

Minutes of the Meeting of Council
September 17, 2018

The Council of the City of Sylvania, Ohio met in regular session on September 5, 2018 at 7:30 p.m. with Mayor Stough in the chair. Roll was called with the following members present: Katie Cappellini, Mark Frye, Doug Haynam, Sandy Husman, Mark Luetke, Patrick Richardson, Mary Westphal; (7) present; (0) absent.

Roll call:
All present.

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

Pledge of
Allegiance.

Council will now consider agenda item 3.

The following items were added to the agenda:

- 3a. Nomination of President Pro Tem.
- 13. Report on the Designated Outdoor Refreshment Area.

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

Agenda
approval.

Due to Mayor Stough's absence, Mr. Haynam moved, Mrs. Cappellini seconded to nominate Mr. Luetke as President Pro-Tem. There were no other nominations, and all present voted: (7) Yeas, (0) Nays. The motion carried.

Mr. Luetke
nominated:
President
Pro-Tem.

Acting Mayor Westphal stated that Council will now consider agenda item 4.

Mr. Luetke presented the September 5, 2018 meeting minutes. Mr. Luetke 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 September 5, 2018 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
September 5
meeting minutes.

Acting Mayor Westphal stated that Council will now consider agenda item 5.

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 46-2018, a written copy of same having been previously furnished to each member of Council, "Approving the First Amendment to Commercial Real Estate Purchase Agreement of SOMO MF Partners, LLC and SOMO Retail Holdings, LLC to purchase the City's real estate known as the SOMO Property located along Monroe Street; authorizing the Mayor and the Director of Finance to accept said First Amendment to Commercial Real Estate Purchase Agreement on behalf of the City of Sylvania; determining said real estate to be no longer needed for municipal purposes; 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: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No.
46-2018,
"...First
Amendment to
Commercial
R.E. Purchase
Agreement...
SOMO...."

Minutes of the Meeting of Council
September 17, 2018

Mrs. Husman moved, Mr. Frye seconded, that Ordinance No. 46-2018 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Acting Mayor Westphal stated that Council will now consider agenda item 6.

Mr. Luetke moved, Mrs. Husman seconded to allow Mr. Haynam to push back from table due to conflict of interest; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam (7) yeas; (0) nays. The motion carried.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 49-2018, a written copy of same having been previously furnished to each member of Council, “Authorizing certain changes to Variable Mode Health Care Revenue Bonds issued for the benefit of Rosary Care Center; authorizing execution of a Supplement to Tax Regulatory Agreement with respect to the Bonds; authorizing execution of a Bond Purchase Agreement with respect to the Bonds; and authorizing other documents in connection with the issuance of the Bonds; and declaring an emergency.” Mr. Luetke moved, Mrs. Husman seconded, that Council dispense with the Second and Third Reading of said Ordinance;, roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance No. 49-2018;
“Authorizing changed to Variable Mode Health Care Revenue Bonds...Rosary Care Center...”

Mr. Luetke moved, Mr. Frye seconded, that Ordinance No. 49-2018 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Mr. Haynam returned to the table.

Acting Mayor Westphal stated that Council will now consider agenda item 7.

The Street Banner Permit request from Lourdes University was presented. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 50-2018, a written copy of same having been previously furnished to each member of Council, “Authorizing the Banner Application of Lourdes University; authorizing the Zoning Administrator to indicate such approval on behalf of the City of Sylvania; and declaring an emergency.” Mr. Richardson moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance;, roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance No. 50-2018,
“Authorizing Banner Application... Lourdes University...”

Minutes of the Meeting of Council
September 17, 2018

Mr. Richardson moved, Mr. Haynam seconded, that Ordinance No. 50-2018 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Acting Mayor Westphal stated that Council will now consider agenda item 8.

Service Director's report on Main Street Reconstruction Project was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 51-2018, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approval Change Order No. 1 to this City's Agreement with Helms and Sons Excavating, Inc. for the Main Street Reconstruction Project which reflects the actual work performed on this project; increasing the contract amount by \$18,663.98; appropriating funds therefore; and declaring an emergency." Mr. Richardson moved, Mrs. Husman seconded, that Council dispense with the Second and Third Reading of said Ordinance;, roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No. 51-2018, "Authorizing.... Change Order #1....Main St. Reconstruction Project."

Mr. Richardson moved, Mr. Luetke seconded, that Ordinance No. 51-2018 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Acting Mayor Westphal stated that Council will now consider agenda item 9.

Service Director's report on Sylvania River Trail Phase 2 project was placed on file. Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 52-2018, 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 to this City's Agreement with Miller Brothers Construction, Inc. for the River Trail Phase 2 Project which reflects the actual work performed on this project; increasing the contract amount by \$10,380.71; appropriating funds therefore; and declaring an emergency." Mrs. Cappellini moved, Mr. Haynam seconded, that Council dispense with the Second and Third Reading of said Ordinance;, roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinances No. 52-2018, "Authorizing Change Order #1... River Trail Phase 2 project...."

Mrs. Cappellini moved, Mrs. Husman seconded, that Ordinance No. 52-2018 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Minutes of the Meeting of Council
September 17, 2018

Acting Mayor Westphal stated that Council will now consider agenda item 10.

Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 53-2018, 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 Monclova Township Trustees for the purchase and use of a Portable Salt Conveyor; and declaring an emergency."; Mr. Richardson moved, Mr. Frye seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being; Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ordinance No. 53-2018, "Authorizing Joint Co-Op w/ Monclova Twp. ...Salt Conveyor..."

Mr. Richardson moved, Mr. Luetke seconded, that Ordinance No. 53-2018 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Acting Mayor Westphal stated that Council will now consider agenda item 11.

Mrs. Husman reported the Buildings & Grounds Committee met on this date to discuss city-owned property at 6606 Erie Street. She state the discussion resulted in motions to table the legislation regarding sale of the property and to refer this discussion regarding use of the property to the Parks & Forestry Committee.

Rept of Bldgs & Grounds Comm.... City owned property 6606 Erie St.

Mrs. Husman moved, Mr. Haynam seconded to table proposed Ordinance 48-2018; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Ordinance No. 48-2018, Tabled.

Mrs. Husman moved, Mr. Luetke seconded to refer city owned property at 6606 Erie St to the Parks & Forestry Committee for discussion on usage; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

6606 Erie St referred to Parks Committee.

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

Minutes of the Meeting of Council
September 17, 2018

Mr. Luetke moved, Mrs. Cappellini seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:18 p.m.

Adjournment.

Clerk of Council

Acting Mayor