

Minutes of the Meeting of Council  
July 18, 2022

The Council of the City of Sylvania, Ohio met in regular session on July 18, 2022 at 7:30 p.m. with Mayor Stough in the chair. Roll was called with the following members present: Mark Frye, Marcus Hansen, Doug Haynam, Brian McCann, Lyndsey Stough; (5) present; Patrick Richardson, Mary Westphal (2) absent; excused.

Roll call:  
Absent:  
Richardson,  
Westphal,  
excused.

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 has been added to the agenda:

- 4a. Introduction of new Police Officer, Mitchell Boraggina.
- 13. Discussion on the Fireworks Contract.

Mr. Frye moved, Mr. Haynam seconded to approve the agenda as amended; roll call vote being: Frye, Hansen, Haynam, McCann, Stough; (5) yeas; (0) nays. The motion carried.

Agenda approval.

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

Mr. Frye presented the June 18, 2022 meeting minutes. Mr. Frye moved, Ms. Stough 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 18, 2022 be approved; roll call vote being: Hansen, Haynam, Frye, McCann, Stough: (5) yeas; (0) nays. The motion carried.

Approval of the  
June 18, 2022  
meeting minutes.

Captain Hubaker introduced the City's new Police Officer, Mitchell Boraggina. He comes to Sylvania with 4 years of experience.

Intro of new  
police officer,  
Boraggina.

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

Mr. McCann presented and read aloud by title only, proposed Ordinance No. 61-2022, 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, 2022; and declaring an emergency."; Mr. McCann moved, Mr. Hansen seconded for passage of Ordinance No. 61-2022 as an emergency measure.; roll call vote being: Haynam, McCann, Stough, Frye, Hansen, (5) yeas; (0) nays. The motion carried.

Ordinance No.  
61-2022, "To  
assess a special  
tax...ditch  
maintenance..."

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Mr. McCann presented and read aloud by title only, proposed Ordinance No. 62-2022, a written copy of same having been previously furnished to each member of Council, “Ordinance approving the assessment heretofore authorized by Resolution No. 6-2022 for Street Lighting; levying said assessments; and declaring an emergency.” Mr. McCann moved, Ms. Stough seconded for passage of Ordinance No. 62-2022 as an emergency measure.; roll call vote being: McCann, Stough, Frye, Hansen, Haynam, (5) yeas; (0) nays. The motion carried.

Ordinance No. 62-2022, “Approving the assessment for street lighting...”

Mr. Hansen presented and read aloud by title only, proposed Ordinance No. 63-2022, 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, 2022; and declaring an emergency.”; Mr. Hansen moved, Mr. McCann seconded for passage of Ordinance No. 63-2022 as an emergency measure.; roll call vote being: Stough, Frye, Hansen, Haynam, McCann, (5) yeas; (0) nays. The motion carried.

Ordinance No. 63-2022, “To assess a special tax... shade trees...”

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 64-2022, 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 Lucas County Court of Common Pleas Work Release Court Addiction Program to Sylvania Municipal Court; and declaring an emergency.”; Mr. Frye moved, Mr. Haynam seconded for passage of Ordinance No. 64-2022 as an emergency measure.; roll call vote being, Frye, Hansen, Haynam, McCann, Stough (5) yeas; (0) nays. The motion carried.

Ordinance No. 64-2022, “...Agreement for Regional Addiction Diversion Program...”

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 65-2022, 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 Amended Agreement with the Chairman of Lucas County General Health District Advisory Council for a Contract providing for the Administration of Health and Environmental Affairs in the Regional Combined Health District; and declaring an emergency.”; Mr. Frye moved, Ms. Stough seconded for passage of Ordinance No. 65-2022 as an emergency measure.;

Ordinance No. 65-2022, “Authorizing an Amended Agreement with Lucas County

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roll call vote being, Hansen, Haynam, McCann, Stough, Frye, (5) yeas; (0) nays. The motion carried.

General Health District Advisory Council....”

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

Service Director’s report on Construction Agreement – Norfolk Southern Railway Company - LUC-Monroe & Silica Improvement Project was placed on file. Mr. McCann presented and read aloud by title only, proposed Ordinance No. 66 -2022, 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 Construction Agreement with Norfolk Southern Railway Company relative to the Monroe & Silica Improvement project; appropriating funds therefore in the amount of \$642,423; and declaring an emergency.”; Mr. McCann moved, Mr. Haynam seconded for passage of Ordinance No. 66-2022 as amended, as an emergency measure; roll call vote being: Haynam, McCann, Stough, Frye, Hansen: (5) yeas; (0) nays. The motion carried.

Ordinance No. 66-2022, “Authorizing a Construction Agreement with Norfolk Southern Railway Co. relative to Monroe & Silica Improvement Project....”

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

Service Director’s report on Right-of-Way acquisition (20-WD & 20-T) for LUC-Monroe and Silica & LUC-Silica Drive Bridge Replacement was placed of file. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 67-2022, 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 Purchase Agreement with the Toledo Lucas County Public Library for the Monroe & Silica Improvement Project and Silica Drive Bridge Replacement Project; dedicating the same for public purposes; appropriating funds therefore in the amount of \$4,533; and declaring an emergency.”; Mr. Haynam moved, Mr. Hansen seconded for passage of Ordinance No. 67-2022 as an emergency measure; roll call vote being: McCann, Stough, Frye, Hansen, Haynam; (5) yeas; (0) nays. The motion carried.

Ordinance No. 67-2022, “Authorizing. Purchase Agreement with Tol Lu Co. Public Library... Monroe & Silica Improvement Project....”

Service Director’s report on Right-of-Way acquisition (21-T) for LUC-Monroe and Silica & LUC-Silica Drive Bridge Replacement was placed of file. Mr. Hansen presented and read aloud by title only, proposed Ordinance No.68 -2022, a written copy of same having been previously furnished to each member of Council “Accepting a Temporary Construction Easement from Louisville Title Agency for N.W. Ohio, Inc., Trustee for the Monroe & Silica Improvement Project and Silica Drive Bridge

Ordinance No. 68-2022, “Accepting a Temporary Construction Easement from Louisville

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Replacement Project; dedicating the temporary easement for public purposes; appropriating funds therefore in the amount of \$17,745; and declaring an emergency.”; Mr. Hansen moved, Mr. Haynam seconded for passage of Ordinance No. 68-2022 as an emergency measure; roll call vote being: Stough, Frye, Hansen, Haynam, McCann; (5) yeas; (0) nays. The motion carried.

Title...Monroe & Silica Improvement Project...”

Service Director’s report on Right-of-Way acquisition (22-T) for LUC-Monroe and Silica & LUC-Silica Drive Bridge Replacement was placed of file. Mr. McCann presented and read aloud by title only, proposed Ordinance No.69 -2022, a written copy of same having been previously furnished to each member of Council “Accepting a Temporary Construction Easement from Sylvania Limited Liability Company for the Monroe & Silica Improvement Project and Silica Drive Bridge Replacement Project; dedicating the temporary easement for public purposes; appropriating funds therefore in the amount of \$33,550; and declaring an emergency.”; Mr. McCann moved, Ms. Stough seconded for passage of Ordinance No. 69-2022 as an emergency measure; roll call vote being: Frye, Hansen, Haynam, McCann, Stough; (5) yeas; (0) nays. The motion carried.

Ordinance No. 69-2022, “Accepting a Temporary Construction Easement from Sylvania LLC ...Monroe & Silica Improvement Project...”

Service Director’s report on Right-of-Way acquisition (28-T) for LUC-Monroe and Silica & LUC-Silica Drive Bridge Replacement was placed of file. Ms. Stough presented and read aloud by title only, proposed Ordinance No.70 -2022, a written copy of same having been previously furnished to each member of Council “Accepting a Temporary Construction Easement from Board of Sylvania Township Trustees for the Monroe & Silica Improvement Project and Silica Drive Bridge Replacement Project; dedicating the temporary easement for public purposes; appropriating funds therefore in the amount of \$16,740; and declaring an emergency.”; Ms. Stough moved, Mr. McCann seconded for passage of Ordinance No. 70-2022 as an emergency measure; roll call vote being: Hansen, Haynam, McCann, Stough, Frye; (5) yeas; (0) nays. The motion carried.

Ordinance No. 70-2022, “Accepting a Temporary Construction Easement from Sylvania Township Trustees ...Monroe & Silica Improvement Project...”

Service Director’s report on Right-of-Way acquisition (30-T) for LUC-Monroe and Silica & LUC-Silica Drive Bridge Replacement was placed of file. Mr. Frye presented and read aloud by title only, proposed Ordinance No.71 -2022, a written copy of same having been previously furnished to each member of Council “Accepting a Temporary Construction Easement from Brighty Investment Properties, LLC for the Monroe &

Ordinance No. 71-2022, “Accepting a Temporary Construction

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Silica Improvement Project and Silica Drive Bridge Replacement Project; dedicating the temporary easement for public purposes; appropriating funds therefore in the amount of \$3,288; and declaring an emergency.”; Mr. Frye moved, Mr. McCann seconded for passage of Ordinance No. 71-2022 as an emergency measure; roll call vote being: Haynam, McCann, Stough, Frye, Hansen; (5) yeas; (0) nays. The motion carried.

Easement from Brightly Investment Prop. LLC ...Monroe & Silica Improvement Project...”

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

Mayor Stough stated that Council is in receipt of the Plan Commission’s recommendation of approval on Zoning Ordinance Amendment Application ZA-2-2022. Mr. Haynam moved, Mr. McCann seconded to set the public hearing on ZA-2-2022 from R-1 to R-3PD for property located at 4215 N. McCord Road for September 6, 2022 at 6:30 p.m. Roll call vote being: Haynam, McCann, Stough, Frye, Hansen; (5) yeas; (0) nays. The motion carried.

Set Public Hearing for ZA-2-2022 for 9/6/22 at 6:30 p.m.

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

Mr. Haynam reported the Zoning & Annexation Committee met on July 7, 2022 to discuss the Zoning Code for Downtown with Environmental Design Group. Mr. Haynam moved, Ms. Stough seconded to order legislation to accept the contract with Environmental Design Group, 3<sup>rd</sup> Revision, dated May 23, 2022 for the zoning code review. There was discussion on proposed Ordinance No. 60-2022, regarding ZA-1-2022. Mr. Haynam presented and read aloud by title only, proposed Ordinance No.60-2022, 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-1-2022 on the petition of the Hamid Brothers, LLC to change the zoning of 5601-5609 West Alexis Road, Sylvania, Ohio; and declaring an emergency.”; Mr. Haynam moved, Mr. Frye seconded for passage of Ordinance No. 60-2022 as an emergency measure; roll call vote being: McCann, Stough, Frye, Hansen, Haynam; (5) yeas; (0) nays. The motion carried.

Report of Z & A Committee regarding: Zoning Code for Downtown;

Ordinance No. 60-2022, “approving Pal Commission’ recommendation of approval on ZA-1-2022...”

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Mayor Stough stated there are no items for agenda item 12, so council will consider now consider agenda item 13.

Mr. Frye reported on the Fireworks from the July 8<sup>th</sup> display. There are questions on the date change which was not addressed in the current contract. Mr. Frye moved, Mr. Hansen seconded to set a COW meeting on August 15<sup>th</sup> at 6:30 p.m. to discuss with Zambelli the contract and issues that led to the date change for this year. Roll call vote being: Frye, Hansen, Haynam, McCann, Stough, (5) yeas; (0) nays.

COW Mtg set for  
815/22 at  
6:30 p.m.

Mayor Stough stated all agenda items have been addressed.

Mr. Frye moved, Mr. Haynam seconded to adjourn at 8:40 p.m. Roll call vote being: Frye, Hansen, Haynam, McCann, Stough, (5) yeas; (0) nays.

Adjournment.

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Clerk of Council

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Mayor