

Agenda
Sylvania City Council
November 7, 2011 7:30 p.m.

1. Roll call.
2. Pledge of Allegiance to the United States of America led by Mrs. Husman.
3. Additions to the agenda.
4. Approval of the October 17 meeting minutes.
5. Lucas County Citizen Review Study members Dr. Dick Ruppert, Neema Bell, and Tom Palmer will give a report on streamlining county government.
6. Notice from the Ohio Division of Liquor Control of a D5, spirituous liquor for on premises consumption only, beer and wine for on premises, and off premises in original sealed containers, until 2:30 a.m., permit for Pappoulis LLC, 5127 S. Main St., and a letter from the restaurant's owner.
7. Notice from the Ohio Division of Liquor Control of a C1, beer only in original containers for carry out only until 1:00 a.m., and a C2, wine and certain prepackaged mixed drinks in sealed containers for carry out only until 1:00 a.m., permit for Dolgen Midwest, LLC, d/b/a Dollar General Store 8890, 6730 W. Sylvania Ave.
8. Set the 2012 meeting schedule.
9. Committee reports.
10. Committee referrals.

Information

- A. October cash report from the Division of Taxation.
- B. 3rd Quarter reports.

Minutes of the Meeting of Council
October 17, 2011

The Council of the City of Sylvania, Ohio met in regular session on Monday, October 17, 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.

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.

- 3a. Election of a President Pro Tem.
- 11a. Economic Development sub-Committee report.
- 13. Discussion on unlimited trash pick up.
- 14. Skate park update.
- 15. S.C.A.T. drug drop-off date.

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. Luetke moved, Mr. Brown 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 October 3 minutes. Mrs. Westphal moved, Mrs. Husman 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 October 3, 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
October 3
minutes.

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

After discussion, Mr. Haynam moved, Mr. Luetke seconded, to amend the last Whereas of proposed Resolution No. 11-2011 by stating "State control of Municipal income tax collection would infringe on the Home Rule Rights of Municipalities to self-govern."; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

Amendment to
Res. 11-2011.

Minutes of the Meeting of Council
October 17, 2011

Mr. Haynam presented and read aloud by title only, proposed Resolution No. 11-2011, as amended, a written copy of same having been previously furnished to each member of Council, "A Resolution opposing State Control of Municipal Income Tax Collection; and declaring an emergency." Mr. Haynam moved, Mr. Brown seconded, that Council dispense with the Second and Third Readings of said Resolution as amended; roll call vote being: Husman, Luetke, Westphal, Brown, Cappellini, Haynam (6) yeas; (0) nays. The motion carried.

Resolution 11-2011, "...opposing State control of Municipal Income Tax collection.

Mr. Haynam moved, Mr. Luetke seconded, that Resolution No. 11-2011, as amended, be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman (6) yeas; (0) nays. The motion carried.

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

Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 12-2011, a written copy of same having been previously furnished to each member of Council, "Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor, and declaring an emergency." Mrs. Westphal moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Resolution 12-2011, "...accepting the amounts and rates as determined by the Budget Comm..."

Mrs. Westphal moved, Mrs. Husman seconded, that Resolution No. 12-2011 be enacted as an emergency measure as declared therein. Mr. Haynam stated that he does not support increasing the 1 1/2 mil real estate tax that has been deferred for the last few years. Council is raising taxes without a vote of the citizens. Mrs. Westphal noted that this is not a tax increase, but rather the tax holiday is not being granted this year. Vote on the motion being: Brown, Cappellini, Husman, Luetke, Westphal (5) yeas; Haynam (1) nay. The motion carried.

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

Director of Personnel George Eichenauer reported on the union negotiations. He said that the agreed upon contracts are for one year due to the uncertainty with the outcome of Senate Bill 5. Mr. Luetke presented and read aloud by title only, proposed Ordinance No. 88-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into a 1-year Collective Bargaining Agreement commencing January 1, 2012, with the Fraternal Order of Police, Lodge No. 129, on behalf of the Patrolmen; and declaring an

Ordinance 88-2011, "...1-Year Collective Bargaining..Fraternal Order of Police, Lodge No. 129..."

Minutes of the Meeting of Council
October 17, 2011

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

Mr. Luetke moved, Mr. Haynam seconded, that Ordinance No. 88-2011 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) 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. 89-2011, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to enter into a 1-year Collective Bargaining Agreement commencing January 1, 2012, with the Sylvania Police Command Officers’ Association on behalf of the Sergeants; 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: Husman, Luetke, Westphal, Brown, Cappellini, Haynam (6) yeas; (0) nays. The motion carried.

Ordinance 89-2011, “...1 Year Collective Bargaining... Sergeants...”

Mrs. Husman moved, Mr. Haynam seconded, that Ordinance No. 89-2011 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Westphal, Brown, Cappellini, Haynam, Husman (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. 90-2011, a written copy of same having been previously furnished to each member of Council, “Authorizing the Mayor and Director of Finance to enter into a 1-year Collective Bargaining Agreement commencing January 1, 2012, with the Sylvania Police Telecommunicators; 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: Westphal, Brown, Cappellini, Haynam, Husman, Luetke (6) yeas; (0) nays. The motion carried.

Ordinance 90-2011, “...1 Year Collective Bargaining... Police Tele-communicators ...”

Mr. Brown moved, Mr. Luetke seconded, that Ordinance No. 90-2011 be enacted as an emergency measure as declared therein; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Westphal (6) yeas; (0) nays. The motion carried.

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

Minutes of the Meeting of Council
October 17, 2011

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 91-2011, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into a 1-year Collective Bargaining Agreement commencing January 1, 2012, on behalf of the City of Sylvania Municipal Employees Association (SMEA) affiliated with District 8, American Federation of State, County and Municipal Employees, AFL-CIO; and declaring an emergency." Mrs. Cappellini moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Cappellini, Haynam, Husman, Luetke, Westphal, Brown (6) yeas; (0) nays. The motion carried.

Ordinance 91-2011, "...1-Year Collective Bargaining... SMEA..."

Mrs. Cappellini moved, Mr. Haynam seconded, that Ordinance No. 91-2011 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini (6) yeas; (0) nays. The motion carried.

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

Mr. Luetke reported that the Economic Development sub-Committee met on October 11 to hear an update on the gateway beautification plan, discuss the next phase of the River Trail project, and review the Monroe Street re-wiring project. The rewiring project has been put on hold for now due to the cost.

Economic Dev. sub-Comm.

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

Mr. Luetke suggested conducting a citizens' survey for the best times to hold the unlimited trash pickups. The survey can be online, with a story about it in the *Country Journal*.

Timing of unlimited pickup.

Mayor Stough stated that Council will now consider agenda item 14.

Mrs. Cappellini announced October 19 as the opening day of the skate park. The ribbon cutting is scheduled for 5:00 p.m. weather permitting.

Skate park open.

Mayor Stough stated that Council will now consider agenda item 15.

Mrs. Husman reported that the S.C.A.T. drug drop-off is scheduled on October 29 from 10:00 a.m.-2:00 p.m. at Police Headquarters.

Drug drop-off.

Minutes of the Meeting of Council
October 17, 2011

There were no further items for consideration. Mr. Haynam moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (6); (0) nays. The motion carried and the meeting adjourned at 8:05 p.m. Adjournment.

Clerk of Council

Mayor

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CON
6606 TUSSING ROAD, P.O. BOX 40
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

6

TO

6692876 PERMIT NUMBER		STCK TYPE	PAPPOULIS LLC 5127 S MAIN ST SYLVANIA OHIO 43560	
ISSUE DATE				
10 19 2011 FILING DATE				
D5 PERMIT CLASSES				
48 TAX DISTRICT	077	A	F06476 RECEIPT NO.	

FROM 10/25/2011

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED 10/25/2011

RESPONSES MUST BE POSTMARKED NO LATER THAN. 11/25/2011

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES A STCK 6692876

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)	(Title)- <input type="checkbox"/> Clerk of County Commissioner	(Date)
	<input type="checkbox"/> Clerk of City Council	
	<input type="checkbox"/> Township Fiscal Officer	

CLERK OF SYLVANIA CITY COUNCIL
6730 MONROE ST
SYLVANIA OHIO 43560

Pappoulis, LLC
5127 S. Main St.
Sylvania, OH 43560

City of Sylvania
Clerk of Council
6730 Monroe St.
Sylvania, OH 43560

Attn: Margaret Lintner

Dear Margaret,

This letter is in regard to a recent form sent to you regarding our liquor license #6692876.

The State of Ohio, Division of Liquor Control sent a form asking if the City Council would request a hearing or not request a hearing and for the form to be sent back.

I would ask if the City Council could give this their attention, and hopefully “not request” a hearing so that we can go forward in getting the license out of safe keeping.

When the license was originally requested, there was no hearing requested. This is the same license. It was put in “safe keeping” as there have been no alcohol sales at the location for over a year. We are looking at re-instating the license and resuming sales.

So, as this was originally put through with no hearing, I would ask that being brought out of safe keeping would be the same. Because it would help our business, I would hope that it could be processed quickly.

My name is JoAnn Cook. I recently purchased the “Pappoulis Pizza” business and looking to make it a viable Sylvania business. We are getting our business involved in the community, as we recently donated pizzas to one schools program with the American Cancer Society and have been bringing pizzas to some of the high school games for their volunteers at the gate and in the press box.

If you could sign it, returning the original back to the State of Ohio and send a copy to the attorney handling the paperwork in the addressed stamped envelope that would be much appreciated. Thank you.

Sincerely,

A handwritten signature in black ink that reads "JoAnn M. Cook". The signature is written in a cursive, flowing style.

JoAnn Cook

7

NOTICE TO LEGISLATIVE AUTHORITY

OHIO DIVISION OF LIQUOR C
6606 TUSSING ROAD, P.O. BOX
REYNOLDSBURG, OHIO 43068-
(614)644-2360 FAX(614)644-3166

TO

22348151125 PERMIT NUMBER		NEW TYPE	DOLGEN MIDWEST LLC DBA DOLLAR GENERAL STORE 8890 6730 W SYLVANIA AVE SYLVANIA OH 43560	
ISSUE DATE				
10 13 2011 FILING DATE				
C1 C2 PERMIT CLASSES				
48 TAX DISTRICT	077 A	255145 RECEIPT NO.		

FROM 10/31/2011

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT		RECEIPT NO.		



MAILED 10/31/2011

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/01/2011

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A NEW 2234815-1125

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF SYLVANIA CITY COUNCIL
6730 MONROE ST
SYLVANIA OHIO 43560



City Of Sylvania

SYLVANIA CITY COUNCIL
MARGARET LINTNER, MMC, CLERK

November 3, 2011

To: Mayor Craig Stough and City Council Members

From: Margaret Lintner, Clerk of Council

Subject: 2012 Meeting Schedule

The following holidays fall on a regular Monday night Council meeting in 2012:

- January 2 New Year
- January 16 Martin Luther King, Jr.'s birthday
- February 20 Presidents' Day
- September 3 Labor Day

Council should consider on what alternate days these meetings will be held.

Also, pursuant to Article III, Section 9.0 MEETINGS of the Sylvania City Charter, Council may dispense with one of its regular meetings in the months of July and August. Council may wish to consider canceling one or two of its summer meetings.

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City of Sylvania

DIVISION OF TAXATION
ANGELA J. KUHN, COMMISSIONER

November 1, 2011

Mayor Craig A. Stough and Members of Council
City of Sylvania
Sylvania, Ohio

Dear Mayor Stough and Council Members:

The monthly cash report from the Division of Taxation is as follows:

	Deposits	Refunds	Balance
October 31, 2011	677,752.61	-	677,752.61
October 31, 2010	631,237.93	25,742.99	605,494.94
Monthly Difference	46,514.68	(25,742.99)	72,257.67
Year to Date 2011	7,345,077.46	180,664.69	7,164,412.77
Year to Date 2010	7,043,923.24	165,833.50	6,878,089.74
Yearly Difference	301,154.22	14,831.19	286,323.03

Respectfully submitted,

Angela J. Kuhn
Tax Commissioner

c: Mr. Scott Smith, Finance Director