

Minutes of the Meeting of Council  
September 6, 2011

The Council of the City of Sylvania, Ohio met in regular session on Tuesday, September 6, 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, Mary J. Westphal (6); absent: Todd Milner (1), excused by Mayor Stough.

Roll call: Milner absent, excused.

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.

- 3a. Election of a President Pro Tem.
- 6a. Water tower location.
- 6b. Report on railroad crossing repairs.
- 14. Resolution 9-2011, amending the solid waste plan.
- 15. Clean Ohio Fund discussion.
- 16. Executive Session to discuss a personnel issue.

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

Due to Mr. Milner's absence, Mr. Brown moved, Mr. Luetke seconded, to nominate Mary Westphal as President Pro Tem. There were no other nominations, and all present voted yea (6); (0) nays. The motion carried.

Westphal  
President Pro  
Tem.

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

Mrs. Westphal presented the August 15 minutes. Mrs. Westphal 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 August 15, 2011 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Approval of the  
August 15  
minutes.

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

Mr. Luetke reported on the 7:15 public hearing for proposed Ordinance 64-2011. He said that no one present objected to the amendment. Mr. Haynam presented and read aloud by title only, the First Reading of proposed Ordinance No. 64-2011, "Amending Chapter 1105 - Board of the Appeals of the Sylvania Codified Ordinances by amending Section 1105.07 - Variances; and declaring an emergency."

First Reading,  
Ordinance 64-  
2011.

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

Art Holtfreter, 5780 Sun Valley, presented the original petition of those opposing the proposed location of Fire Station #1 at 7610 Erie. He did note that the Sylvania Township Trustees took that site off the table at their meeting earlier in the day. Fire station location petition.

Rosemary Thorn, 5849 Winterhaven, Sylvania Township, expressed her opposition to the proposed location of the new elevated water tank at the rear of 8425 Sylvania-Metamora Road. She said it should not be in a residential area, and suggested a vacant development at Centennial and Little Roads. She said that petitions are being circulated. Elevated water tank opposition.

Service Director Kevin Aller reported that the railroad will be in town at the end of September or early October to make repairs to the Monroe Street tracks. Railroad repairs.

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

The Service Director's report on the River Trail Improvements Phase 1 bids was placed on file. Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 76-2011, "Accepting the bid of Hank's Plumbing and Heating Co., and awarding the contract for the River Trail Improvements Phase 1 Project to same; authorizing the expenditure for the improvements in the amount of \$1,295,819.50; appropriating funds therefore; and declaring an emergency." Mr. Luetke moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried. Ordinance 76-2011, "Accepting the bid of Hank's Plumbing... River Trail Improve-ments..."

Mr. Luetke moved, Mrs. Husman seconded, that Ordinance No. 76-2011 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam (6) yeas; (0) nays. The motion carried.

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

The Service Director's report on the change order for the Highland Meadows and Griffith Park West project was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance No. 77-2011, 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. 1 to this City's agreement with E.R. Zeiler Excavating, Inc., for the Highland Meadows and Griffith Park West Improvement Project which reflects the as-built materials used and actual materials used and work performed on this project; increasing the contract amount by \$28,681.41; appropriating Ordinance 77-2011, "...approve Change Order... Highland Meadows and Griffith Park... project..."

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

Mr. Brown moved, Mrs. Husman seconded, that Ordinance No. 77-2011 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

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

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 78-2011, a written copy of same having been previously furnished to each member of Council, “Ordinance approving the assessments heretofore authorized by Resolution No. 8-2011 for street lighting; levying said assessments; 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: Brown, Cappellini, Haynam, Husman, Luetke, Westphal (6) yeas; (0) nays. The motion carried.

Ordinance 78-2011, “...approving the assessments...street lighting...”

Mr. Brown moved, Mrs. Westphal seconded, that Ordinance No. 78-2011 be enacted as an emergency measure as declared therein; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 79-2011, a written copy of same having been previously furnished to each member of Council, “To assess a special tax upon the lots and lands described in the schedule referred to herein to pay a part of the cost and expense of providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches within the corporate limits of the City of Sylvania for the year ending December 31, 2011; and declaring an emergency.” Mr. Brown moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Ordinance 79-2011, “To assess a special tax...ditches...”

Mr. Brown moved, Mrs. Westphal seconded, that Ordinance No. 79-2011 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam (6) yeas; (0) nays. The motion carried.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 80-2011, a written copy of same having been previously furnished to each member of Council, “To assess a special tax upon the lots and lands described in the schedule referred to herein to pay a part of the cost and expense of providing for the removal

Ordinance 80-2011, “To assess a special tax...trees...”

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and special treatment of shade trees for the purpose of controlling blight and disease of same; and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City for the year ending December 31, 2011; and declaring an emergency.” Mrs. Cappellini moved, Mrs. Westphal seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried.

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 80-2011 be enacted as an emergency measure as declared therein; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mrs. Husman seconded, to authorize the auction of items no longer needed by the City on GovDeals.com; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Westphal (6) yeas; (0) nays. The motion carried.

Authorize auction  
of items on  
GovDeals.com.

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

Mrs. Westphal moved, Mr. Haynam seconded, to refer the Job Creation and Retention Program application from Mobile Care Group/Mobile Care Physicians of Ohio to the Finance Committee for review and recommendation; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Application to  
Finance Comm.

There were no items for 12 and 13, and Mayor Stough stated that Council will now consider agenda item 14.

The Service Director explained the County’s Solid Waste Management amended plan, and after lengthy discussion Mr. Brown presented and read aloud by title only, proposed Resolution No. 9-2011, a written copy of same having been previously furnished to each member of Council, “A Resolution of the Council of the City of Sylvania approving the Lucas County Solid Waste Management District’s Second Amended Draft Solid Waste Management Plan; and declaring an emergency.” Mr. Brown moved, Mrs. Cappellini seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Resolution 9-  
2011, “...approv-  
ing the Lucas  
County..Amended  
Draft Solid Waste  
Management  
Plan...”

Mr. Brown moved, Mr. Haynam seconded, that Resolution No. 9-2011 be enacted as an emergency measure as declared therein; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam (6) yeas; (0) nays. The motion carried.

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Mrs. Cappellini asked for Council's review and support of the Clean Ohio Funding. Mr. Luetke moved, Mrs. Westphal seconded, to refer the request to the Parks & Forestry Committee for recommendation; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried. The committee will meet on September 15 at 8:00 a.m. at City Hall. Clean Ohio Funding to Finance Comm., Sept. 15 8:00 a.m.

Mayor Stough stated that Council will now consider agenda item 16.

At 8:45 p.m. Mrs. Westphal moved, Mrs. Cappellini seconded, to adjourn to Executive Session of Council to discuss personnel matters; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried. Executive Session.

At 9:35 p.m. Mrs. Cappellini moved, Mrs. Husman seconded, to return to Regular Session of Council; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Westphal, (6) yeas; (0) nays. The motion carried. Regular Session.

Mayor Stough stated that Council discussed personnel issues during Executive Session, and no action was taken and none needs to be taken at this time. He also gave a brief update on the September 11 ceremonies.

There were no further items for consideration. Mrs. Westphal moved, Mrs. Husman seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 9:37 p.m. Adjournment.

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Clerk of Council

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Mayor