

Minutes of the Meeting of Council  
November 2, 2015

The Council of the City of Sylvania, Ohio met in regular session on November 2, 2015 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Jason Mishka, Mary Westphal (7) present; absent: (0)

Roll call:  
All present.

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

Pledge of  
Allegiance.

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

Requests were made for the following additions to the agenda:

- 16a. Schedule a Finance Committee Meeting.
- 16b. Schedule a Utility and Environment Committee Meeting.
- 18. Appointments to Board of Zoning Appeals.
- 19. Executive Session to discuss potential litigation.

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

Approval of the  
agenda as  
amended.

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

Mr. Luetke presented the October 19, 2015 minutes. Mr. Luetke moved, Mr. Frye 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 October 19, 2015 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the  
October 19, 2015  
minutes.

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

Chief Rhodus introduced the new Telecommunicator, Tonya Iffland-Murd.

Introduction of  
new tele-  
communicator.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 63-2015, a written copy of same having been previously furnished to each member of Council, "Accepting for Annexation to the City of Sylvania, Ohio, the territory described in Annexation petition Number 2015-1 for which James E. Moan is the agent, and as hereinafter described; providing for the interim zoning of said territory; and

Ordinance No.  
63-2015,  
"Accepting  
Annexation  
Petition No.

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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, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

2015-1....”

Mr. Haynam moved, Mrs. Westphal seconded, that Ordinance No. 63-2015 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Service Director’s report on Joint Cooperation Agreement was placed on file. Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 64-2015, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to enter into a Joint Cooperation Agreement on behalf of this City of Sylvania with the Board of Lucas County Commissioners, relative to the 2016 Sanitary Sewer and Manhole Lining Project; appropriating \$228,380 for said project; and declaring an emergency.”; Mr. Mishka moved, Mr. Frye seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 64-2015, “Authorizing a Joint Coop Agreement..2016 Sanitary Sewer & Manhole Lining Project...”

Mr. Mishka moved, Mrs. Westphal seconded, that Ordinance No. 64-2015 be enacted as an emergency measure as declared therein; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

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

Service Director’s report on the Ohio Public Works Commission Applications was placed on file. Mr. Mishka presented and read aloud by title only, proposed Resolution No. 7-2015, a written copy of same having been previously furnished to each member of Council, “A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute contracts as required; and declaring an emergency.”; Mr. Mishka moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Resolution No. 7-2015, “Authorizing to prepare and submit OPWC application.....”

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Mr. Mishka moved, Mrs. Husman seconded, that Resolution No. 7-2015 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Service Director's report on the Ohio Public Works Commission Applications was placed on file. Mr. Mishka presented and read aloud by title only, proposed Resolution No. 8-2015, a written copy of same having been previously furnished to each member of Council, "A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs and to execute contracts as required; and declaring an emergency."; Mr. Mishka moved, Mr. Frye seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Resolution No. 8-2015, "Authorizing to prepare and submit OPWC application....."

Mr. Mishka moved, Mrs. Husman seconded, that Resolution No. 8-2015 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the Municipal Court Parking Lot Expansion was placed on file. Mrs. Husman moved, Mrs. Westphal seconded to advertise for bids for the Municipal Court Parking Lot Expansion Project. Roll call vote: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Advertise for bids: Municipal Court Parking Lot Expansion.

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

Service Director's report on the Ground Storage Tank Painting was placed on file. Mr. Mishka moved, Mrs. Westphal seconded to advertise for bids for the Ground Storage Tank Painting Project. Roll call vote: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Advertise for bids: Ground Storage Tank Painting Project.

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

Service Director's report on disposition of city property was placed on file. Mrs. Westphal moved, Mr. Haynam seconded to dispose of city property described in the Service Director's report dated October 28, 2015. Roll call vote: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Approval to dispose of city property.

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

Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 65-2015, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into a Private Agreement with Louisville Title Agency for N.W. Ohio, Inc., Trustee for the Construction of a water supply system for Centennial Crossings Plat Four; declaring an emergency."; Mr. Mishka moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No. 65-2015, "Authorizing agreement...water supply system for Centennial Crossings, Plat 4..."

Mr. Mishka moved, Mr. Frye seconded, that Ordinance No. 65-2015 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini (7) yeas; (0) nays. The motion carried.

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

Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 66-2015, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into a Private Agreement with Louisville Title Agency for N.W. Ohio, Inc., Trustee for the Construction of a water supply system and sanitary sewer collection system for Oak Creek North; declaring an emergency."; Mr. Mishka moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 66-2015, "Authorizing agreement...water supply and Sanitary Sewer system for Oak Creek North..."

Mr. Mishka moved, Mrs. Westphal seconded, that Ordinance No. 66-2015 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Luetke seconded to refer proposed Ordinance 67-2015, Amending Chapter 171-Income Tax to the Finance Committee for review and recommendation. Roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Refer Ord. 67-2015 to Finance Committee.

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

Mayor Stough presented the clerk's report on holidays in 2016 that fall on regular council meeting date. Mrs. Westphal moved, Mr. Frye seconded to change these meeting date to Tuesday because the Monday is a holiday: January 18 to January 19, February 15 to February 16, and September 5 to September 6; and to waive the July 4 and August 1 meetings unless needed: roll call vote: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas, (0) nays. The motion carried.

Set 2016 Council  
Meeting  
Schedule.

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

Mrs. Westphal set a Finance Committee meeting for Tuesday, November 10<sup>th</sup> at 4:00p.m. in the Finance Office Conference Room in the Administration Building.

Finance Com.  
Mtg. 11/10/15,  
4:00 p.m.

Mr. Mishka set a Utility & Environment Committee meeting for Friday, November 6<sup>th</sup> at 8:00 a.m. in the Public Service Office Conference Room in the Administration Building.

Utility Com.  
Mtg. 11/6/15  
8:00 a.m.

There being no items for agenda item 17, Mayor Stough stated that Council will now consider agenda item 18.

Mr. Luetke reported two Board of Zoning Appeals terms will expire on December 31<sup>st</sup>. Mr. Luetke moved, Mr. Haynam seconded to order legislation to re-appoint Richard Sands and Gary Sommers to a new term on the Board of Zoning Appeals commencing on January 1, 2016; roll call vote: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas, (0) nays. The motion carried.

Re-appoint  
Richard Sands,  
Gary Sommers to  
BZA, 1/1/16.

Mr. Kevin Armstrong, 6742 Maplewood addressed Council regarding the parking on Erie, speed on Monroe, clearing of snow in downtown and process when changes are made regarding traffic.

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

Mrs. Westphal moved, Mr. Haynam seconded to enter into Committee-of-the Whole Executive Session to discuss potential litigation. Roll call vote: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas, (0) nays. The motion carried.

C-O-W Exe.  
Session Potential  
Litigation.

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Mr. Haynam moved, Mrs. Westphal seconded to return from executive session. Roll call vote: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas, (0) nays. The motion carried. Return from Exec. Session.

Mrs. Westphal moved, Mr. Haynam seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:02 p.m. Adjournment.

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Clerk of Council

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Mayor