

Minutes of the Meeting of Council  
July 15, 2019

The Council of the City of Sylvania, Ohio met in regular session on July 15, 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 Mr. Cappellini.

Pledge of  
Allegiance.

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

The following items were added to the agenda:

Agenda  
approval.

- 4a. Quarryside homeowners update on Funagins noise & paintball issues.
- 16a. Proposed Ordinance 44-2019, Drug Testing Minors.
- 17a. Update on proposed consolidation of 911 (Dispatch) Service.
- 18. Proposed Ordinance No. 65-2019, Abandoned Gas Station Clean Up Grant.
- 19. Agenda item 18 changed to agenda item 19-Executive Session.

Mrs. Westphal moved, Mr. Haynam 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.

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

Mrs. Westphal presented the June 17, 2019 meeting minutes. Mrs. Westphal 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 regular meeting of June 17, 2019 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the  
June 17 meeting  
minutes.

Mr. Paul Hamill, 5327 Quarryside updated council on the activities of Funigans noise and paintball issues. Chief Schnoor and Law Director Brinning provided updates on the situation.

Funigans  
Update.

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

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 55-2019, 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, 2019; and declaring an emergency."; Mrs. Cappellini moved, Mr. Hayman 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.  
55-2019, "To  
assess a special  
tax... shade  
trees...."

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Mrs. Cappellini moved, Mrs. Husman seconded, that Ordinance No. 55-2019 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.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 56-2019, 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, 2019; and declaring an emergency.”; Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance No. 56-2019, “To assess a special tax...open drainage ditches...”

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance No. 56-2019 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.

Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 57-2019, a written copy of same having been previously furnished to each member of Council, “Ordinance approving the assessment heretofore authorized by Resolution No. 6-2019 for Street Lighting; levying said assessments; and declaring an emergency.” Mr. Richardson 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, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No. 57-2019, “Approving the assessment for street lighting...”

Mr. Richardson moved, Mr. Luetke seconded, that Ordinance No. 57-2019 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.

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

Service Director’s report on the Brookhill Court Improvements was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 58-2019, “Authorizing the Mayor and Director of Finance to approve Change Order No. 1 (Final) to this City’s agreement with Ed Kelly and Sons, Inc. for the Brookhill Court Improvements Project which reflects the actual work performed on this project;

Ordinances No. 58-2019, “... CO #1 (Final) to Brookhill Court Improvements

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increasing the contract amount by \$10,403.79; appropriating Funds therefore; 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: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Project....”

Mr. Richardson moved, Mrs. Husman seconded, that Ordinance No. 58-2019 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.

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

Service Director’s report on the Ohio Department of Transportation Municipal Bridge Program Application Silica Drive over Ten Mile Creek was placed on file. Mr. Richardson presented and read aloud by title only, proposed Resolution No. 8-2019, “A Resolution authorizing the Mayor and Director of Finance to file a grant application with the Ohio Department of Transportation Municipal Bridge Program for the Silica Drive over Ten Mile Creek Bridge Replacement Project; and declaring an emergency.” Mr. Richardson moved, Mr. Haynam seconded, that Council dispense with the Second and Third Reading of said Resolution; roll call vote being: Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Resolution No. 8-2019, ....file grant app. For Silica Dr. over Ten Mile Creek.....”

Mr. Richardson moved, Mrs. Husman seconded, that Resolution No. 8-2019 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 8.

Service Director’s report on Alexis Road Safety Improvements was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 59-2019, “Authorizing the Mayor and Director of Finance of the City of Sylvania, Ohio, to enter into an agreement between the State of Ohio, Department of Transportation and the City of Sylvania for the Alexis Road at Elliot and Acres Roads Intersection Improvement Project; appropriating funds therefore in the amount of \$148,148; 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: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Ordinance No. 59-2019; “....Alexis Road intersections Improvements ...”

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Mr. Richardson moved, Mrs. Husman seconded, that Ordinance No. 59-2019 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 9.

Service Director's report on the Professional Engineering Services Proposal for the Monroe Street and Harroun Road Improvements was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 60-2019, "Accepting the proposal of DGL Consulting Engineers to provide professional engineering services for the Monroe Street and Harroun Road Improvement Project; appropriating funds therefore in the amount of \$276,373; and declaring an emergency." Mr. Richardson moved, Mrs. Westphal 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. 60-2019, "...accepting engineering proposal for Monroe & Harroun Rd Improvement ..."

Mr. Richardson moved, Mr. Frye seconded, that Ordinance No. 60-2019 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.

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

Service Director's report on the 2019 Transportation Alternatives Program (TAP) application was placed on file. Mr. Haynam presented and read aloud by title only, proposed Resolution No. 9-2019, "A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to participate in the Transportation Alternatives Grant Program managed by the Toledo Metropolitan Area Council of Government's Transportation Improvement Program and to execute contracts as required; and declaring an emergency." Mr. Haynam moved, Mrs. Husman seconded, that Council dispense with the Second and Third Reading of said Resolution; roll call vote being: Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam (7) yeas; (0) nays. The motion carried.

Resolution No. 9-2019, ...US23-Monroe St Interchange ...TAP Grant program....

Mr. Haynam moved, Mr. Luetke seconded, that Resolution No. 9-2019 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.

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Service Director's report on the 2019 Surface transportation Block Grant (STBG) Program application was placed on file. Mr. Frye presented and read aloud by title only, proposed Resolution No. 10-2019, "A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to participate in the Surface Transportation Block Grant Program managed by the Toledo Metropolitan Area Council of Government's Transportation Improvement Program and to execute contracts as required; and declaring an emergency." Mr. Frye moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Resolution; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Resolution No. 10-2019, "...US23-Monroe St Interchange..... STBG Grant Application....."

Mr. Frye moved, Mr. Luetke seconded, that Resolution No. 10-2019 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.

Service Director's report on the 2019 Congestion Mitigation and Air Quality (CMAQ) Program application was placed on file. Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 11-2019, "A Resolution authorizing the Mayor and Director of Finance to prepare and submit an application to participate in the Congestion Mitigation and Air Quality Grant Program managed by the Toledo Metropolitan Area Council of Government's Transportation Improvement Program and to execute contracts as required; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Resolution; roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

Resolution No. 11-2019, "...US23-Monroe St Interchange..... CMAQ Grant Application....."

Mrs. Westphal moved, Mr. Haynam seconded, that Resolution No. 11-2019 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.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 61-2019, "Accepting for Annexation to the City of Sylvania, Ohio, the territory described in Annexation Petition Number 2018-6 for which James E. Moan is the agent, and as hereinafter described; provided for the interim zoning of said territory; and declaring an emergency." Mr. Haynam moved, Mrs. Husman 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.

Ordinance No. 61-2019; ...Accepting for Annexation to City Petition No. 2018-6..."

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Mr. Haynam moved, Mr. Luetke seconded, that Resolution No. 61-2019 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.

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 62-2019, “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.” Mr. Frye moved, Mr. Haynam 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. 62-2019;”.... agreement for Regional Addiction Diversion Program....”

Mr. Frye moved, Mr. Luetke seconded, that Ordinance No. 62-2019 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 13.

The Plan Commissions recommendation for the Utility and Ingress/Egress Easements from David R. Webb and Diane M. Webb, 0 Colonial Court, Sylvania, Ohio was placed on file. Council has scheduled the public hearing for 8/19/19 at 7:00 p.m.

Plan Comm. recommend... Easements from Webb, Colonial Ct.

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

Service Director’s report on the purchase of a Dump Truck Body and Snow & Ice Plow Package was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 63-2019, “Authorizing the Mayor and Director of Finance to accept the proposal of Henderson Products, Inc. for the provision of a new dump truck body and snow and ice plow package for the Division of Streets, Department of Public service; appropriating \$77,533 therefore; and declaring an emergency.” Mr. Richardson 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. 63-2019, “...new dump truck body, plow package...”

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Mr. Richardson moved, Mrs. Husman seconded, that Ordinance No. 63-2019 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.

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

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 September 16, 2019.

ZA-1-2018  
action until  
Sept 16, 2019.

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

Mr. Frye reported on the Safety Committee meeting held on June 24, 2019 to discuss proposed Ordinance No. 44-2019, Parental Rights relating to drug testing minors. Mr. Haynam submitted a modification to proposed Ordinance No. 44-2019. Julie Hoffman stated the school board is considering modifications to the policy.

Safety Com.  
Mtg. Re: Ord  
No. 44-2019,  
...Drug testing  
minors.

Mr. Frye presented and read aloud by title only for passage, proposed Amended Ordinance No. 44-2019, "Amending the Codified Ordinances of Sylvania, 1979, as amended, by adding Section 537.21 parental rights relating to drug testing minors; roll call vote being: Luetke-No; Richardson-Yes; Westphal-No; Cappellini-No; Frye-No; Haynam-Yes, Husman-No. (2) yeas; (5) nays. The motion failed.

Ordinance No.  
44-2019:  
"Amending  
Cod. Ord...  
Parental Rights  
...testing minors"  
Motion-failed.

Mr. Haynam reported on the Zoning Committee meeting held on July 8, 2019 to discuss minimum parking requirements. Discussion surrounded the idea of greater flexibility into the zoning code regarding parking requirements in accordance with any development and possible bicycle parking requirement. The Committee will continue to work with administration to develop an amendment to Section 157.05 of City of Sylvania Codified Ordinances to include bike parking requirement and include default requirement and option to present a different plan.

Zoning Com.  
Mtg. Rept. Re:  
Minimum  
Parking  
Requirements.

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Mrs. Westphal reported on the Committee of the Whole meeting held on July 11, 2019 to discuss the 2020 City Budget relating to Heritage Sylvania. This was an informational meeting regarding the Heritage Sylvania's activities and fund raising. Council asked for a vision and strategy plan for future. Mr. Blank committed to having this available before next budget cycle.	COW Mtg. report, Re: 2020 Budget relating to Heritage Sylvania.
Mrs. Westphal reported on the Committee of the Whole meeting held at 7:00 p.m. on this date. There was discussion on the new city logo with Fuller Art House. Council provided additional ideas that will be addressed and presented next meeting.	COW Mtg. Report, Re: new city logo.
Mrs. Westphal moved, Mr. Luetke seconded to schedule a Committee of the Whole meeting for August 19, 2019 at 7:00 p.m. to continue discussion of the City logo. Roll call vote being: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.	COW Mtg. scheduled 8/19/19; 7:00 p.m.
Mayor Stough stated that Council will now consider agenda item 17.	
Mayor Stough provided an update on the Consolidation of 911 (Dispatch) services.	Update of Consolidation 911 (Dispatch) Services.
Mayor Stough stated that Council will now consider agenda item 18.	
Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 65-2019, "Accepting the proposal of TTL Associates, Inc. for the Abandoned Gas Station Clean Up Grant Program for the property located at 6511 Monroe Street, Sylvania, Ohio; appropriating funds therefore in the amount of \$107,100; 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: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.	Ordinance No. 65-2019, "...Abandoned Gas Station Clean Up Grant...6511 Monroe St...."
Mrs. Husman moved, Mr. Luetke seconded, that Ordinance No. 65-2019 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.	
Mayor Stough stated that Council will now consider agenda item 19.	
Mrs. Westphal moved, Mr. Haynam seconded to enter into Committee of the Whole Executive Session for the purpose of possible real estate purchase at 9:40 p.m. Roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.	Executive Session: possible real estate purchase.



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Mr. Haynam moved, Mr. Richardson seconded to return from Executive Session to General Session at 10:09 p.m. Roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 64-2019, "Authorizing the Mayor and Director of Finance to enter into an offer to purchase the property located at 5123 Harroun Rd., Sylvania, Lucas County, Ohio, 43560; owned by Carol Vantuinen for the amount of \$220,000; providing funds for said purchase; authorizing the payment of the purchase price; and declaring an emergency."

Ordinance No. 64-2019; "...purchase property at 5123 Harroun Rd...."

Mr. Richardson moved, Mr. Frye seconded to amend the title of proposed Ordinance No. 64-2019 to correct the zip code to 43560; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Mrs. Husman 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.

Mrs. Husman moved, Mrs. Westphal seconded, that Amended Ordinance No. 64-2019 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.

Mayor Stough stated all items have been addressed.

Mrs. Westphal moved, Mr. Richardson seconded to adjourn at 10:12 p.m. Roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Adjournment.

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Clerk of Council

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Mayor

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