

Minutes of the Meeting of Council  
January 3, 2012

The Council of the City of Sylvania, Ohio met in regular session on Tuesday, January 3, 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.

Mayor Stough 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.

12a. Schedule an Employee & Community Relations Committee meeting.

14. Proposed Ordinance 8-2012.

E. Year end cash report from the Division of Taxation.

Mrs. Husman moved, Mrs. Cappellini 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 19 minutes. Mr. Milner 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 December 19, 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. 19 minutes.

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

Tom Ramsdell, the City's representative on the TARTA Board of Directors was present to explain what will happen to TARTA routes if the City of Perrysburg and/or Sylvania Township opt-out of TARTA participation by ballot issue. City of Sylvania residents will not have bus access to any entity that opts out. Mr. Ramsdell asked for feedback on how TARTA should handle any funds that continue to come from Perrysburg or Sylvania Township after six months of the opt-out. That's how long TARTA will provide service if the issue passes. However, the Lucas County Auditor has indicated that there is no way to discontinue the property tax until year's end. Council will keep in contact with Mr. Ramsdell throughout.

Tom Ramsdell, TARTA board.

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

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Service Director Kevin Aller's report on the bids received for the new water tower was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 1-2012, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of CB & I Constructors, Inc., and awarding the contract for the 2 MG elevated water tank project to same; authorizing the expenditure for the improvements in the amount of \$2,712,000.00; and declaring an emergency." Mr. Brown moved, Mr. Milner 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 1-2012, "...bid of CB&I Constructors... water tank..."

Mr. Brown moved, Mrs. Husman seconded, that Ordinance No. 1-2012 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.

There was discussion on the excess in the bond amount since the are bids are below the estimate. Finance Director Scott Smith is discussing the situation with bond counsel, and will report back in 30 days.

The Service Director's report on construction engineering services was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 2-2012, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Jones and Henry Engineers, Ltd., to provide construction engineering services for the 2 MG elevated water tank; appropriating funds therefore in an amount not to exceed \$181,000; 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: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried. Ordinance 2-2012, "...proposal of Jones & Henry Engineers...water tank..."

Mr. Brown moved, Mrs. Husman seconded, that Ordinance No. 2-2012 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.

The Service Director's report on the material and construction inspection services was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 3-2012, a written copy of same having been previously furnished to each member of Council, "Accepting the proposal of Dixon Engineering, Inc., to provide material and construction inspection services for the 2 MG elevated water tank project; appropriating funds therefore in the amount of \$27,702; and declaring an emergency." Mr. Brown moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Reading of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. Ordinance 3-2012, "...proposal of Dixon Engineering... water tank..."

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Mr. Brown moved, Mrs. Husman seconded, that Ordinance No. 3-2012 be enacted as an emergency measure as declared therein; 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 7.

The Service Director's report on the cost recovery for the Centennial and Little Roads Waterline was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 4-2012, a written copy of same having been previously furnished to each member of Council, "Establishing the Centennial and Little Roads Water Service Area and the frontage connection fee for the area; authorizing the Director of Public Service to adjust the frontage connection fee to reflect actual construction costs; authorizing the Director of Public Service to establish a lateral connection fee for those who are permitted to tap directly into the Centennial and Little Roads Waterline; and declaring an emergency." Mr. Brown moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Ordinance 4-2012, "Establishing the Centennial and Little Roads Water Service Area..."

Mr. Brown moved, Mr. Haynam seconded, that Ordinance No. 4-2012 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.

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

Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 5-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing a lease between the City of Sylvania, as Lessor, and Biomaterialize, LLC, as Lessee, of 5703 N. Main Street, Sylvania, Ohio to be used as office space; determining said City owned property not to be needed for municipal purposes during the time of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania, Ohio; and declaring an emergency." Mrs. Husman 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.

Ordinance 5-2012, "...lease... Biomaterialize... 5703 N. Main..."

Mrs. Husman moved, Mrs. Westphal seconded, that Ordinance No. 5-2012 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 Council will now consider agenda item 9.

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Mrs. Husman presented and read aloud by title only, proposed Ordinance No. 6-2012, a written copy of same having been previously furnished to each member of Council, “Authorizing a lease between the City of Sylvania, as Lessor, and Lanell Tomaszewski, d/b/a The Limelite Boutique, as Lessee, of 5725 N. Main Street, Sylvania, Ohio, for the purpose of retail sales of boutique type items and services; determining said City owned property not to be needed for municipal purposes during the time of the proposed lease; authorizing the Mayor and Director of Finance to sign such a lease on behalf of the City of Sylvania, Ohio; and declaring an emergency.” Mrs. Husman moved, Mr. Luetke 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 6-2012, “...lease... Limelite Boutique ...5725 N. Main..”

Mrs. Husman moved, Mr. Milner seconded, that Ordinance No. 6-2012 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.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 7-2012, a written copy of same having been previously furnished to each member of Council, “Authorizing the payments of Transportation Planning Assessments for 2012 in the amount of \$2,212.00 to Toledo Metropolitan Area Council of Governments; 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, Haynam, Husman, Luetke, Milner, Westphal (7) yeas; (0) nays. The motion carried.

Ordinance 7-2012, “Authorizing the payment of Transportation Planning Assess... TMACOG...”

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 7-2012 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.

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

Mr. Milner presented and read aloud by title only, proposed Resolution No. 1-2012, a written copy of same having been previously furnished to each member of Council, “Requesting the County Auditor to make advances to the Treasurer of the City of Sylvania, Ohio; and declaring an emergency.” Mr. Milner moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

Resolution 1-2012, “Requesting ...advances...”

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Mr. Milner moved, Mr. Luetke seconded, that Resolution No. 1-2012 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 12.

Mr. Luetke set a meeting of the Employee & Community Relations Committee for January 12 at 8:00 a.m. The committee will consider applicants for the Zoning Board of Appeals seat. Employ. & Comm. Relations meeting.

There were no items for 13 and Mayor Stough stated that Council will now consider agenda item 14.

Mr. Haynam requested that the proposed ordinance granting wage increases to non-union employees be deferred until the next meeting as he had questions, and wants more time to consider it since it was distributed just prior to the meeting. Mr. Luetke said he was ready to act on it tonight and the rest of Council concurred. Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 8-2012, 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 a one percent (1%) pay increase and provide a one-time lump sum payment of \$450 on the first full pay period of 2012 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 Sylvania which increase is reflected in the Annual Wage Rate Schedule 4 of Section 139.10(D) of the Sylvania Codified Ordinances; 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: Luetke, Milner, Westphal, Brown, Cappellini, Husman (6) yeas; Haynam (1) nay. The motion carried. Ordinance 8-2012, "Making certain position and compensation pay plan changes ..."

Mr. Luetke moved, Mrs. Westphal seconded, that Ordinance No. 8-2012 be enacted as an emergency measure as declared therein. Mr. Haynam said he is not prepared to vote on the ordinance, so he will vote no. He is opposed to pay increases for some of the employees, and again stated that the ordinance was just distributed prior to the start of the meeting. Vote on the motion being: Milner, Westphal, Brown, Cappellini, Husman, Luetke (6) yeas; Haynam (1) nay. The motion carried.

Mayor Stough stated that all items on the agenda had been considered. Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:00 p.m. Adjournment.

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Clerk of Council

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Mayor