

Minutes of the Meeting of Council
August 15, 2016

The Council of the City of Sylvania, Ohio met in regular session on August 15, 2016 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, Mark Luetke, Doug Haynam, Sandy Husman, Jason Mishka, Mary Westphal: (7) present;, (0) absent.

Roll call:
All present.

Mayor Stough recognized Mr. Tim Snyder of the Toledo Regional Chamber of Commerce. Mr. Snyder stated his office of Advocacy and Public Policy specializes in Local Government relations that focus on legislation on the federal, state and local level. His service area is Northwest Ohio and is available for any questions the City may have.

Mr. Luetke 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:

19a. Schedule a Building & Grounds Committee meeting.

Mrs. Westphal moved, Mr. Haynam 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.

Additions to the agenda.

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

Mrs. Westphal presented the July 18, 2016 meeting minutes. Mrs. Westphal 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 July 18, 2016 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the July 18 meeting minutes.

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

Mr. Haynam moved, Mr. Luetke seconded to refer Zoning Ordinance Amendment Petition No. ZA-3-2016, a request from Joe Mercurio, for a zoning change from B-2, "General Business District", and R-1, "Single-Family Residential Large Lot District" to B-2, "General Business District" for property located at 5142 W. Alexis Rd (Approx. 400' west of the intersection of Alexis and Whiteford on the north side of Alexis, Parcel #82-05182.) to the Planning Commission for review and recommendation; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Referral to Plan Commission;
ZA-3-2016.

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

Mr. Haynam moved, Mrs. Husman seconded to set the public hearing date for ZA-2-2016 for September 19 at 7:15 p.m. and authorize the clerk to advertise; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

ZA-2-2016, set
Public Hearing-
9/19/16 at
7:15p.m.

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

Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 41-2016, a written copy of same having been previously furnished to each member of Council, "To assess a special tax upon the lots and lands described in the schedule referred to herein to pay a part of the cost and expense of providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches within the corporate limits of the City of Sylvania for the year ending December 31, 2016; and declaring an emergency."; Mr. Mishka moved, Mrs. Husman 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.
41-2016, "To
assess a special
tax...open
drainage
ditches..."

Mr. Mishka moved, Mrs. Westphal seconded, that Ordinance No. 41-2016 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.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 42-2016, a written copy of same having been previously furnished to each member of Council, "To assess a special tax upon the lots and lands described in the schedule referred to herein to pay a part of the cost and expense of providing for the removal and special treatment of shade trees for the purpose of controlling blight and disease of same; and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City for the year ending December 31, 2016; 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: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance No.
42-2016, "To
assess a special
tax... shade
trees...."

Mrs. Cappellini moved, Mrs. Westphal seconded, that Ordinance No. 42-2016 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.

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Mr. Mishka presented and read aloud by title only, proposed Ordinance No. 43-2016, a written copy of same having been previously furnished to each member of Council, “Ordinance approving the assessment heretofore authorized by Resolution No. 7-2016 for Street Lighting; levying said assessments; and declaring an emergency.” Mr. Mishka moved, Mrs. Husman 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.

Ordinance No. 43-2016, “Approving the assessment for street lighting...”

Mr. Mishka moved, Mr. Luetke seconded, that Ordinance No. 43-2016 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 8.

Service Director’s report on Municipal Court Parking Lot Expansion Project, Change Order #1 (Final) was placed on file. Mrs. Husman presented and read aloud by title only proposed Ordinance No. 44-2016, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to approve Change Order No. 1 (Final) to this City’s Agreement with Salenbien Trucking & Excavating, Inc. for the Municipal Court Parking Lot Expansion Project which reflects the actual work performed on this project; increasing the contract amount by \$25,955.93; appropriating funds therefore; and declaring an emergency.” Mrs. Husman moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Mishka, Westphal, Luetke, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 44-2016, “Court Parking Lot...Change Order #1 (Final)....”

Mrs. Husman moved, Mrs. Westphal seconded, that Ordinance No. 44-2016 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 9.

Mr. Haynam presented and read aloud by title only proposed Ordinance No. 45-2016, a written copy of same having been previously furnished to each member of Council, “Accepting for Annexation to this City of Sylvania, Ohio, the territory described in Annexation Petition Number 2016-1 for which James E. Moan is the agent, and as hereinafter described; providing for the interim Zoning of said territory; and declaring an emergency.” Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Mishka, Westphal, Luetke, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion

Ordinance No. 45-2016, “Accepting for Annexation Petition # 2016-1...”

carried.

Mr. Haynam moved, Mr. Mishka seconded, that Ordinance No. 45-2016 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam Husman, Luetke, Mishka; (7) yeas; (0) nays. The motion carried.

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

Mr. Haynam presented and read aloud by title only proposed Ordinance No. 46-2016, a written copy of same having been previously furnished to each member of Council, "Accepting for Annexation to this City of Sylvania, Ohio, the territory described in Annexation Petition Number 2016-2 for which James E. Moan is the agent, and as hereinafter described; providing for the interim Zoning of said territory; and declaring an emergency." Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Mishka, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No. 46-2016, "Accepting for Annexation Petition # 2016-2..."

Mr. Haynam moved, Mr. Frye seconded, that Ordinance No. 46-2016 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 11.

Mrs. Husman presented and read aloud by title only proposed Ordinance No. 47-2016, a written copy of same having been previously furnished to each member of Council, "Authorizing a Lease Agreement between the City of Sylvania, as Lessor, and Laura Jakes, individually and d/b/a LJ Creates, as Lessee, of Suite B2 in the Maplewood Marketplace, 5702 N. Main Street, Sylvania, Ohio, for the purpose of operating a graphic design business, determining said City owned property not to be needed for municipal purposes during the time of proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania; and declaring an emergency." Mrs. Husman moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 47-2016, "...Lease agreement... Laura Jakes, 5702 Main St, Suite B2..."

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance No. 47-2016 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 12.

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Mrs. Husman presented and read aloud by title only proposed Ordinance No. 48-2016, a written copy of same having been previously furnished to each member of Council, “Authorizing a Lease Agreement between the City of Sylvania, as Lessor, and Laura Jakes, individually and d/b/a LJ Creates, as Lessee, of Suite B3 in the Maplewood Marketplace, 5702 N. Main Street, Sylvania, Ohio, for the purpose of operating a graphic design business, determining said City owned property not to be needed for Municipal purposes during the time of proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania; and declaring an emergency.” Mrs. Husman moved, Mr. Frye seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 48-2016, “...Lease agreement... Laura Jakes, 5702 Main St, Suite B3...”

Mr. Husman moved, Mr. Luetke seconded, that Ordinance No. 48-2016 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 13.

Mrs. Husman presented and read aloud by title only proposed Ordinance No. 49-2016, a written copy of same having been previously furnished to each member of Council, “Authorizing a Lease between the City of Sylvania, as Lessor, and Interrupt, LLC, as Lessee, of Suite E in the Maplewood Marketplace, 5703 N. Main Street, Sylvania, Ohio, determining said City owned property not to be needed for Municipal purposes during the time of proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania; and declaring an emergency.” Mrs. Husman moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka, (7) yeas; (0) nays. The motion carried.

Ordinance No. 49-2016, “Lease agreement... Interrupt, Inc... 5703 Main St, Suite E...”

Mrs. Husman moved, Mrs. Westphal seconded, that Ordinance No. 49-2016 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.

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

Mrs. Westphal presented and read aloud by title only proposed Ordinance No. 50-2016,

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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 agreement for the Regional Addiction Diversion program, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of Court Addiction Diversion Services through the Lucas County Court of Common Pleas Work Release Court Addiction Diversion Program to Sylvania Municipal Court; and declaring an emergency.” Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Frye, Haynam, Husman, Luetke, Mishka, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No. 50-2016, “...agreement for Regional Addiction Diversion Program...”

Mrs. Westphal moved, Mr. Mishka seconded, that Ordinance No. 50-2016 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 15.

Mrs. Westphal presented and read aloud by title only proposed Ordinance No. 51-2016, 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 agreement, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of Public Defender Services to the Sylvania Municipal Court for the years 2015 and 2016; and declaring an emergency.” Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Husman, Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance No. 51-2016, “...agreement for Public Defender Svcs for 2015 & 2016...”

Mrs. Westphal moved, Mr. Frye seconded, that Ordinance No. 51-2016 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Mishka, Westphal, Cappellini, Frye, Haynam, Husman; (7) yeas; (0) nays. The motion carried.

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

Bill Sanford provided an update on the progress of the Community Calendar for 2017 project. He provided information on sponsorship, the concept of the calendar and what will be included, and costs.

Community Calendar update.

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

Mrs. Westphal moved, Mr. Haynam seconded to not request a public hearing on the

No hearing

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liquor permit from Tony Packos Toledo LLC, d/b/a Tony Packos Cafe, 5827 Monroe St., Sylvania, OH; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

requested for liquor permit... Tony Packos Cafe.

Mayor Stough stated that Council will now consider agenda item 18.

Mrs. Husman stated the Buildings & Grounds Committee met on July 20, 2016 to discuss the Lathrop House-Historical Village. Mrs. Husman provided an update on the activities and maintenance of the facilities.

Bldgs & Grounds Com...SHV

Mr. Mishka stated the Utilities & Environment Committee met on August 5, 2016 to discuss the Refuse & Recycling Contract and the Sylvania Water Study. Mr. Mishka reviewed information on the Water Study and the Refuse and Recycling Contract.

Utilities Com.water study and refuse contract.

Mr. Mishka presented and read aloud by title only proposed Ordinance No. 38-2016, a written copy of same having been previously furnished to each member of Council, "Determining the lowest and best bid for collection and disposal of residential curbside refuse and recycling in the City of Sylvania, Ohio; accepting the bid of Allied Waste Services of North America, LLC, d/b/a Allied Waste Services of Toledo; rejecting all other bids; authorizing the Mayor and Director of Finance to enter into a contract pursuant to the lowest and best bid, the advertisements therefore, Notice to Bidders, Request for bids including specifications for the Refuse and Recycling Collection and Disposal Contract, and Chapters 941 and 943 of the Codified Ordinances of the City of Sylvania, 1979, as amended; and declaring an emergency." Mr. Mishka moved, Mr. Frye seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Mishka, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance No. 38-2016, "...Refuse & Recycling Contract... Allied Waste Serviced of Toledo..."

Mr. Mishka moved, Mrs. Husman seconded, that Ordinance No. 38-2016 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Mishka; (7) yeas; (0) nays. The motion carried.

Mrs. Westphal stated the Safety Committee met at 7:15 p.m. to discuss proposed Ordinance 40-2016, Amending the Sylvania Codified Ordinances, 1979, as amended by adding Chapter 765-Dealers in Second-hand Articles. An amendment to exempt car dealers will be added and brought back for council approval.

Safety Com.... Ord No. 40-2016, Dealers in 2nd had articles.

Mrs. Husman scheduled a Buildings & Grounds Committee for Wednesday, August 24, 2016 at 7:30 a.m. in Council Chambers for review of the financial status of the Lathrop

Set Bldgs &

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House and Sylvania Historical Village.

Grounds Com.
mtg: 8/24/16,
7:30 a.m.

Mayor Stough stated that all items on the agenda had been considered.

Mrs. Westphal moved, Mr. Mishka seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:08 p.m.

Adjournment.

Clerk of Council

Mayor