

Minutes of the Meeting of Council
October 5, 2020

The Council of the City of Sylvania, Ohio met in regular session on October 5, 2020 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, Brian McCann, Patrick Richardson, Lyndsey Stough, Mary Westphal; (7) present; (0) absent.

Roll call:
All present.

Pledge of Allegiance to the United States of America led by Ms. Stough.

Pledge of
Allegiance.

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

The following items were added to the agenda:

5A. Proposed Resolution 20-2020 (Rescind Order & Rule).

6A. Proposed Ordinance 74-2020, from Public Hearing on ZA-1-2020, South Briar LLC, (David Schmitt).

13A. Update on Downtown Masterplan and schedule a C.O.W. meeting for October 8, 2020 at 12:00 p.m.

Agenda approval.

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

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

Mrs. Westphal presented the September 21, 2020 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 September 21, 2020 be approved; roll call vote being: Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the
September 21,
meeting minutes.

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

Sheila Gibbs, Director of Support Services of the Lucas County Children's Services presented facts regarding Issue, 18, renewal their operating levy.

Lu Co Children's
Svcs. Levy Info

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

Mr. Richardson presented and read aloud by title only, proposed Resolution No. 20-2020, a written copy of same having been previously furnished to each member of Council, "Urging the Governor to rescind Executive Order 2020-3D and the Ohio Liquor Control Commission to rescind Rule 4301:1-1-80; and declaring an emergency"; Mr. Richardson moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Westphal, Cappellini, Frye, Haynam, McCann, Stough, Richardson, (5) yeas; (2) nays. The

Resolution No.
20-2020
"Rescind Order
& Rule"

motion carried.

Mr. Richardson moved, Mr. Haynam seconded, that Resolution No. 20-2020 be enacted as an emergency measure as declared therein: roll call vote being: Cappellini, Frye, Haynam, McCann, Richardson, Stough, Westphal, (5) yeas; (2) nays. The motion carried.

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

Mrs. Westphal reported on the Public Hearing held at 7:00 p.m. on this date to consider the Petition for Zoning Ordinance Amendment, ZA-1-2020, from South Briar LCC (David Schmitt), from “R-1”, Single-Family Residential Large Lot District to “B-2” General Business District and “R-3” Multiple Dwelling Medium Density District. for property located at 5111 & 5123 Main Street, Sylvania, Ohio 43560.

Report of P.H. on
ZA-1-2020,
South Briar LLC
R-1 to B-2 &
R-3.

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 74-2020, a written copy of same having been previously furnished to each member of Council, “Approving the recommendation of the Municipal Planning Commission to approve petition for Zoning Ordinance Amendment No. ZA-1-2020 on the petition of David Schmitt on behalf of South Briar, LLC to change the zoning of 5111 and 5123 Main Street in the City of Sylvania, Ohio; and declaring an emergency”; Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, McCann, Richardson, Stough, (7) yeas; (0) nays. The motion carried.

Ordinance No.
74-2020;
“approving
ZA-1-2020,
South Briar,
LLC, 5111 &
5123 Main St.

Mr. Haynam moved, Mr. Frye seconded, that Ordinance No. 74-2020 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, McCann, Richardson, Stough, Westphal, (7) yeas; (0) nays. The motion carried.

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

Service Director’s report on the Cushman Road Improvement project – Easements was placed on file.

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 75-2020, a written copy of same having been previously furnished to each member of Council, “Accepting a temporary construction easement from Vincent L. Sperling and Ms. Kayla M. Neiding for the improvement of Cushman Road; dedicating the temporary easement for public purposes; appropriating funds therefore; and declaring an emergency”; Mr.

Ordinance No.
75-2020,
“Temp
easement....

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Frye moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Frye, Haynam, McCann, Richardson, Stough, (7) yeas; (0) nays. The motion carried.

Cushman
Rd... Vincent L.
Sperling and Ms.
Kayla M.
Neiding..."

Mr. Frye moved, Mr. McCann seconded, that Ordinance No. 75-2020 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Frye, Haynam, McCann, Richardson, Stough, Westphal, (7) yeas; (0) nays. The motion carried.

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 76-2020, a written copy of same having been previously furnished to each member of Council, "Accepting a temporary construction easement from Peter E. Schultz for the improvement of Cushman Road; dedicating the temporary easement for public purposes; appropriating funds therefore; and declaring an emergency"; Mr. McCann moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Ordinance No.
76-2020,
"Temp
easement....
Cushman
Rd... Peter E.
Schultz..."

Mr. McCann moved, Mrs. Westphal seconded, that Ordinance No. 76-2020 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, McCann, Richardson, Stough, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 77-2020, a written copy of same having been previously furnished to each member of Council, "Accepting a temporary construction easement from Luke D. Cutlip and Brooke A. Cutlip for the improvement of Cushman Road; dedicating the temporary easement for public purposes; appropriating funds therefore; and declaring an emergency"; Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance No.
77-2020,
"Temp
easement....
Cushman
Rd... Luke D.
Cutlip and
Brooke A. Cutlip
Snapp..."

Mr. Haynam moved, Mr. Frye seconded, that Ordinance No. 77-2020 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Stough, Westphal, Cappellini, Frye, Haynam, McCann, (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 78-2020, a written copy of same having been previously furnished to each member of Council, "Accepting a temporary construction easement from Chueng W. Tank for the improvement of Cushman Road; dedicating the temporary easement for public purposes; appropriating funds therefore; and declaring an emergency"; Mrs. Cappellini

Ordinance No.
78-2020,
"Temp
easement....
Cushman

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moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Stough, Westphal, Cappellini, Frye, Haynam, McCann, Richardson, (7) yeas; (0) nays. The motion carried.

Rd...Chueng W. Tang..."

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 78-2020 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Cappellini, Frye, Haynam, McCann, Richardson, Stough, (7) yeas; (0) nays. The motion carried.

Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 79-2020, a written copy of same having been previously furnished to each member of Council, "Accepting a temporary construction easement from Marving Real Estate, LLC for the improvement of Cushman Road; dedicating the temporary easement for public purposes; appropriating funds therefore; 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, McCann, Richardson, Stough, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No. 79-2020, "Temp easement.... Cushman Rd...Marving Real Estate, LLC..."

Mr. Richardson moved, Mr. McCann seconded, that Ordinance No. 79-2020 be enacted as an emergency measure as declared therein; roll call vote being: Frye, Haynam, McCann, Richardson, Stough, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the 20" Sanitary Sewer Easement – 4850 King Road was placed on file.

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 80-2020, a written copy of same having been previously furnished to each member of Council, "Accepting a permanent sanitary sewer easement from John E. Nowakowski and Cynthia Nowakowski; dedicating the easement for public purposes; and declaring an emergency." Mr. McCann moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Haynam, McCann, Richardson, Stough, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 80-2020, "Accepting permanent sanitary sewer easement...John & Cynthia Nowakowski..."

Mr. McCann moved, Mr. Haynam seconded, that Ordinance No. 80-2020 be enacted as an emergency measure as declared therein; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the 30' Waterline Easement at 6454 Monroe Street was placed on file.

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 81-2020, a written copy of same having been previously furnished to each member of Council, "Accepting a permanent waterline easement from Dave White Real Estate, LLC; dedicating the easement for public purposes; and declaring an emergency." Mr. McCann moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, McCann, Richardson, Stough, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 81-2020, "Accepting permanent waterline easement...Dave White, 6454 Monroe St...."

Mr. McCann moved, Mr. Haynam seconded, that Ordinance No. 81-2020 be enacted as an emergency measure as declared therein; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Service Director's report on the South of Monroe (SOMO) – Engineering Contract for Retaining Wall Redesign Services was placed on file.

Ms. Stough presented and read aloud by title only, proposed Ordinance No. 82-2020, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of DGL Consulting Engineers, LLC to provide engineering services for the South of Monroe (SOMO) Retaining Wall Redesign; appropriating funds therefore in an amount not to exceed \$21,700; and declaring an emergency." Ms. Stough moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam (7) yeas; (0) nays. The motion carried.

Ordinance No. 82-2020, "Accepting DGL ...engineering svcs...SOMO Retaining wall redesign...."

Ms. Stough moved, Mrs. Westphal seconded, that Ordinance No. 82-2020 be enacted as an emergency measure as declared therein; roll call vote being: Richardson, Stough, Westphal, Cappellini, Frye, Haynam, McCann, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 83-2020, 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 year 2021; and declaring an emergency.” Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, McCann, Richardson, Stough, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No. 83-2020, “Authorizing agreement.... Public Defender Services for 2021....”

Mrs. Westphal moved, Mr. McCann seconded, that Ordinance No. 83-2020 be enacted as an emergency measure as declared therein; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Richardson seconded to confirm the Mayor’s appointment of Richard L. Munk, M.D. as the City’s representative to the Toledo/Lucas County Board of Health. Roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. Confirmation confirmed.

Confirmation of Richard Munk, M.D. as city’s rep on County Board of Health.

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

Mr. Sanford asked that a virtual Committee of the Whole meeting of City Council be scheduled for Thursday, October 8, 2020 at 12:00 p.m. with Michelle Johnson of Environmental Design. Mrs. Westphal moved, Mr. Richardson seconded to set a C.O.W. meeting for said date and time; roll call vote being: McCann, Richardson, Stough, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays. Confirmation confirmed.

Downtown Masterplan update

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Mayor Stough stated all agenda items have been addressed.

Mrs. Westphal moved, Mr. McCann seconded to adjourn at 9:00 p.m. Roll call vote being: Westphal, Cappellini, Frye, McCann, Haynam, Richardson, Stough, (7) yeas; (0) nays. The motion carried. Adjournment.

Clerk of Council

Mayor

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