers and sanitary facilities, and Alexis Road by removing the existing pavement, pouring asphalt concrete over an aggregate base and improving pavement and curbing, and installing thermoplastic pavement markings and video vehicular detection cameras, and declaring an emergency.” Mr. Haddad moved, Mr. Milner 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 52-2010, “... issuance ... notes ...streets...”

Mr. Haddad moved, Mrs. Westphal seconded, that Ordinance No. 52-2010 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 10.

Mr. Brown presented and read aloud by title only, proposed Resolution No. 14-2010, a written copy of same having been previously furnished to each member of Council, “Declaring the necessity of lighting the streets in the City of Sylvania, Ohio; determining the manner of providing street lighting and the basis for the property owner’s share of the cost and annual assessment; and declaring an emergency.” Mr. Brown moved, Mr. Haddad seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Westphal, Brown, Cappellini, Haddad, Haynam, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Resolution 14-2010, “Declaring the necessity of lighting the streets...”

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Mr. Brown moved, Mr. Haddad seconded, that Resolution No. 14-2010 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 11.

There was discussion on various drafts of a county reform plan being distributed. Council may consider a meeting to review all of the proposals if the project moves forward.

County reform plan.

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

Mr. Brown reported that the Utilities & Environment Committee met on June 1 to discuss several items. He said Buckeye CableSystem is working on changes to cable service that will allow customers to individually choose channels they want to watch. Illicit discharge regulations were studied, and the committee will review Ohio communities who adopted an ordinance. Paint recycling is on hold, the County does not accept latex paint. Also considered was the scope and cost of improvements to Graystone, Gregory, Gillingham, Orvieto and San Reno Streets. Mr. Brown moved, Mr. Haddad seconded, to authorize the clerk to advertise for bids for Phase 1 and Phase 2 of the project; roll call vote being: Cappellini, Haddad, Haynam, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Clerk authorized to advertise for street improvement bids.

Mrs. Cappellini reported that the Safe Routes to School group met, and recommends keeping the crossing guard for McCord Jr. High as the study determined that it does not qualify for federal funding for a traffic/pedestrian signal.

No federal funding for McCord signal.

There were no items for 13 and Mayor Stough stated that Council will now consider agenda item 14.

Mr. Luetke reported on the June 3 Economic Development sub-Committee meeting. The concepts for a local preference law were referred to the Law Director, who was present and also updated the committee on the SOMO District. The Chamber's funding request for the "Superior Sylvania" project was considered, and the Township is encouraged to support it. The City will fund it on the condition the Chamber put together an Oversight Committee to include City representative Bill Sanford.

Economic Dev. report.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 53-2010, 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 \$5,000 to support the Sylvania Area Chamber of Commerce and the Sylvania Area

Ordinance 53-2010, "...\$5,000 to support... Chamber...

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CIC's 'Superior Sylvania' campaign; appropriating funds therefore; 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: Haddad, Haynam, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried. campaign..."

Mr. Luetke moved, Mr. Haddad seconded, that Ordinance No. 53-2010 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 15.

Mr. Haynam reported on the 7:00 public hearing for zoning ordinance amendment petition no. SUP-1-2010, a special use request to operate a day care at 5143 Allen Street. The next door neighbor expressed privacy concerns with 12 children and parents coming and going. After discussion, it was agreed to require the installation of a privacy fence along the southern side of the property, and to require the day care's operator to live in the house. Mr. Haynam moved, Mrs. Westphal seconded, to authorize legislation in accordance with the recommendations; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haddad, Haynam (7) yeas; (0) nays. The motion carried. Legislation authorized for granting of SUP-1-2010.

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

Mr. Haddad reported that a representative is needed for TMACOG's Environmental Council. He will serve as an alternate. Mr. Haddad moved, Mr. Milner seconded, to appoint Mike Brown to the seat; roll call vote being: Milner, Westphal, Brown, Cappellini, Haddad, Haynam, Luetke (7) yeas; (0) nays. The motion carried. Brown appointed to TMACOG Environmental Council.

Mayor Stough stated that all items on the agenda had been considered. Mr. Luetke moved, Mr. Milner seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:50 p.m. Adjournment.

Clerk of Council

Mayor