

Minutes of the Meeting of Council
June 20, 2011

- The Council of the City of Sylvania, Ohio met in regular session on Monday, June 20, 2011 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, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0). Roll call: all present.
- Mr. Haynam 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.
- 4c. Introduction of new Service Director.
 - 4d. Committee-of-the-Whole report.
 - 5a. Proposed Ordinance 64-2011.
 - 11a. Economic Development sub-Committee report.
 - 13. Proposed Ordinances 61-2011 and 62-2011.
 - 14. Proposed Ordinance 63-2011.
 - 15. Discussion on sidewalk leveling.
 - 16. Possible water restrictions.
- Mr. Haynam moved, Mrs. Cappellini seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.
- Mayor Stough stated that Council will now consider agenda item 4.
- Mr. Milner presented the June 6 minutes. Mr. Milner 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 6, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Approval of the June 6 minutes.
- Mr. Milner presented the June 13 special meeting minutes. Mr. Milner moved, Mrs. Husman 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 special meeting of June 13, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried. Approval of the June 13 minutes.

Minutes of the Meeting of Council
June 20, 2011

Mayor Stough introduced and welcomed Kevin Aller, who he appointed, and Council confirmed at the special meeting, to the Director of Public Service position effective July 1, upon the retirement of Jeffrey Ballmer. Introduction of new Service Director.

Mr. Milner reported that Council met in Committee-of-the-Whole at 7:00 with Sylvania Township Fire Chief Jeff Kowalski and Township Administrator John Zeitler to discuss the location of Fire Station #1. Council prefers that the new station be built at its current site at 6633 Monroe. The Township's preference is 7610 Erie Street. Fire Station #1 location discussion.
Chief Kowalski contends that the Monroe Street property is not large enough to build the facility needed. There was discussion on activity on the train tracks that run through downtown to the Ottawa Lake grain silos. The Township maintains that being on the west side of them will not cause response delays as the tracks are not in use that often. Steve Risher, 6044 Main, said he lives across from the tracks, and disagrees with the number of trains that use it. He said at times the tracks are actively used with as many as 75 cars. Council will hold another meeting with Township officials.

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

Mr. Haynam presented and read aloud by title only, a written copy of same having been previously furnished to each member of Council, for the First Reading, proposed Ordinance No. 55-2011, "Amending Part 11 - Planning and Zoning Code of the Sylvania Codified Ordinances; approving, modifying or rejecting the Sylvania Municipal Planning Commission's recommendation as amended." Mr. Haynam noted that Council is delaying passage until July 18 to give interested parties the opportunity to comment on the zoning code revisions. First Reading of Ordinance 55-2011.

Mr. Haynam presented proposed Ordinance No. 64-2011, amending Chapter 1105 - Board of Appeals of the Codified Ordinances. He said there is a modification to the Board of Zoning Appeals section that is designed to incorporate discussions from the May 25 Zoning & Annexation Committee meeting. Mr. Haynam moved, Mrs. Husman seconded, to refer proposed Ordinance 64-2011 to the Sylvania Municipal Planning Commission for review and recommendation; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried. Ordinance 64-2011, amending Chapter 1105 referred to Planning Comm.

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

Service Director Jeffrey Ballmer's report on the River Trail Improvements was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 56-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of Ordinance 56-2011 "...accept the proposal of JJR...construction

Minutes of the Meeting of Council
June 20, 2011

JJR, LLC to provide construction administration and “as-built” drawings for the River Trail Project; appropriating funds therefore in an amount not to exceed \$53,600; and declaring an emergency.” Mrs. Cappellini 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, Haynam, Husman (7) yeas; (0) nays. The motion carried. administration... River Trail...”

Mrs. Cappellini moved, Mr. Milner seconded, that Ordinance No. 56-2011 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

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

The Service Director’s report on the additional scope of the work was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 57-2011, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to approve the amendment to the proposal of Anderzack-Pitzen Construction, Inc., for the Dave White Chevrolet Storm Sewer Repair Project; appropriating funds therefore in the amount of \$24,034.52; 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: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. Ordinance 57-2011, “...amendment to proposal of Anderzack-Pitzen...Dave White Chevrolet Storm Sewer project...”

Mr. Brown moved, Mrs. Husman seconded, that Ordinance No. 57-2011 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

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

The Service Director’s report on the proposal for the Main Street Improvements construction inspection services was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 58-2011, a written copy of same having been previously furnished to each member of Council, “Accepting the proposal of the Mannik & Smith Group to provide construction inspection for the Main Street Improvement Project; appropriating funds therefore in an amount not to exceed \$68,840; 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, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Ordinance 58-2011, “Accepting the proposal of Mannik & Smith ...construction inspection... Main Street Improvement...”

Minutes of the Meeting of Council
June 20, 2011

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 58-2011 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

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

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 59-2011, 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 2011; 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. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Ordinance 59-2011, "Providing ...ditch... assessment..."

Mr. Brown moved, Mrs. Husman seconded, that Ordinance No. 59-2011 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 60-2011, 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 2011; 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." Mrs. Cappellini moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Ordinance 60-2011, "Providing ...controlling blight...trees... assessment..."

Mrs. Cappellini moved, Mr. Milner seconded, that Ordinance No. 60-2011 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
June 20, 2011

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

Mayor Stough presented the Planning Commission's recommendation for SUP-2-2011, the City's petition to build a water tank and salt storage building at 8425 Sylvania-Metamora Road. A revised site plan was submitted moving the location of the water tank 350' west and 50' south to accommodate area residents' concerns about their views. The public hearing has been set for August 15 at 6:30 p.m.

Planning Comm.
recommendation
for SUP-2-2011.

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

Mr. Luetke reported on the 6:00 Economic Development sub-Committee meeting to discuss the SOMO marketing study. Mr. Luetke moved, Mr. Haynam seconded, to authorize the administration to move ahead with preparing alternative rfps; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Administration
authorized to
prepare SOMO
market study rfps.

Sylvania Township Trustee Kevin Haddad reported that Waterford Bank has committed to a \$1,000 sponsorship of the July 3 fireworks display.

Fireworks.

There was nothing for consideration for 12, and Mayor Stough stated that Council will now consider agenda item 13.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 61-2011, a written copy of same having been previously furnished to each member of Council, "Amending Section 139.03 - Definition and Adoption of the Compensation Plan, of the Codified Ordinances of Sylvania, 1979, as amended; 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: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Ordinance 61-
2011, "Amending
Section 139.03..."

Mr. Luetke moved, Mr. Milner seconded, that Ordinance No. 61-2011 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 62-2011, a written copy of same having been previously furnished to each member of Council, "Amending Section 139.02 - Content and Coverage of the Compensation Plan, of the Codified Ordinances of Sylvania, 1979, as amended; 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: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Ordinance 62-
2011, Amending
Section 139.02..."

Minutes of the Meeting of Council
June 20, 2011

Mr. Luetke moved, Mrs. Husman seconded, that Ordinance No. 62-2011 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

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

Mayor Stough presented an ordinance for a lease of the park area at Main and Maplewood. Mr. Milner moved, Mrs. Cappellini seconded, to refer Ordinance No. 63-2011, a lease between Reeb Funeral Home and the City, to the Building & Grounds Committee; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried. A meeting was set for 7:15 p.m. on July 18. Ordinance 63-2011 to Building & Grounds, July 18, 7:15.

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

Mr. Brown said the \$35,000 sidewalk leveling program funding was removed from the budget. There are safety issues around town where some walks have buckled, and he asked that some funding be restored to be used on an emergency basis. Mr. Brown moved, Mr. Milner seconded, to authorize \$10,000 to be used for sidewalk leveling repairs; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. \$10,000 authorized for sidewalk leveling.

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

Mr. Ballmer reported on the water tower storage situation. Usage has increased since Memorial Day. The EPA has mandated a valve to restrict the flow from Toledo, and the tank cannot refill to capacity quickly enough, so the City has turned on the emergency feed during daytime use. Mr. Milner moved, Mr. Haynam seconded, to impose a voluntary water restriction for residential usage; even-numbered addressed residents are asked to water lawns and wash their cars on even-numbered days, and odd-numbered addresses on odd-numbered days; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. Voluntary water restrictions imposed.

Mayor Stough stated that all items on the agenda had been considered. Mr. Haynam moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:12 p.m. Adjournment.

Clerk of Council

Mayor