

Minutes of the Meeting of Council
March 5, 2012

The Council of the City of Sylvania, Ohio met in regular session on Monday, March 5, 2012 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Katie Cappellini, Doug Haynam, Sandy Husman, Mark Luetke, Todd Milner, Mary J. Westphal (6); absent: V. Michael Brown (1), excused by Mayor Stough.

Roll call: Brown absent, excused.

Mr. Haynam 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. Utilities & Environment Committee report.
- 9b. Ordinance 23-2012.
- 10a. Finance Committee report.
- 11a. Referral to the Building & Grounds Committee.
- 12. Update on the downtown.

Mrs. Westphal moved, Mrs. Husman seconded, to approve the agenda as amended; roll call vote being: Cappellini, Haynam, 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 February 21 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 February 21, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Cappellini (6) yeas; (0) nays. The motion carried.

Approval of the Feb. 21 minutes.

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

Mrs. Husman reported that the Utilities & Environment Committee met on February 24 to consider the request of Whiteford Township, Michigan, for limited access to our sewer lines. Service Director Kevin Aller described the sewer area, and Mrs. Husman says the committee recommends approval of the agreement. Mr. Haynam questioned the inclusion of the entire golf course property as shown on the map while the rest of the area has a limitation of 200 feet from the highway. Mr. Aller said the golf course wants to abandon a non-working lagoon system, and must show its total property. Mrs. Husman presented and read aloud by title only, proposed Resolution No. 5-2012,

Resolution 5-2012,
“...declaring the City’s intent to enter into an agreement with... Whiteford Township...discharge

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a written copy of same having been previously furnished to each member of Council, “A Resolution declaring the City of Sylvania’s intent to enter into an agreement with the County of Monroe, Michigan, the Township of Whiteford of Monroe County, Michigan and the County of Lucas in the State of Ohio permitting the Whiteford Township Sewer No. 2 Service Area to connect to the City of Sylvania Sewer System and discharge sewage to the Sylvania System for ultimate treatment at Lucas County’s Maumee River Waste Water Treatment Plant; and declaring an emergency.” Mrs. Husman moved, Mr. Milner seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Milner, Westphal, Cappellini, Haynam (6) yeas; (0) nays. The motion carried. sewage...”

After discussion, Mr. Haynam moved, Mr. Luetke seconded, to amend the resolution as follows: to include “further that the flow from the area depicted as ‘golf course’ on the Service District shown would not exceed 10 Equivalent Residential Units” at the end of the third Whereas; to add a fifth whereas “WHEREAS, the Utilities & Environment Committee met on February 24, 2012 to review this matter and thereafter recommended the preparation of this resolution and the proposed terms of the agreement.”; and, add to the second to last sentence in SECTION 1. “and further that the flow from the area depicted as ‘golf course’ on the Service District shown would not exceed 10 Equivalent Residential Units.”; roll call vote being: Luetke, Milner, Westphal, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried. Resolution 5-2012 amended.

Mrs. Husman moved, Mr. Haynam seconded, that Resolution No. 5-2012, as amended, be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 19-2012, a written copy of same having been previously furnished to each member of Council, “Approving the banner application of St. Joseph Church; authorizing the Deputy Director of Public Service to indicate such approval on behalf of the City of Sylvania; and declaring an emergency.” Mr. Haynam moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Haynam, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried. Ordinance 19-2012, “...banner application...St. Joseph...”

Mr. Haynam moved, Mr. Milner seconded, that Ordinance No. 19-2012 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance No. 20-2012, a written copy of same having been previously furnished to each member of Council, "An Ordinance to approve and authorize various capital improvement projects; appropriating funds therefore; 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: Haynam, Husman, Luetke, Milner, Westphal, Cappellini (6) yeas; (0) nays. The motion carried.

Ordinance 20-2012, "...approve ...capital improvements projects..."

Mr. Milner moved, Mrs. Husman seconded, that Ordinance No. 20-2012 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Cappellini, Haynam (6) yeas; (0) nays. The motion carried.

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

Law Director Jim Moan's memorandum on the recommended course of action on natural gas aggregation was discussed. The current contract with IGS expires in April and they are seeking a flexible contract start date to get the best price. Customers will automatically default to Columbia SCO until the new contract start date. Mrs. Westphal presented and read aloud by title only, proposed Ordinance No. 21-2012, 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 Interstate Gas Supply, Inc. ("IGS") to act as the City's natural gas aggregation supplier for an eleven month period beginning in May to October of 2012; and declaring an emergency." Mrs. Westphal moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried.

Ordinance 21-2012, "...agreement...IGS...gas...supplier..."

Mrs. Westphal moved, Mr. Luetke seconded, that Ordinance No. 21-2012 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Westphal, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

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

The Law Director recommends that the assistant prosecutor position, which is currently vacant, be deleted from the Prosecutor's office. Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 22-2012, a written copy of same having been previously furnished to each member of Council, "Revising certain Administrative, Departmental and Divisional Organization of the City, by amending Sylvania Codified Ordinance Section 131.01(c) to delete the position of Assistant Prosecutor in the

Ordinance 22-2012, "...delete the position of Assistant Prosecutor..."

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Department of Law; and declaring an emergency.” Mr. Luetke moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Cappellini, Haynam, Husman, Luetke, Milner (6) yeas; (0) nays. The motion carried.

Mr. Luetke moved, Mrs. Husman seconded, that Ordinance No. 22-2012 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal (6) yeas; (0) nays. The motion carried.

Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 23-2012, 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 per cent (1%) pay increase to teach appointed official whose title is listed in Section 139.03(e)(3) except for the Forester and Special Events Coordinator, the Deputy Director of Public Service and Director of Public Service; by granting a two per cent (2%) pay increase to the Director of Public Service, with all the increase provided herein for the Treasurer and Director of Personnel being allocated to the Director of Personnel and with the increase provided herein for the Director of Public Safety being allocated to the Economic Development/ Administrative Services Coordinator, deleting the position of Assistant Prosecutor; by providing for the Clerk of Court’s salary to be \$82,113 annually commencing January 1, 2012 through April 1, 2012 and \$71,000 annually commencing April 2, 2012 and thereafter; by granting a one percent (1%) increase from \$149.37 per hour to \$150.86 per hour for legal services billable to the City by James E. Moan in excess of the hours herein allocated to the salary of the Director of Law pursuant to agreement and Codified Ordinance Section 131.01(b); by granting a one per cent (1%) pay increase for each employee in the Labor and Trades Supervision Group whose title is listed in Codified Ordinance Section 139.03(e)(4) except for the Construction Supervisor and Facilities Manager; by granting an additional \$3,000 pay increase to the Utilities Manager; by granting a one-time lump sum payment of \$450 to certain employees as set forth on “Exhibit C”; and declaring an emergency.” Mr. Luetke 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, Cappellini (6) yeas; (0) nays. The motion carried.

Ordinance 23-2012, “Making certain position and compensation pay plan changes ...”

Mr. Luetke moved, Mrs. Husman seconded, that Ordinance No. 23-2012 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Milner, Westphal, Cappellini (5) yeas; Haynam (1) nay. The motion carried.

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

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Mr. Milner reported that the Finance Committee met at 6:30 to discuss CRA 3, Southbriar Shopping Center. One of the three property owners requests a 15 year CRA to remodel his building, and possibly build apartments above. City representatives and the owner may meet with the school district to amend the policy. Mr. Milner moved, Mrs. Westphal seconded, to refer CRA 3 to the Economic Development sub-Committee; roll call vote being: Luetke, Milner, Westphal, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried.

CRA 3 to Economic Development sub-Comm.

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

Mrs. Westphal moved, Mr. Luetke seconded, to refer the Historical Village financial report to the Building & Grounds Committee for review and recommendation; roll call vote being: Milner, Westphal, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried. Mrs. Husman said the committee will meet on March 16 at 8:00 a.m.

Hist. Village financial report to Building & Grounds Comm.

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

Economic Development/Administrative Services Coordinator Bill Sanford gave an update on the CBDG planning grant. Tier 2 funding may be available this year. A draft of the downtown market study will be provided soon. Mr. Milner moved, Mr. Haynam seconded, that Council meet in Committee-of-the-Whole at 6:00 on April 16 to review the downtown market study; roll call vote being: Milner, Westphal, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

C-O-W April 16 to consider downtown market study.

Mayor Stough stated that all items on the agenda had been considered. Mrs. Cappellini moved, Mrs. Westphal seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:45 p.m.

Adjournment.

Clerk of Council

Mayor