

Minutes of the Meeting of Council  
December 17, 2018

The Council of the City of Sylvania, Ohio met in regular session on December 17, 2018 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. Frye.

Pledge of  
Allegiance.

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

The following items were added to the agenda:

- 19a. Add Resolutions No. 16-2018, 17-2018, 18-2018, 19-2018.
- 19b. Add Proposed Ordinance No. 54-2018.
- 21. Executive Session to discuss possible litigation against the City.

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 December 3, 2018 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 December 3, 2018 be approved; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

Approval of the  
December 3  
meeting minutes.

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

Mayor Stough presented and read aloud a Proclamation to Richard Sands recognizing 45 years of service to the City of Sylvania.

Proclamation,  
Richard Sands,  
45 yrs. of svc to  
City of Sylvania.

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 60-2018, a written copy of same having been previously furnished to each member of Council, "To make Appropriations for Current Expenditures and Other Expenditures of the City of Sylvania, Ohio, for the fiscal year ending December 31, 2019." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the 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.  
60-2018;  
2019 Budget.

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Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 60-2018 be enacted 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.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 67-2018, a written copy of same having been previously furnished to each member of Council, “To make certain adjustments to account allocations within the Fund Appropriations for the Fiscal Year ending December 31, 2018; and declaring an emergency” Mrs. Westphal 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. 67-2018, “To make certain adjustment to Account Allocations...”.

Mrs. Westphal moved, Mr. Frye seconded, that Ordinance No. 67-2018 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.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 68-2018, a written copy of same having been previously furnished to each member of Council, “Making certain position and compensation pay plan changes, making certain salary, wage and other service compensation adjustments to the Codified Ordinances of Sylvania, 1979, as amended, and other Ordinances; by granting pay increases to some of the Appointed Officials whose titles are listed in Section 139.03(e)(3), by granting a two and three quarter percent (2.75%) pay increase to all non-union city employees and court employees whose positions are included in the list of occupational titles of Section 139.02(a) of the Codified Ordinances of which increase is reflected in the annual wage rate Schedule 4 of Section 139.01(D) of the Sylvania Codified; by granting pay increases for some of the employees in the labor and trades supervision group; and declaring an emergency.” Mr. Luetke moved, Mrs. Husman 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. 68-2018, “...making certain pay plan changes...”

Mr. Luetke moved, Mrs. Westphal seconded, that Ordinance No. 68-2018 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 9.

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Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 70-2018, 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 3-year Collective Bargaining Agreement commencing January 1, 2019, with the Fraternal Order of Police, Lodge No. 129, on behalf of the Patrolmen, and declaring an emergency." Mr. Luetke moved, Mr. Frye 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.  
70-2018, "...  
3 year  
Collective  
Bargaining  
agreement...  
Patrolmen..."

Mr. Luetke moved, Mrs. Husman seconded, that Ordinance No. 70-2018 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 10.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 71-2018, 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 3-year Collective Bargaining Agreement commencing January 1, 2019, with the Sylvania Police Command Officer's Association on behalf of the Sergeants, and declaring an emergency." Mr. Luetke 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.  
71-2018, "...  
3 year Collective  
Bargaining  
agreement...  
Sergeants..."

Mr. Luetke moved, Mr. Haynam seconded, that Ordinance No. 71-2018 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 11.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 69-2018, a written copy of same having been previously furnished to each member of Council, "Authorizing an Agreement between Donald J. Schonhardt & Associates, Inc. and the City of Sylvania whereby said firm will assist the City in preparation of its 2018, 2019 and 2020 Basic Financial Statements (BFSs) in compliance with Generally Accepted Accounting Principles (GAAP) at costs not to exceed \$14,250 for 2018, \$14,250 for 2019, and \$14,250 for 2020 plus mileage for each year; authorizing the Mayor and Director of Finance to sign the agreement on behalf of the City; and declaring an emergency." Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being:

Ordinance No.  
69-2018,  
"Authorizing  
agreement...  
Schonhardt for  
2018, 2019 and  
2020..."

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Husman, Luetke, Richardson, Westphal, Cappellini, Frye, Haynam, (7) yeas; (0) nays.  
The motion carried.

Mrs. Westphal moved, Mr. Frye seconded, that Ordinance No. 71-2018 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 12.

Service Director's report on the South Main Street Sanitary Sewer Improvement Project professional surveying requests for proposals was placed on file. Mrs. Westphal moved, Mr. Hayman seconded to authorize request for proposals for professional surveying for the South Main Street Sanitary Sewer Improvement Project. Roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Authorization  
for request for  
proposals...S.  
Main St Sanitary  
Sewer Imp.  
Project.

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

Service Director's report on the US23/Monroe Street Bridge Aesthetics project development was placed on file. Mr. Westphal moved, Mrs. Husman seconded to set a Committee of the Whole meeting for January 7, 2019 at 7:00 p.m. to receive information on the US23/Monroe Street Bridge Aesthetics project. Roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

C-O-W  
Meeting: 1/7/19  
at 7:00p.m. Re:  
US23/Monroe  
Bridge  
Aesthetics  
project.

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

Service Director's report on the Brookhill Court Improvement Project bids was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 72-2018, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of Ed Kelly and Sons, Inc. and awarding the contract for the Brookhill Court Improvements in the amount of \$141,897; appropriating funds therefore, 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: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No.  
72-2018,  
"Accepting bid  
...Ed Kelly &  
Son...Brookhill  
Court  
Improvements  
...."

Mr. Richardson moved, Mrs. Westphal seconded, that Ordinance No. 72-2018 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.

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

Service Director's report on a 2019 Police vehicle purchase was placed on file. Mr. Frye presented and read aloud by title only, proposed Ordinance No. 73-2018, 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 Statewide Ford for the purchase of one 2019 Ford Police Interceptor Utility Vehicle for the Sylvania City Police Department; appropriating funds therefore; 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: Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, Frye, (7) yeas; (0) nays. The motion carried.

Ordinance No.  
73-2018,  
"authorizing...  
purchase of one  
2019 Ford  
Police  
Interceptor...."

Mr. Frye moved, Mrs. Westphal seconded, that Ordinance No. 73-2018 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 16.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 74-2018, 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 2019; and declaring an emergency." Mrs. Westphal moved, Mr. Haynam 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.  
74-2018,  
"... Public  
Defender  
Services to  
Sylvania Court  
for 2019..."

Mrs. Westphal moved, Mr. Frye seconded, that Ordinance No. 74-2018 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 17.

Mr. Haynam moved, Mr. Frye seconded to set the public hearing on Zoning Ordinance Amendment Application No. ZA-1-2018 a request from Bruce J. Fondren, Sr. for property located at 4713 King Road, Sylvania, Ohio for January 22, 2019 at 7:00 p.m.

Public Hearing  
ZA-1-2018,  
1/22/19,

and authorize the clerk to advertise the same. Roll call vote being: Luetke, Richardson,

7:00p.m.

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Westphal, Cappellini, Frye, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 18.

Mrs. Westphal moved, Mr. Luetke seconded to confirm Mayor Stough's re-appointment of Brian McCann to the Municipal Planning Commission for a term commencing January 1, 2019 and expiring on December 31, 2022; roll call vote being: Richardson, Westphal, Cappellini, Frye, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Confirmation of  
Brian McCann  
to Municipal.  
Plan  
Commission.

Mayor Stough stated that Council will now consider agenda item 19.

Mr. Richardson reported on the Streets Committee meeting held on this date regarding proposed Ordinance No. 45-2018, Small Cell Technology in the right of way. He stated Council will consider proposed Ordinance No. 45-2018 at the next council meeting on 1/7/19 and additional research on this matter will take place the first quarter 2019.

Streets Com.  
report re: Ord  
45-2018, Small  
Cell  
Technology.

Mr. Luetke reported on the Employee and Community Relations Committee meeting held on this date regarding Council's appointments to the Board of Zoning Appeals and the SAJRD Board. He stated council will take applications for the SAJRD Board appointment until 12/28/18 at 12:00 noon.

Emp & Com  
Relations report:  
BZA & SAJRD  
Appointments.

Mr. Luetke presented and read aloud by title only, proposed Resolution No. 16-2018, a written copy of same having been previously furnished to each member of Council, "Re-appointing Gary Sommer to the Zoning Board of Appeals for a term expiring December 31, 2021; and declaring an emergency." Mr. Luetke moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Resolution; roll call vote being: Westphal, Cappellini, Frye, Haynam, Husman, Luetke, Richardson, (7) yeas; (0) nays. The motion carried.

Resolution No.  
16-2018,  
Re-Appointing  
Gary Sommer to  
BZA.

Mr. Luetke moved, Mr. Frye seconded, that Resolution No. 16-2018 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.

Mr. Luetke presented and read aloud by title only, proposed Resolution No. 17-2018, a written copy of same having been previously furnished to each member of Council,

Resolution No.

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“Appointing Thomas Reynolds to the Zoning Board of Appeals for a term expiring December 31, 2021; and declaring an emergency.” Mr. Luetke moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Resolution; roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

17-2018,  
Appointing  
Thomas  
Reynolds to  
BZA.

Mr. Luetke moved, Mrs. Husman seconded, that Resolution No. 17-2018 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.

Mr. Luetke presented and read aloud by title only, proposed Resolution No. 18-2018, a written copy of same having been previously furnished to each member of Council, “Appointing Michael Jones to the Board of Trustees of Sylvania Area Joint Recreation District (“SAJRD”) for a term expiring December 31, 2021; and declaring an emergency.” Mr. Luetke moved, Mrs. Westphal 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.  
18-2018,  
Appointing  
Michael Jones to  
SAJRD Board  
of Trustees.

Mr. Luetke moved, Mr. Haynam seconded, that Resolution No. 18-2018 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. Luetke presented and read aloud by title only, proposed Resolution No. 19-2018, a written copy of same having been previously furnished to each member of Council, “Re-Appointing Katie Cappellini to the Board of Trustees of Sylvania Area Joint Recreation District (“SAJRD”), she being a member of the Council of this appointing political subdivision, for the full calendar year of 2019; and declaring an emergency.” Mr. Luetke 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.  
19-2018,  
Re-Appointing  
Katie Cappellini  
to SAJRD  
Board of  
Trustees.

Mr. Luetke moved, Mr. Frye seconded, that Resolution No. 19-2018 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 that Council will now consider agenda item 20.

Mrs. Westphal moved, Mr. Haynam seconded to set a Committee of the Whole meeting for beginning discussions on the 2020 Budget for Friday, February 22, 2019 at 7:30 a.m. in the finance department conference room. Roll call vote being: Cappellini, Frye,

C-O-W Mtg,  
2/22/19;

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Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

7:30 a.m.  
Re: 2020  
Budget.

Mayor Stough stated that Council will now consider agenda item 21.

Mrs. Westphal moved, Mr. Haynam seconded to enter into Executive Session for the purpose of possible litigation against the City at 8:42 p.m. Roll call vote being: Cappellini, Frye, Haynam, Husman, Luetke, Richardson, Westphal, (7) yeas; (0) nays. The motion carried.

Executive  
Session Re:  
possible  
litigation.

Mrs. Westphal moved, Mr. Luetke seconded to return from Executive Session to General Session at 9:26 p.m. Roll call vote being: Frye, Haynam, Husman, Luetke, Richardson, Westphal, Cappellini, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mrs. Husman seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:26 p.m.

Adjournment.

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Clerk of Council

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Mayor

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