

Minutes of the Meeting of Council
August 19, 2024

The Council of the City of Sylvania, Ohio met in regular session on August 19, 2024 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, Patrick Richardson, Mary Westphal, Lyndsey Stough; (7) present; (0) absent.

Roll call:
7 present.

Pledge of Allegiance to the United States of America led by Mrs. Westphal.

Pledge of
Allegiance.

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

Additions to the agenda: none.

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

Agenda approval.

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

Mr. Frye presented the July 15, 2024 regular meeting minutes. Mr. Frye 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 July 15, 2024 be approved; roll call vote being: Haynam, Hansen, Frye, McCann, Richardson, Westphal, Stough; (7) yeas; (0) nays. The motion carried.

Approval of the
July 15, 2024
Meeting minutes.

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

Health Commissioner, Karim Baroudi, gave a brief up on the Toledo-Lucas County Health Department. The City of Sylvania's TLCHD Board representative, Dr. Richard Munk, was also in attendance. Their 2023 Annual Report was distributed to each member of council and administration.

TLC Health
Dept. update.

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

Heritage Sylvania's new Executive Director, Samantha Ayres, was introduced along with Assistant Director, Tristan Turkopp. They both gave an update on new events and programs happening in the village and distributed information to all members of council and administration.

Intro. of &
update by
Heritage Syl.
E.D. Samantha
Ayres.

Mr. Frye moved, Ms. Stough seconded to allow Mr. Haynam to push back from the table due to a conflict of interest. Roll call vote being: Haynam, Stough, Frye, Richardson, McCann, Westphal, Hansen; (7) yeas; (0) nays. The motion carried.

Mr. Haynam
pushes back from
the table.

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

Mr. Hansen moved, Ms. Stough seconded to refer the Petition for Zoning Ordinance Amendment ZA #1-2024 from Mercurio Developers Inc. for zoning change from R-3

ZA #1-2024
Mercurio Dev.
Aurora Place

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PD to B-2 at 5142 W. Alexis Road, Sylvania, Ohio 43560 to the Municipal Planning Commission for review; roll call vote being: Hansen, Westphal, Frye, Stough, McCann, Richardson; (6) yeas; (0) nays. The motion carried. referral to Plan Commission.

Mr. Hansen moved, Mr. Frye seconded to set a Public Hearing for ZA #1-2024 from Mercurio Developers Inc. for Monday, October 7, 2024 at 7:00 p.m. in Sylvania City Council Chambers, 6635 Maplewood Avenue, Sylvania, Ohio 43560; roll call vote being: Westphal, Frye, McCann, Richardson, Stough, Hansen; (6) yeas; (0) nays. The motion carried. Set Public Hearing for 10/7/24 at 7:00pm.

Mr. Haynam returned to the table.

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

Mrs. Westphal gave a brief report from the Employee & Community Relations Committee meeting held on August 12, 2024 at 5:30 p.m. Judge Bonfiglio and Magistrate Cole were in attendance to discuss Judge Bonfiglio's request to raise Magistrate Cole's salary from \$126,999 to \$142,000. Three past employees of the court spoke individually reporting a hostile/toxic work environment under Magistrate Cole's management. Committee voted to refer this issue back to Council for consideration. Emp. & Comm. Relations Comm. Meeting report.

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

Mr. Frye moved, Mrs. Westphal seconded to go into Executive Session to discuss personnel issues and pending litigation at 8:23 p.m. Roll call vote being: Frye, Richardson, Westphal, Hansen, Stough, Haynam, McCann; (7) yeas; (0) nays. The motion carried. Executive Session: Personnel Issues & Pending Litigation.

Mrs. Westphal moved, Mr. Frye seconded to return from Executive Session to General Session at 9:14 p.m. Roll call vote being: Richardson, Westphal, Frye, Hansen, Stough, Haynam, McCann; (7) yeas; (0) nays. The motion carried.

Mr. Frye reported on the personnel issues discussed; it was requested that the letters City Council received regarding Magistrate Cole's salary increase be sent to Judge Bonfiglio for his review and that Judge Bonfiglio return to a future Employee & Community Relations Committee meeting for continued discussion on his request.

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

Dana Clark of Toledo-Lucas County Port Authority gave a brief presentation on the Promenade Shops Energy Special Improvement District (ESID). She is the head of the Property Assessed Clean Energy (PACE) Program.

ESID
presentation by
Dana Clark.

Mr. Frye presented and read aloud by title only, proposed Resolution No. 9-2024, a written copy of same having been previously furnished to each member of Council “Approving the petition for Special Assessments for Special Energy Improvement Projects under Ohio Revised Code Chapter 1710; approving the necessity of acquiring, constructing, and improving certain public improvements in the City of Sylvania, Ohio in cooperation with the Northwest Ohio Advanced Energy Improvement District; and declaring an emergency.”; Mr. Frye moved, Mr. McCann seconded for passage of Resolution No. 9-2024 as an emergency measure; roll call vote being: Stough, Hansen, Haynam, McCann, Westphal, Richardson, Frye; (7) yeas; (0) nays. The motion carried.

Resolution No.
9-2024,
“...Petition for
Special
Assessments...
ESID...”

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 91-2024, a written copy of same having been previously furnished to each member of Council “Determining to proceed with the acquisition, construction, and improvement of certain public improvements in the City of Sylvania, Ohio in cooperation with the Northwest Ohio Advanced Energy Improvement District; and declaring an emergency.”; Mr. Frye moved, Mr. McCann seconded for passage of Ordinance No. 91-2024 as an emergency measure; roll call vote being: Frye, Haynam, Stough, Westphal, McCann, Hansen, Richardson; (7) yeas; (0) nays. The motion carried.

Ordinance No.
91-2024,
“...proceed with
acquisition...
ESID...”

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 92-2024, a written copy of same having been previously furnished to each member of Council “Levying Special Assessments for the purpose of acquiring, constructing, and improving certain public improvements in the City of Sylvania, Ohio in cooperation with the Northwest Ohio Advanced Energy Improvement District; and declaring an emergency.”; Mr. Frye moved, Mr. Haynam seconded for passage of Ordinance No. 92-2024 as an emergency measure; roll call vote being: Frye, Haynam, Stough, McCann, Hansen, Richardson, Westphal; (7) yeas; (0) nays. The motion carried.

Ordinance No.
92-2024, “...
Levying Special
Assessments...
ESID...”

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

Service Director’s letter requesting approval of the proposal was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 93-2024, a written copy of same having been previously furnished to each member of Council “Accepting the proposal of DGL Consulting Engineers, LLC to provide professional surveying services for the Monroe Street and Alexis Road Corridor Traffic Signal Timing Project; appropriating funds therefore in the amount of \$17,300; and declaring an emergency.”; Mr. Richardson moved, Mr. Hansen seconded for passage of Ordinance No. 93-2024 as an emergency measure; roll call vote being: Hansen, Frye, Haynam, Stough, McCann, Westphal, Richardson; (7) yeas; (0) nays. The motion carried.

Ordinance No.
93-2024,
“...DGL...
Monroe & Alexis
Traffic Signal
Timing
Project...”

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

Service Director’s letter recommending approval of the purchase was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 94-2024, a written copy of same having been previously furnished to each member of Council “Authorizing the Mayor and Director of Finance to purchase roadway de-icing salt for the City of Sylvania; appropriating funds therefore; and declaring an emergency.”; Mr. Richardson moved, Mr. Haynam seconded for passage of Ordinance No. 94-2024 as an emergency measure; roll call vote being: Hansen, Frye, Haynam, Stough, McCann, Westphal, Richardson; (7) yeas; (0) nays. The motion carried.

Ordinance No.
94-2024, “...Salt
purchase...”

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

Service Director’s letter on Change Order No. 4 was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 95-2024, a written copy of same having been previously furnished to each member of Council “Authorizing the Mayor and Director of Finance to approve Change Order No. 4 to this City’s agreement with Mosser Construction for the Monroe Street and Silica Drive Intersection Improvement and Silica Drive Bridge Replacement Project to reflect the cost of one new scope of work items; increasing the contract amount by \$21,499.63; appropriating funds therefore; and declaring an emergency.”; Mr. Richardson moved, Ms. Stough seconded for passage of Ordinance No. 95-2024 as an emergency measure; roll call vote being: Frye, Haynam, Stough, McCann, Hansen, Westphal, Richardson; (7) yeas;

Ordinance No.
95-2024,
“...Change Order
No. 4...Mosser
Construction...
Monroe Silica
Intersection...
Silica Bridge...”

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(0) nays. The motion carried.

Service Director’s letter on Change Order No. 5 (Final) was placed on file. Mr. Richardson presented and read aloud by title only, proposed Ordinance No. 96-2024, a written copy of same having been previously furnished to each member of Council “Authorizing the Mayor and Director of Finance to approve Change Order No. 5 (Final) to this City’s agreement with Mosser Construction for the Monroe Street and Silica Drive Intersection Improvement and Silica Drive Bridge Replacement Project to reflect the as-built quantities; decreasing the contract amount by \$276,073.26; and declaring an emergency.”; Mr. Richardson moved, Mr. Haynam seconded for passage of Ordinance No. 96-2024 as an emergency measure; roll call vote being: Haynam, Frye, Stough, McCann, Hansen, Westphal, Richardson; (7) yeas; (0) nays. The motion carried.

Ordinance No. 96-2024, “... Change Order No. 5 (Final)... Mosser Construction... Monroe Silica Intersection... Silica Bridge...”

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

Mr. Frye presented and read aloud by title only, proposed Ordinance No. 97-2024, 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 with Tessa Gardella; and declaring an emergency.”; Mr. Frye moved, Mr. McCann seconded for passage of Ordinance No. 97-2024 as an emergency measure; roll call vote being: Stough, Frye, Haynam, McCann, Hansen, Richardson, Westphal; (7) yeas; (0) nays. The motion carried.

Ordinance No. 97-2024, “...Agreement with Tessa Gardella...”

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

Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 98-2024, a written copy of same having been previously furnished to each member of Council “Amending the Codified Ordinances of the City of Sylvania, 1979, as amended by amending Section 125.04 – Original Appointments to Division of Police; and declaring an emergency.”; Mrs. Westphal moved, Mr. McCann seconded for passage of Ordinance No. 98-2024 as an emergency measure; roll call vote being: Richardson, Stough, Frye, Haynam, McCann, Hansen, Westphal; (7) yeas; (0) nays. The motion carried.

Ordinance No. 98-2024, “...Amending Section 125.04... Division of Police...”

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 99-2024, a written copy of same having been previously furnished to each member of Council “Amending Part Eleven – Planning and Zoning Code of the Sylvania Codified Ordinances, 1979, as amended by amending Section 1101.01 – Definitions and by amending Section 1153.02 – Special Uses; and declaring an emergency.”; Mr. Haynam moved, Mr. Frye seconded to refer proposed Ordinance No. 99-2024 to the Municipal Planning Commission for review and recommendation; roll call vote being: Stough, Richardson, Frye, Haynam, McCann, Hansen, Westphal; (7) yeas; (0) nays. The motion carried.

Ordinance No. 99-2024, “... Planning & Zoning... Section 1101.01...”
Council Referral to Plan Commission.

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

Service Director’s letter recommending Council refer the Monroe Street Knee Wall Standards to a council committee for review and recommendation. Mr. Frye moved, Mrs. Westphal seconded to refer this information to a future Streets Committee meeting for review and recommendation after the Board of Architectural Review has reviewed it at their September 11, 2024 meeting; roll call vote being: Frye, Haynam, Stough, McCann, Richardson, Hansen, Westphal; (7) yeas; (0) nays. The motion carried.

Knee Wall Standards referred to future Streets Committee Meeting.

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

Service Director’s letter requesting authorization to begin Letters of Interest (LOI) solicitation on replacing four Rectangular Rapid Flashing Beacon (RRFB) systems with Pedestrian Hybrid Beacon (PHB) systems at local schools was placed on file. Mr. Frye moved, Mr. Richardson seconded to approve authorization to begin LOI solicitation on this project; roll call vote being: Stough, Richardson, Frye, Haynam, McCann, Hansen, Westphal; (7) yeas; (0) nays. The motion carried.

LOI for PHB replacement project at 4 local schools.

Service Director’s letter requesting authorization to begin Letters of Interest (LOI) solicitation for construction management services for the Harroun Road/Ravine Drive/Flower Hospital Traffic Signal Improvement Project was placed on file. Mr. Richardson moved, Ms. Stough seconded to approve authorization to begin LOI solicitation on this project; roll call vote being: Richardson, Haynam, McCann, Stough, Frye, Hansen, Westphal; (7) yeas; (0) nays. The motion carried.

LOI for Traffic Signal Improvement Project.

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Service Director’s letter requesting authorization to begin Letters of Interest (LOI) solicitation for the Sylvania Avenue Pump Station Replacement Project was placed on file. Mr. McCann moved, Mrs. Westphal seconded to approve authorization to begin LOI solicitation on this project; roll call vote being: Stough, Richardson, Haynam, McCann, Hansen, Westphal, Frye; (7) yeas; (0) nays. The motion carried.

LOI for Sylvania Avenue Pump Station Replacement Project.

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

Service Director’s letter requesting authorization to advertise for bids on the Plummer Pool Bath House Renovations project was placed on file. Ms. Stough moved, Mr. McCann seconded to approve authorization to advertise for bids on this project; roll call vote being: Stough, Richardson, McCann, Hansen, Westphal, Haynam, Frye; (7) yeas; (0) nays. The motion carried.

Request authorization to advertise for bids on Plummer Pool Bath House Renovations.

Mayor Stough stated that Council will now consider agenda item 20.

Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 10-2024, a written copy of same having been previously furnished to each member of Council “A Resolution of the Council of the City of Sylvania supporting Sylvania Area Joint Recreation District’s request to replace two levies totaling 1.25 mills; and declaring an emergency.”; Mrs. Westphal moved, Mr. Hansen seconded for passage of Resolution No. 10-2024 as an emergency measure; roll call vote being: Hansen, Haynam, McCann, Stough, Westphal, Richardson, Frye; (7) yeas; (0) nays. The motion carried.

Resolution No. 10-2024, “... supporting SAJRD Levy...”

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

Council is in receipt of the Plan Commission’s recommendation of approval of SUP #3-2024 from Brian McNulty, Flower Hospital, 5200 Harroun Road, Sylvania, Ohio 43560 for an addition to be built onto the Central Utility Plant. Mr. Haynam moved, Mr. Hansen seconded to set the Public Hearing for SUP #3-2024 for Monday, October 7, 2024 at 7:00 p.m. in City Council Chambers, 6635 Maplewood Avenue, Sylvania, Ohio 43560; roll call vote being: Hansen, Haynam, McCann, Stough, Westphal, Richardson, Frye; (7) yeas; (0) nays. The motion carried.

Set Public Hearing for 10/7/24 at 7:00pm.

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Mayor Stough stated that Council will now consider agenda item 22.

Mr. Frye moved, Ms. Stough seconded, that no hearing be requested for the D1/D2/D3, “Beer only for on premises consumption or in original sealed containers for carryout only until 1:00am/Wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1:00am/Spiritous liquor for on premises consumption only until 1:00 a.m.” permit from Element 112 LLC to Element Acquisition LLC, 5737 N. Main Street & Patio, Sylvania, Ohio 43560; roll call vote being: Hansen, Frye, Westphal, Richardson, Stough, McCann, Haynam; (7) yeas; (0) nays. The motion carried.

No objection to D1/D2/D3 liquor permit for Element Acquisition LLC at 5737 N. Main Street.

Mayor Stough stated that Council will now consider agenda item 23.

Mr. Frye moved, Mr. Hansen seconded to approve the Then and Now Certifications issued from February 27, 2024 through August 1, 2024; roll call vote being: Haynam, Westphal, Richardson, Frye, Stough, Hansen, McCann; (7) yeas; (0) nays. The motion carried.

Then & Now Certifications.

Mayor Stough stated all agenda items have been addressed.

Mr. Frye moved, Mr. McCann seconded to adjourn at 10:17 p.m. Roll call vote being: Frye, Richardson, Westphal, Hansen, Stough, Haynam, McCann; (7) yeas; (0) nays.

Adjournment.

Clerk of Council

Mayor

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