

Minutes of the Meeting of Council  
September 19, 2011

The Council of the City of Sylvania, Ohio met in regular session on Monday, September 19, 2011 at 7:30 p.m. with Acting Mayor Todd Milner 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.

Mr. Brown led the Pledge of Allegiance to the United States of America.

Pledge of Alleg.

Acting Mayor Milner stated that Council will now consider agenda item 3.

- 3a. Election of President Pro Tem due to Mayor Stough's absence.
- 5a. Proposed Ordinance 83-2011, approving the special use of 8435 Sylvania-Metamora Road.
- 8. Proposed Ordinance 81-2011 has been distributed.
- 12a. Parks & Forestry Committee report.
- 13a. Schedule an Economic Development sub-Committee meeting.
- 14. Executive Session to discuss personnel issues.

Additions to the agenda.

Mr. Haynam moved, Mr. Luetke 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.

Due to Mayor Stough's absence, and Mr. Milner serving as acting Mayor, Mrs. Husman moved, Mr. Brown seconded, to nominate Mark Luetke as President Pro Tem. There were no other nominations, and all present voted yea (7); (0) nays. The motion carried.

Luetke President Pro Tem.

Acting Mayor Milner stated that Council will now consider agenda item 4.

Mrs. Husman 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 September 6, 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 September 6 minutes.

Acting Mayor Milner stated that Council will now consider agenda item 5.

Mr. Luetke reported that there were many residents in attendance at the 5:30 Committee-of-the-Whole meeting to consider the location of the new elevated water

Ordinance 83-2011, "...grant a special use permit

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tank. Council heard from those for and against the location behind the Forestry Building at 8425 Sylvania-Metamora Road. Mr. Brown moved to bring the item to the agenda in the affirmative with the tank being moved to the west. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 83-2011, a written copy of same having been previously furnished to each member of Council, “Approving the recommendation of the Municipal Planning Commission to grant a special use permit for 8425 Sylvania-Metamora Rd., Sylvania, Ohio on the application of Jeffrey P. Ballmer, Director of Public Service for the City of Sylvania, to allow the construction of a 2 MG elevated water tank and a salt storage building on the property; approving the recommendation as modified; and declaring an emergency.” Mr. Haynam moved, Mr. Brown 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.

...2 MG elevated water tank and a salt storage building....”

Mr. Haynam moved, Mrs. Cappellini seconded, that Ordinance No. 83-2011 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.

Acting Mayor Milner stated that Council will now consider agenda item 7 since no one was present for item 6.

Mr. Haynam presented the letter from the Zoning Board of Appeals on the proposed changes to Chapter 1105.07 of the zoning code. Carol Lindhuber, Board of Zoning Appeals member, was present and said it is a step forward. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 64-2011, a written copy of same having been previously furnished to each member of Council, “Amending Chapter 1105 - Board of the Appeals of the Sylvania Codified Ordinances by amending Section 1105.07 - Variances; and declaring an emergency.” Mr. Haynam moved, Mrs. Husman seconded, that Council dispense with the Third Reading of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried.

Ordinance 64-2011, “Amending Chapter 1105...”

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 64-2011 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.

Acting Mayor Milner stated that Council will now consider agenda item 8.

Service Director Kevin Aller’s request for funds for immediate replacement of the decorative light poles on Monroe and Main Streets was placed on file. Mr. Brown

Ordinance 81-2011, “...street

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presented and read aloud by title only, proposed Ordinance No. 82-2011, a written copy of same having been previously furnished to each member of Council, light repairs...”  
“Authorizing the Mayor and Director of Finance to expend an amount not to exceed \$100,000 for street light repairs relative to the Gateway Project; appropriating funds therefore; and declaring an emergency.” Mr. Brown moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried.

Mr. Brown moved, Mr. Luetke seconded, that Ordinance No. 81-2011 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.

Acting Mayor Milner stated that Council will now consider agenda item 9.

Mr. Luetke moved, Mrs. Husman seconded to set “Trick or Treat” in the city limits on Monday, October 31, 2011 from 6:00 p.m. to 7:30 p.m.; roll call vote being: Trick or Treat  
Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. Oct. 31, 6:00-7:30.  
The motion carried.

Acting Mayor Milner stated that Council will now consider agenda item 10.

Mr. Milner presented the Planning Commission’s recommendation of approval of Ordinance No. 75-2011, Amending Chapter 1149 Flood Plain Districts of the Sylvania Planning and Zoning Code. Mr. Haynam presented and read aloud by title only, proposed Ordinance No. 84-2011, a written copy of same having been previously furnished to each member of Council, “Affirming Ordinance No. 75-2011; approving the recommendation of the Sylvania Municipal Planning Commission; and declaring an emergency.” Mr. Haynam 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. Ordinance 84-2011, “Affirming Ordinance No. 75-2011...”

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance No. 84-2011 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.

Acting Mayor Milner stated that Council will now consider agenda item 11.

Mr. Luetke moved, Mr. Haynam seconded, to refer proposed Ordinance No. 82-2011, amending the City’s agreement with Holland, Ohio for prosecutor services, to the Ord. 82-2011 referred to

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Finance Committee for review and recommendation; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman (7) yeas; (0) nays. The motion carried. Finance Comm.

Acting Mayor Milner stated that Council will now consider agenda item 12.

Mrs. Cappellini reported that the Parks & Forestry Committee met on September 15 to review the Clean Ohio Fund. They concurred that it is not appropriate for Council to endorse it as a whole until more information is given. Parks Comm. report.

Acting Mayor Milner stated that Council will now consider agenda item 13.

Mr. Luetke reported that the September 19 Economic Development sub-Committee meeting has been rescheduled for October 11 at 4:00 p.m. Agenda items include a report from JDRM on reconfiguring the approach to wiring over Monroe Street, an update on the River Trail Phase 2, and the next phase of the Gateway project. Economic Development, Oct. 11, 4:00 p.m.

The Finance Committee will meet on October 3 at 6:30 p.m. to discuss the Job Retention and Creation application and the ordinance amending the agreement with Holland for prosecutor services. Finance Comm., Oct. 3, 6:30 p.m.

Acting Mayor Milner stated that Council will now consider agenda item 14.

At 8:10 p.m. Mrs. Westphal moved, Mrs. Cappellini seconded, to adjourn to Executive Session of Council to discuss personnel matters; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried. Executive Session.

At 8:20 p.m. Mrs. Westphal moved, Mr. Luetke seconded, to return to Regular Session of Council; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. Regular Session.

Acting Mayor Milner stated that Council discussed personnel issues during Executive Session, and no action was taken and none needs to be taken at this time.

There were no further items for consideration. Mrs. Westphal moved, Mrs. Cappellini seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:27 p.m. Adjournment.

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Clerk of Council

Mayor