

Minutes of the Meeting of Council
October 7, 2013

The Council of the City of Sylvania, Ohio met in regular session on October 7, 2013 at 7:30 p.m. with Mayor Craig A. Stough in the chair. Roll was called with the following members present: Mike Brown, Katie Cappellini, Doug Haynam, Sandy Husman, Todd Milner, Mary J. Westphal (6) present.

Roll call:
All present.

Mr. Brown 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.

- 8a. Change Ordinance No. from 70-2013 to 24-2013.
- 8e. Proposed Ordinance 78-2013, Amending Part Eleven-Planning and Zoning Code, Section 1125.12-Accessory Buildings & Uses.
- 15. Council's appointment to Board of Appeals.
- 16. Council's appointment to CRA Housing Council.

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

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

Mrs. Westphal presented the September 16 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 September 16, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Milner, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Approval of the
September 16
minutes.

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

Mayor Stough stated Council is in receipt of Mark Luetke's retirement letter from City Council effective September 30, 2013.

Mark Luetke's
retirement eff.
9/30/13.

Mr. Milner moved, Mr. Haynam seconded to nominate Mark Luetke to the unexpired council term of Mark Luetke.

Mark Luetke's
appointment to
Council.

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Mr. Haynam moved, Mr. Milner seconded to close the nominations to fill the council vacancy; roll call vote being: Haynam, Husman, Milner, Westphal, Brown, Cappellini, (6) yeas; (0) nays. The motion carried.

Roll call vote on Mark Luetke's appointment to fill the unexpired term: Husman, Milner, Westphal, Brown, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried.

The Oath of Office was given to Mark Luetke by Law Director Jim Moan.
Mr. Luetke resumed his seat at Council table with all seven council members now present.

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

Mayor Stough provided a summary of Public Service Director Kevin Aller's report on the stray cats in the Vicksburg neighborhood. Mr. Aller provided information on the costs of Humane Ohio to install traps, transport, spay/neuter and return the cats. Stray cat update.

Natalie Hefner, 3641 Woodspring Rd., Sylvania, Oh stated she is an independent contractor for Humane Ohio. She provided information on the trap/neuter/return (TRN) program and stated that this is the best approach to the free-roaming cat problem. She provided information on the process, procedure and results of the TNR program. She is willing to work with the neighborhood and City on this project.

The following is a list of residents who spoke on the stray cat matter with topics that included: prior attempt to trap and spay/neuter the cats, property damage, fecal matter on property, foul odor, feeding, and ability to sell your home with this neighborhood issue. All speakers were receptive to cooperating with Humane Ohio to reduce this cat population in their neighborhood.

- Janice Pierson, 4615 Vicksburg, Sylvania, OH
- John Pierson, 4615 Vicksburg, Sylvania, OH
- Bonnie Wheeler, 4626 Woodland, Sylvania, OH
- Francis Camarote, 4607 Vicksburg, Sylvania, OH
- Jocelyn Bolizajek, 4610 Woodland, Sylvania, OH

Mr. Milner moved, Mrs. Cappellini seconded to initiate a pilot program and pay 100% of the cost, up to \$1,500, to help with the stray cat TNR program in the Vicksburg/Woodland area and to re-evaluate this pilot program after review of the results; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried. Stray cat pilot program.

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

Mrs. Westphal moved, Mr. Haynam seconded, that no hearing be requested for the D1, beer on premises consumption until 1:00a.m., liquor permit from AMW Brother, Ltd. d/b/a/ Sylvania Diner, 5623 W. Alexis Rd., Sylvania, Ohio 43560; roll call move being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

No objection to liquor permit for Sylvania Diner.

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

Mr. Haynam moved, Mrs. Westphal seconded, to refer proposed Ordinance 24-2013 back to committee along with proposed Ordinances Nos. 72-2013, 73-2013, 74-2013 and 78-2013 to the Plan Commission for review and recommendation; roll call move being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Ord. 24-2013, 72-2013, 73-2013, 74-2013, 78-2013 to Plan Commission.

Mr. Haynam moved, Mrs. Cappellini seconded to set the public hearing on proposed Ordinance Nos. 24, 2013, 72-2013, 73-2013, 74-2013 and 78-2013 for November 18, 2013 at 7:00p.m. and to authorize the clerk to advertise the same: roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Set hearing for Ordinance Nos. 72-2013, 73-2013, 74-2013, 78-2013, 24-2013, 11/18/13, 7:00p.m.

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

Service Director's report on the Brint & McCord Intersection Improvements was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance 75-2013, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to approve the amendment to the City's agreement with DGL Consulting Engineers, LLC to reflect the additional time required due to a change in scope of the Brint and McCord Intersection Improvement Project; increasing the proposal amount by \$5,000.00; appropriating funds therefore; 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: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ord. 75-2013 "Authorizing ...additional services... DGL Consulting..... Brint & McCord Intersection.... \$5,000.00"

Mr. Milner moved, Mr. Luetke seconded, that Ordinance 75-2013 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.

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

Mr. Milner presented and read aloud by title only, proposed Ordinance 76-2013, a written copy of same having been previously furnished to each member of Council, “An Ordinance appropriating the fee simple title to the City of Sylvania in and to certain real estate for the construction of a roundabout at the Brint and King Roundabout; appropriating and authorizing the expenditure of \$23,750.00 for such purpose; 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: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance 76-2013,
“Appropriating the fee simple title...Brint & King Roundabout... \$23,750.00...”

Mr. Milner moved, Mrs. Westphal seconded, that Ordinance 76-2013 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. Luetke presented and read aloud by title only, proposed Ordinance 77-2013, a written copy of same having been previously furnished to each member of Council, “Revising the Administrative, Departmental and Divisional Organization of the City and the Codified Ordinances thereof by creating the new position of “Assistant Director of Law”; amending Sylvania Codified Ordinance Chapter 131 – Department of Law to add the position of “Assistant Director of Law” under the supervision of the Director of Law from December 1, 2013 through December 31, 2013 at which time the position of “Assistant Director of Law” shall be eliminated; amending Sylvania Codified Ordinance Section 130.02(e)(3) to set the salary of the Assistant Director of Law at \$90,000 annually and to change the salary of the Director of Law to \$90,000 annually effective January 1, 2014; 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.

Ordinance 77-2013,
“Revising ... Chapter 131- Department of Law...”

Mr. Luetke moved, Mr. Milner seconded, that Ordinance 77-2013 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 he appointed Leslie Brinning as Assistant Director of Law from December 1, 2013 through December 31, 2013 and as Director of Law effective January 1, 2014.

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Mr. Milner moved, Mrs. Westphal seconded to confirm the appointment by the Mayor of Leslie Brinning as Director of Law effective January 1, 2014; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Leslie Brinning
appointed
Director of Law
eff. 1/1/14.

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

Mayor stated that he is in receipt of information from Freshwater Future regarding Asian carp invading our Great Lakes and to refer this matter to the Utilities Committee for review.

Mr. Brown moved, Mr. Milner seconded to have administration prepare a resolution for council's review and discussion at the October 21, 2013 council meeting. Mr. Haynam stated he is not in favor of council passing a resolution due to the lack of knowledge of the program; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Husman, (6) yeas; Haynam (1) Nay. The motion carried.

Freshwater
Future...Asian
Carp.

Mayor Stough stated that council will now consider added agenda item 15.

Council's appointment to the Board of Zoning Appeals will expire December 13, 2013. Mr. Luetke will contact Mr. Norman Ladd to assess his continuation of service.

Mayor Stough stated that council will now consider added agenda item 16.

Council's second appointment to the CRA Housing Council was discussed. The two interested parties for this position will be contacted and an Employee & Community Relations Committee meeting will be set to meet with the interested parties.

Mr. Milner provided comment on the Monroe Street Reconstruction Project on the excellent job of the contractors and commended the administration for their efforts.

Mrs. Husman provided information on the Scatacular event being held November 13, 2013 and that raffle tickets were being sold.

Scatacular event
being held
11/13/13.

Mayor Stough stated that all items on the agenda had been considered.

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Mrs. Westphal moved, Mrs. Husman seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned 9:37 p.m. Adjournment.

Clerk of Council

Mayor

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