

Minutes of the Meeting of Council
August 20, 2012

The Council of the City of Sylvania, Ohio met in regular session on Monday, August 20, 2012 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: V. Michael Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent: (0).

Roll call: all present.

Mrs. Husman led the Pledge of Allegiance to the United States of America.

Pledge of Alleg.

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

Requests were made for the following amendments to the agenda:

Amendments to the agenda.

- 3a. Introduction of new Finance Director.
- 5a. Move item 8 here.
- 5b. Service Director's reports on speed hump petitions.
- 6c. Service Director's report on project construction progress.
- 14a. Report on the July 31 C-O-W meeting.
- 14b. Report on the Parks & Forestry Committee's August 20 meeting.
- 14c. Report on the July 31 Zoning & Annexation Committee meeting.
- 14d. Report on the August 10 joint committee meeting regarding TARTA.
- 14e. Report on the August 10 Employee & Community Relations Committee meeting.
- 16. Council to adjourn to Executive Session to consider the sale of property.
- 17. Proposed Ordinance 55-2012.

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

Mayor Stough introduced Toby Schroyer who has been appointed Assistant Director of Finance. He will be the Director of Finance effective September 1 due to Scott Smith's anticipated August 31 retirement date.

Asst. Director of Finance.

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

Mrs. Westphal presented the July 16 minutes. Mrs. Westphal moved, Mr. Brown 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 July 16, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the July 16 minutes.

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Mrs. Westphal presented the July 31 special meeting minutes. Mrs. Westphal moved, Mr. Milner 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 July 31, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Approval of the July 31 special meeting minutes.

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

Claire Proctor, Executive Director, Sylvania Community Services, gave a brief update on the Sylvania Senior Center, noting that it is nationally accredited. Only 1% of senior centers have earned this designation. She said her main reason for the visit is for a presentation to Mayor Stough. Mon Taroy, President of the Participant Council, presented the Mayor with a leadership award for his advocacy for senior citizens in the Sylvania community.

Presentation of leadership award to Mayor Stough.

Economic Development/Adm. Services Coordinator Bill Sanford reported on the downtown plan and recommends utilizing Poggemeyer to obtain grants. Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 49-2012, a written copy of same having been previously furnished to each member of Council, "An Ordinance approving and adopting the City of Sylvania's Comprehensive Downtown Market Strategy; and declaring an emergency." Mr. Luetke moved, Mrs. Westphal seconded, that council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Mr. Luetke moved, Mr. Milner seconded, that Ordinance No. 49-2012 be enacted as an emergency measure as declared therein. Mr. Haynam requested the statement "Council will pursue this with the anticipation of applying for a \$400,000 Tier 2 Grant" be included. Vote on the motion as amended by Mr. Haynam being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Service Director Kevin Aller reported on the results of the Maple Drive traffic study due to the speed hump petition from residents on that street. The only criteria that wasn't met was the existence of a major speeding problem. Mr. Milner moved, Mrs. Westphal seconded that since three out of four criteria are met, and the street had speed humps before it was repaved, to authorize legislation approving the installation of speed humps on Maple Drive as recommended by the Service Director. Dan Oberle, 5108 Maple, said that he is worried about the safety of the kids and neighbors by the people

Legislation authorized to install speed humps on Maple.

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that do speed. Tim Sarver, 5055 Maple, noted that the speeders are bad, going well over the speed limit. The vote on the motion being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Mr. Aller explained his recommendation to deny speed humps on Orvieto, noting that the section is only 460 ft. long. Only two of the criteria were met, which is that the petition and post card returns for the humps were at least 80%, and the speed limit is 25 mph. Mr. Milner moved, Mrs. Westphal seconded, that based on the Service Director's report and recommendation, speed humps will not be installed on Orvieto; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Speed hump on Orvieto denied.

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

The Service Director's report and recommendation on the bids received for the Safe Routes to Schools project was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 47-2012, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of Midwest Contracting, Inc., and awarding the contract for the Safe Routes to Schools Project to same; authorizing the expenditure for the improvements in the amount of \$212,662.20; appropriating funds therefore; and declaring an emergency"; and he noted that \$202,000 of the project cost is from ODOT funds. Mr. Milner moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Ordinance 47-2012, "Accepting the bid of Midwest Contracting.. Safe Routes to Schools..."

Mr. Milner moved, Mrs. Westphal seconded, that Ordinance No. 47-2012 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Mr. Aller gave a brief project status update for the Whiteway light replacements, construction on the new elevated water tank, and the salt storage facility.

Project updates.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 48-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance of the City of Sylvania, Ohio, to enter into an agreement with the Sylvania School District for School Resource Officers; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call

Ordinance 48-2012, "...agreement...Sylvania School...School Resource Officers ..."

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vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 48-2012 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Item 8 was previously considered and Mayor Stough stated that Council will now consider agenda item 9.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 50-2012, 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 between the City of Sylvania and the Board of Lucas County Commissioners for the Suburban Court Services Program; agreeing to participate in funding a portion of the local share for Suburban Courts' Services; appropriating \$25,000 therefore; 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, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Ordinance 50-2012, "...agreement...Suburban Court Services Program..."

Mrs. Westphal moved, Mrs. Husman seconded, that Ordinance No. 50-2012 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 10, and Mr. Milner moved, Mr. Luetke seconded, to excuse Mr. Haynam, at his request, due to a possible conflict with his law firm; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; (0) nays. The motion carried.

Haynam excused.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 51-2012, 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 Customer Supply Agreement with DPL Energy Resources, Inc., for the provision of electric energy to municipal consumers within the City of Sylvania; and declaring an emergency." Mr. Brown moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Westphal, Brown, Cappellini, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Ordinance 51-2012, "...Customer Supply Agree...DPL Energy...Municipal Consumers..."

Mr. Brown moved, Mr. Luetke seconded, that Ordinance No. 51-2012 be enacted as an

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emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 11, and Mr. Haynam returned. Haynam returns.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 52-2012, a written copy of same having been previously furnished to each member of Council, "Ordinance approving the assessments heretofore authorized by Resolution No. 8-2012 for street lighting; levying said assessments; and declaring an emergency." Mr. Milner moved, Mr. Luetke seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. Ordinance 52-2012, "...approving the assessments...street lighting..."

Mr. Milner moved, Mrs. Husman seconded, that Ordinance No. 52-2012 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 53-2012, 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, 2012; and declaring an emergency." Mr. Brown moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried. Ordinance 53-2012, "To assess a special tax... open drainage ditches..."

Mr. Brown moved, Mr. Milner seconded, that Ordinance No. 53-2012 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 54-2012, 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, 2012; and declaring an emergency." Mrs. Cappellini moved, Mrs. Husman seconded, Ordinance 54-2012, "To assess a special tax... shade trees..."

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that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini moved, Mr. Brown seconded, that Ordinance No. 54-2012 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

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

Mayor Stough presented the list of items to be offered for sale. Mrs. Westphal moved, Mr. Milner seconded, to authorize the sale of items from the Police Division on GovDeals.com since they are no longer needed by the City; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. Items for GovDeals.com.

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

Mrs. Westphal moved, Mr. Luetke seconded, that no hearing be requested for the notice of the transfer of the D1, D2, D3, and D6 liquor license from Major Magic's, 5838 Monroe St., to China One Restaurant, 5834 Monroe St., Suite L-M, being permit no. 6367841; roll call vote being: : Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried. No objection to liquor permit transfer to China 1.

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

Mrs. Westphal reported that Council met in Committee-of-the-Whole on July 31 for continuing review of the budget, and the focus was the Parks & Forestry Department. The committee meets again on September 4 at 6:30 p.m. in Council Chambers. C-O-W report.

Mrs. Cappellini gave a brief report on this evening's Parks & Forestry Committee meeting which considered refinement to their budget. Parks & Forestry Comm.

Mr. Haynam reported that the Zoning & Annexation Committee met on July 31 to discuss facade lighting. Three scenarios were considered, and draft legislation is being prepared. Zoning & Annex. Comm.

Mr. Luetke reported on the August 10 joint meeting of the Employee & Community Relations and Utilities & Environment Committees to consider the next steps on TARTA issues.

TARTA. As requested at this meeting, Mr. Sanford will give a report to Council at the

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September 4 meeting on the true transportation needs for the City.

Mr. Luetke also said that the Employee & Community Relations Committee met after the joint meeting, and considered updates to the City's website. It lacks the ability to be compatible with smart phones. Mike Tansey will prepare a RFP to determine the costs.

Website update.

There were not items for 15 and Mayor Stough stated that Council will now consider agenda item 16.

At 9:05 p.m. Mrs. Westphal moved, Mr. Haynam seconded, to adjourn to Executive Session of Council to discuss the possible sale of property; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Executive Session.

At 9:56 p.m. Mrs. Westphal moved, Mr. Haynam seconded, to return to Regular Session of Council; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Regular Session.

Mayor Stough stated that Council considered the sale of city owned property during the Executive Session and no action was taken and none needs to be taken at this time.

Mayor Stough stated that Council will now consider agenda item 17.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 55-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to accept the proposal of JJR, LLC to provide professional planning services for the South of Monroe Street ("SOMO") Redevelopment Project; appropriating funds therefore in an amount not to exceed \$10,000; and declaring an emergency." Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Ordinance 55-2012, "...JJR... professional planning services ...SOMO..."

Mrs. Westphal moved, Mr. Milner seconded, that Ordinance No. 55-2012 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

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

Adjournment.

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moved, Mrs. Cappellini seconded, that this meeting adjourn; all present voting yea (7);
(0) nays. The motion carried and the meeting adjourned at 10:00 p.m.

Clerk of Council

Mayor