

Minutes of the Meeting of Council
December 19, 2011

The Council of the City of Sylvania, Ohio met in regular session on Monday, December 19, 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, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (7); absent:(0). Roll call: all present.

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.
5a. Resolution 17-2011, intent to issue hospital revenue bonds.
6c. Ordinance 99-2011.
7a. Finance Committee report.
9a. Delete this item.

Mr. Haynam moved, Mrs. Husman 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 stated that Council will now consider agenda item 4.

Mr. Milner presented the December 5 minutes. Mr. Milner 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 5, 2011 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 Dec. 5 minutes.

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

Town Crier Mike Lieber said he is representing the Sister City Commission. He reported that Woodstock, Ontario has not been an active participant in recent years, but the current Council is, and will be involved more. He also said the Sister City spends most of its time on the Fall Festival, which is not their job. A sub-committee is being set up for the event. Sister City Comm. report.

Mayor Stough stated that Council will now consider agenda item 5a., and Mr. Milner moved, Mrs. Westphal seconded, to excuse Mr. Haynam, at his request, due to a possible conflict with his law firm representing the applicant; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried. Haynam excused.

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Finance Director Scott Smith explained the resolution indicating intent to issue hospital revenue bonds for Rosary Care Center so they can take advantage of our debt service status. Bob Tracz, Vice-President of Finance, Sylvania Franciscan Health Services was present and gave an overview of the project. He also said they will be responsible for the debt service. Mr. Milner presented and read aloud by title only, proposed Resolution No. 17-2011, a written copy of same having been previously furnished to each member of Council, "A Resolution indicating intent to issue Hospital Revenue Bonds to assist Rosary Care Center in the financing of the acquisition, construction, equipping and improvement of hospital facilities; and declaring an emergency." Mr. Milner moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; (0) nays. The motion carried.	Resolution 17-2011, "...indicating intent to issue Hospital Revenue Bonds... Rosary Care Center..."
Mr. Milner moved, Mr. Luetke seconded, that Resolution No. 17-2011 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.	
Mr. Smith said that a public hearing was required. Mr. Milner moved, Mr. Luetke seconded, to schedule the public hearing for the revenue bonds for Thursday, January 5, 2012 at 7:25 a.m., just prior to the Committee-of-the-Whole meeting, and to authorize the clerk to advertise for same; roll call vote being: Westphal, Brown, Cappellini, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried.	Public hearing set for 7:25 a.m., Jan. 5, 2012.
Mayor Stough stated that Council will now consider agenda item 6, and Mr. Haynam returned.	Haynam returns.
Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 96-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to execute the Adoption Agreement for the City's 457(b) Deferred Compensation Plan; adopting the 457(b) Deferred Compensation Plan Document; 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: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.	Ordinance 96-2011, "...execute the Adoption Agreement... Deferred Comp..."
Mr. Luetke moved, Mr. Milner seconded, that Ordinance No. 96-2011 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. Luetke presented and read aloud by title only, proposed Ordinance No. 99-2011, a written copy of same having been previously furnished to each member of Council,	Ordinance 99-2011, "Amending

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“Amending Section 139-07 Leaves of Absence (a) Vacation Leave (8) and (9)(E) - Content and Coverage of the Compensation Plan of the Codified Ordinances of Sylvania, 1979, as amended; and declaring an emergency.” Mr. Luetke moved, Mrs. Husman 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. Section 139.07...
Codified
Ordinances...”

Mr. Luetke moved, Mrs. Husman seconded, that Ordinance No. 99-2011 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 7.

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 97-2011, 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, 2011; 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: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried. Ordinance 97-2011, “To make certain adjustments to account allocations...”

Mr. Milner moved, Mrs. Westphal seconded, that Ordinance No. 97-2011 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.

Mr. Milner said the Finance Committee met on December 15 to consider cuts in the budget, and the Rosary Care Center bonds. The committee voted to have Council meet in Committee-of-the-Whole monthly to monitor the budget instead of the Finance Committee. The January 5 7:30 a.m. meeting will be the first Committee-of-the-Whole for the 2012 operating budget. Finance Comm. report.

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

Mr. Milner presented proposed Ordinance No. 98-2011, and proposed that City Council take a pay freeze, and be paid at the 2011 level in 2012. He then read the ordinance aloud by title only, 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, 2012; and declaring an emergency.” Mr. Milner moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance, as amended; Ordinance 98-2011, “To make appropriations.. fiscal year ending December 31, 2012...”

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roll call vote being: Westphal, Brown, Cappellini, Husman, Luetke, Milner (6) yeas; Haynam (1) nay. The motion carried.

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 98-2011, as amended, be enacted as an emergency measure as declared therein. There was discussion on steps Council will take to monitor the budget. Mr. Milner noted that instead of the Finance Committee meeting monthly, it will be Council in Committee-of-the-Whole. Mr. Haynam said he is voting against passage. He voted against the abandonment of the tax holiday in October. He argued that while revenues are being increased, cuts should be considered. Mr. Luetke noted that there have been budget amendments at the Finance Committee. The vote on the motion being: Brown, Cappellini, Husman, Luetke, Milner, Westphal (6) yeas; Haynam (1) nay. The motion carried.

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

Mayor Stough noted that the resolution appointing a member of the Zoning Board of Appeals has been withdrawn. Mr. Luetke said that city residents are invited to apply for the vacancy through January 10. Vacant Zoning Board of Appeals seat.

Mr. Brown presented and read aloud by title only, proposed Resolution No. 14-2011, a written copy of same having been previously furnished to each member of Council, "Re-appointing Carol Lindhuber to the Zoning Board of Appeals; 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: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried. Resolution 14-2011, "Re-appointing Carol Lindhuber... Board of Appeals..."

Mr. Brown moved, Mrs. Husman seconded, that Resolution No. 14-2011 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Mr. Milner presented and read aloud by title only, proposed Resolution No. 15-2011, 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 2012; and declaring an emergency." Mr. Milner moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried. Resolution 15-2011, "Re-appointing Katie Cappellini... SAJRD..."

Mr. Milner moved, Mr. Luetke seconded, that Resolution No. 15-2011 be enacted as an

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emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Resolution No. 16-2011, a written copy of same having been previously furnished to each member of Council, "Re-appointing Bruce Groves to the Board of Trustees of Sylvania Area Joint Recreation District (SAJRD) for a three year term to expire on December 31, 2014; and declaring an emergency." Mrs. Cappellini moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Resolution 16-2011, "Re-appointing Bruce Groves... SAJRD ..."

Mrs. Cappellini moved, Mr. Luetke seconded, that Resolution No. 16-2011 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.

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

Mr. Haynam moved, Mr. Milner seconded, to confirm Mayor Stough's re-appointment of Ken Marciniak to a three year term on the Municipal Planning Commission; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Re-appoint. of Ken Marciniak to Planning Comm.

Mr. Haynam noted that two TARTA members will put their participation on the ballot. The City's representative to the TARTA Board of Trustees will be invited to City Council.

TARTA.

Mayor Stough stated that all items on the agenda had been considered. Mr. Haynam moved, Mrs. Westphal seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:30 p.m.

Adjournment.

Clerk of Council

Mayor