

Minutes of the Meeting of Council
May 6, 2019

The Council of the City of Sylvania, Ohio met in regular session on May 6, 2019 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 Mrs. Husman.

Pledge of
Allegiance.

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

The following items were added to the agenda:

- 9. Exhibit A attachment to Ordinance No. 39-2019.
- 16d. Schedule a Committee of the Whole meeting for discussion on new city logo.
- 16e. Parks & Forestry update.
- 16f. Sister City update.

Mrs. Westphal moved, Mrs. Husman 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.

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

Mrs. Westphal presented the April 15, 2019 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 April 15, 2019 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
April 15
meeting
minutes.

Mrs. Westphal presented the April 23, 2019 special meeting minutes. Mrs. Westphal moved, Mr. Luetke 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 April 23, 2019 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
April 23 special
meeting
minutes.

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

Chief Schnoor introduced the new police sergeant, Justin Bell and the two new patrolmen, Cody Calendine and Lindsey Russell.

Introduction of
new police dept.
members.

Mayor Stough stated that agenda item 6 has been postponed until next meeting.

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

Mr. Mike Stormer from the Ohio Department of Transportation presented information on the Monroe Street Bridge over US23 deck replacement and noise walls aesthetics for Council to consider. A public meeting has been set for May 21st at Northview High School from 4:00 -6:00 p.m. This project is scheduled for 2021 with a 4 month complete shutdown of the bridge.

ODOT presented info on Monroe St. Bridge/US23.

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

Service Director's report on the Professional Engineering Services proposals for the Monroe Street and Silica Intersection Improvements was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 38-2019, "Accepting the proposal of Tetra Tech to provide Professional Engineering Services for improvements to the intersection of Monroe Street and Silica Drive; appropriating funds therefore in the amount of \$335,973; and declaring an emergency." Mr. Richardson moved, Mr. Haynam 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. 38-2019, "...professional engineering svcs-Monroe St & Silica Drive Improvements ..."

Mr. Richardson moved, Mrs. Westphal seconded, that Ordinance No. 38-2019 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.

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

Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 39-2019, "Granting a license to First Brookside, LLC to enter a portion of City owned right-of-way to install and maintain a patio; authorizing the Mayor and Director of Finance to sign the license agreement; and declaring an emergency." Mr. Richardson moved, Mr. Haynam 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. 39-2019; "Granting a license to First Brookside, LLC to enter city ROW for patio...."

Mr. Richardson moved, Mr. Luetke seconded, that Ordinance No. 39-2019 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.

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

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

Mr. Frye push back from table.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 40-2019, "Accepting the proposal of the Henry County Water District to conduct further testing of the Michindoh Aquifer as an alternative water source for the City of Sylvania; repealing Ordinance No. 17-2019; appropriating funds therefore in an amount not to exceed \$22,500; 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: Cappellini, Haynam, Husman, Luetke, Richardson, Westphal, (6) yeas; (0) nays. The motion carried.

Ordinance No. 40-2019; "Accepting proposal Henry Co. Water Dist.- Michindoh Aquifer testing....."

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance No. 40-2019 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (6) yeas; (0) nays. The motion carried.

Mr. Frye returned to the table.

Mr. Frye returned to table.

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

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 41-2019, a written copy of same having been previously furnished to each member of Council, "Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way 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 2019; establishing one district for said purpose in accordance with the provisions of Section 727.011 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, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being; Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 41-2019, "Providing for the controlling of blight and disease...shade trees..."

Mrs. Cappellini moved, Mrs. Westphal seconded, that Ordinance No. 41-2019 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.

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Mr. Richardson presented and read aloud by title only, proposed Resolution No. 6-2019, 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. Richardson moved, Mr. Frye seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Resolution No. 6-2019, “declaring the necessity of lighting the streets...”

Mr. Richardson moved, Mrs. Westphal seconded, that Resolution No. 6-2019 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.

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 42-2019, “Amending Section 125.02 - Division of Police; Amending Section 139.03(e)(3) of the Codified Ordinances of Sylvania, 1979, as amended; and declaring an emergency.” Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Ordinance No. 42-2019, “Amending Section 125.02-Div of Police; amending Section 139.03(e)(3).

Mr. Frye moved, Mrs. Husman seconded, that Ordinance No. 42-2019 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

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

Service Director’s report on the Ohio Revised Code 4504.173, Permissive License Tax was placed on file. He reported on recently passed state legislation for municipalities to levy an annual five dollar license tax on vehicles registered within its municipal limits. The city would receive approximately \$87,140 should council authorize this tax. Mrs. Westphal moved, Mr. Haynam Seconded to authorize legislation to be prepared in support of the permissive license tax \$5.00 fee. Roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Permissive License Tax fees.

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

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Law Director Brinning reported that the additional information from Bruce J. Fondren, Sr. on zoning ordinance amendment application ZA-1-2018 has not yet been received due to applicant working with their engineer for final plans. Proposed action on this application will be continued until the May 20, 2019.	Continuation of ZA-1-2018 action until May 20, 2019.
Mayor Stough stated that Council will now consider agenda item 15.	
Mrs. Westphal moved, Mr. Frye seconded to confirm the Mayor's appointment of Mr. Scott Coolman to service on the Civil Service Commission to fill a seat vacated by Mr. Anthony Spinazza, whose term expires December 31, 2020.	Scott Coolman appointment to Civil Service Commission.
Mayor Stough stated that Council will now consider agenda item 16.	
Mr. Richardson reported on the Streets Committee meeting held on April 22, 2019. He stated there was discussion on the proposed potential Centennial Road sidewalk. City administration will complete the survey and get cost estimates. The stakeholders will convene to discuss funding.	Streets Com Rept. Re: Centennial Road Sidewalk.
Mrs. Westphal reported on the Committee of the Whole meeting from April 23, 2019. She reported the purpose was to discuss the 2020 City Budget. Council and administration continue to discuss ways to identify opportunities for additional revenue to support the budget and suggestions were presented for controlling expenses.	C-O-W Mtg. Rept. Re: 2020 city budget.
Mrs. Westphal reported on the Utilities Committee meeting held on this date at 6:15 p.m. Mr. Aller reviewed the ditch maintenance assessment methodology and the Codified Ordinances Sections 925 and 929 which have not been changed since 1977.	Utilities Com. rept. Ditch Assessments and Section 925 & 929 of Cod Ordinances.
Mrs. Westphal moved, Mr. Luetke seconded to request administration to prepare legislation on the ditch maintenance assessment fees as presented. Roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.	Request legislation - Ditch Assess Fees.
Mrs. Westphal moved, Mrs. Husman seconded to request administration to prepare legislation on changes to the Codified Ordinances, Section 925 as presented. Roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.	Request legislation- Section 925 Codified Ordinances.

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Mrs. Westphal moved, Mr. Luetke seconded to request administration to prepare legislation on changes to the Codified Ordinances, Section 929 as presented. Roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.	Request legislation-Section 925 Codified Ordinances.
Mrs. Westphal moved, Mr. Luetke seconded to schedule a Committee of the Whole meeting for Monday, May 13, 2019 at 5:30 p.m. to have discussion on the new city logo with Fuller Art House. Roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.	C-O-W Mtg; May 5 th @ 5:30 p.m. - City Logo.
Mrs. Cappellini provided update on the parks & forestry committee. She has set up a tour of McNeely Park to look at a unique Oak Opening forest that has been untouched for 50 years. McNeely Park should set a baseline for our efforts at Harroun Park.	Parks & Forestry Update.
Mr. Luetke provided an update that the Sister City engaged in a mid-year meeting with Woodstock. New programs are being studied to organize a joint facebook page and website to tell the story of our cities and engage volunteers to help with a variety of new programs.	Sister City Update.
Mrs. Westphal moved, Mr. Richardson seconded to adjourn at 9:22p.m. Roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.	Adjournment.

Clerk of Council

Mayor

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