

Minutes of the Meeting of Council  
August 15, 2011

The Council of the City of Sylvania, Ohio met in regular session on Monday, August 15, 2011 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, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (6); absent: Doug Haynam (1), excused by Mayor Stough.

Roll call:  
Haynam absent,  
excused by  
Mayor Stough.

Mrs. Westphal 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 additions to the agenda:

Additions to the  
agenda.

8. Utilities & Environment Committee report.
- 10a. Economic Development sub-Committee report.
12. Proposed Ordinance 75-2011.
13. Service Director's update on the status of the railroad repairs.
14. Sylvania Historical Village event.
15. SCAT first annual golf scramble.

Mr. Milner moved, Mr. Luetke seconded, to approve the agenda as amended; roll call vote being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

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

Mr. Milner presented the July 18 minutes. Mr. Milner moved, Mr. Luetke 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 18, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Approval of the  
July 18 minutes.

Mr. Milner presented the August 1 special meeting minutes. Mr. Milner moved, Mrs. Husman 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 August 1, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Approval of the  
August 1 minutes.

Mayor Stough stated that Council will now consider agenda item 5

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Mr. Milner reported on the 6:30 public hearing for SUP-2-2011. He noted that there was a good turnout from residents, mostly from north of the site of the elevated water tank at 8425 Sylvania-Metamora Road. They are against placement of the tank at that location, and asked Council to consider other places. Residents have no issue with the salt storage building. Council members did tour the area prior to the meeting, and noted that there may be some other suitable sites to the west. The residents who received written notice of the public hearing will also receive written notice of any subsequent meetings on the issue. Mr. Milner moved, Mrs. Westphal seconded, to refer the issue to the Committee-of-the-Whole which will meet on September 19, 2011 at 5:30 p.m. in Council Chambers; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; (0) nays. The motion carried.

Public hearing report on SUP-2-2011, elevated water tank and salt storage building.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 70-2011, 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 Jones and Henry Engineers, Ltd., for additional professional surveying and engineering design for the water tower construction project; appropriating funds therefore in an amount not to exceed \$14,800; 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 70-2011, "...proposal of Jones and Henry Engineers... additional...water tower construction..."

Mr. Brown moved, Mr. Milner seconded, that Ordinance No. 70-2011 be enacted as an 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 6.

Service Director Kevin Aller's reports on change order nos. 16 and 17 for the Alexis Road (SR 184) project were placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 71-2011, 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. 16 to this City's agreement with Gerken Paving, Inc., for the SR 184 (Alexis Road) Improvement Project which reflects the actual repairs performed on the project; increasing the City's portion of the contract amount by \$15,018.02; and declaring an emergency." Mr. Milner moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

Ordinance 71-2011, "...approve Change Order No. 16...Alexis Road..."

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Mr. Milner moved, Mrs. Westphal seconded, that Ordinance No. 71-2011 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 72-2011, 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. 17 to this City's agreement with Gerken Paving, Inc., for the SR 184 (Alexis Road) Improvement Project which reflects contractor remobilization costs on this project; increasing the City's portion of the contract amount by \$4,500.00; and declaring an emergency." Mr. Milner 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 (6) yeas; (0) nays. The motion carried.

Ordinance 72-2011, "...approve Change Order No. 17...Alexis Road..."

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 72-2011 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) 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. 73-2011, 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 a Police Mutual Aid Pact with certain municipal corporations and townships, township police districts, county sheriffs, park districts in Lucas County, Wood County, and those adjacent to Lucas County and public hospital agencies and non-profit hospital agencies; 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: Milner, Westphal, Brown, Cappellini, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Ordinance 73-2011, "...Police Mutual Aid Pact ..."

Mrs. Westphal moved, Mr. Milner seconded, that Ordinance No. 73-2011 be enacted as an 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 8.

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Mr. Brown reported that street light assessments were one of the topics discussed at the August 10 Utilities & Environment Committee meeting. The Administration put together a profile of past assessments which show that current assessments are lower than in 1999, and street lighting assessments were not charged for two years because there was adequate money in the account. Currently more funds are needed to break even. The recommended increase is minimum, and after additional consideration of the Whiteway (special downtown and Monroe Street lighting) charges, it was determined that the rate should be \$1.10 per parcel front foot. The committee also reviewed the condition of the Monroe Street lights. Some are down, and some need repairs. Since this is an immediate concern, they recommend that \$100,000 from capital improvements be used to repair and replace these poles.

Resolution 8-2011(a),  
“Declaring the necessity of lighting the streets...”

Mr. Brown presented and read aloud by title only, proposed Resolution No. 8-2011(a), a written copy of same having been previously furnished to each member of Council, “Declaring the necessity of lighting the streets in the City of Sylvania, Ohio; determining the manner of providing street lighting and the basis for the property owner’s share of the cost and annual assessment; and declaring an emergency.” Mr. Brown moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

Mr. Brown moved, Mrs. Westphal seconded, that Resolution No. 8-2011(a) be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mr. Luetke seconded, to direct the Administration to look into using capital improvement funds to repair and or replace certain Monroe Street light poles; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Funds to repair or replace light poles.

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

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 74-2011, a written copy of same having been previously furnished to each member of Council, “Authorizing Flower Hospital to affix banners to utility poles along Monroe Street and Harroun Road; authorizing the Director of Public Service to indicate such approval on behalf of the City of Sylvania; and declaring an emergency.” Mrs. Cappellini moved, Mrs. Westphal seconded, that Council

Ordinance 74-2011, “...Flower Hospital to affix banners...”

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dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; (0) nays. The motion carried.

Mrs. Cappellini moved, Mr. Luetke seconded, that Ordinance No. 74-2011 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Brown, Cappellini, Husman, Luetke (6) yeas; (0) nays. The motion carried.

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

Mr. Luetke reported that on August 15 the Economic Development sub-Committee reviewed marketing materials, received an update on the downtown planning grant, and heard on update on the underground wiring. The committee will meet on September 19 at 6:30 p.m. for a review on phasing in the underground wiring program.

Economic  
Development  
sub-Committee.

There were no committee referrals and Mayor Stough stated that Council will now consider agenda item 12.

Mayor Stough reported that the following Ordinance is required for the City to remain in compliance, and for National Flood Insurance to remain in effect in the City. He recommended referring it to the Planning Commission for their review. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 75-2011, a written copy of same having been previously furnished to each member of Council, "Amending Chapter 1149 of the Planning and Zoning Code of the Codified Ordinances of the Sylvania, 1979, as amended, by amending Section 1149-01 - Definitions; by amending Section 1149.02 - Lands to which this Ordinance applies; by amending Section 1149.03 - Compliance; by amending Section 1149.08 - Warning and Disclaimer of Liability; by amending Section 1149.09 - Local Floodplain Administrator; by amending Section 1149.10 - Inspections; by amending Section 1149.14 - Flood Plain Development Permit Required; Fees; by amending Section 1149.15 - Application for Permit; by amending Section 1149.16 - Review of Applications; by amending Section 1149.23 - Revocation of Permit; by amending Section 1149.31 - Appeals for Variance; by amending Section 1149.99 - Penalty; by addition Section 1149.001 - General Provisions; by adding Section 1149.151 - Exemption from Filing a Development Permit; by adding Section 1149.152 - Post Construction Certifications Required; by adding Section 1149.221 - Map Maintenance Activities; by adding Section 1149.222 - Data Use and Flood Map Interpretation; by adding Section 1149.35 - Substantial Damage Determinations; by adding

Ordinance 75-  
2011, "Amend-  
ing Chapter 1149  
...Floodplain..."

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Section 1149.36 - Use and Development Standards for Flood Hazard Reduction; and by repealing Section 1149.25 - Variances; and declaring an emergency.” Mr. Milner moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mrs. Husman seconded, that Ordinance No. 75-2011 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

Mr. Milner moved, Mr. Luetke seconded, to refer Ordinance No. 75-2011 to the Planning Commission for review; roll call vote being: Cappellini, Husman, Luetke, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

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

There was a brief discussion on the further deteriorating condition of the Monroe Street railroad tracks. The Service Director’s calls to the railroad are not getting returned. The Law Director will contact them citing safety issues.

Monroe Street tracks.

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

Mrs. Westphal reported on the October Friends of Freedom event scheduled at the Sylvania Historical Village and encouraged Council members to participate.

Friends of Freedom.

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

Mrs. Husman announced the inaugural golf outing to benefit S.C.A.T. on September 9 at Bedford Hills Golf Club.

SCAT golf outing.

Sylvania Township Trustee Kevin Haddad asked for the City’s cooperation in getting Fire Station No. 1 built. Mayor Stough advised that the Township has not submitted a petition for a special use permit, which is a requirement for the project.

Fire Station No. 1.

There were no further items for consideration. Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:25 p.m.

Adjournment.

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Clerk of Council

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Mayor

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