

Minutes of the Meeting of Council  
March 18, 2013

The Council of the City of Sylvania, Ohio met in regular session on March 18, 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, Mark Luetke, Todd Milner, Mary J. Westphal (7).

Roll call: all present.

Mrs. Husman 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.

17. Executive Session to discuss possible sale of Real Estate and On-going Litigation.

18. Proposed Ordinance 2-2013.

Mr. Luetke moved, Mrs. Husman 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.

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

Mrs. Westphal presented the March 4 minutes. Mrs. Westphal moved, Mr. Milner 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 March 4, 2013 be approved as amended; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Cappellini, Brown (7) yeas; (0) nays. The motion carried.

Approval of the March 4 minutes as amended.

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

Mrs. Westphal presented and read aloud by title only, proposed Resolution No. 4-2013, a written copy of same having been previously furnished to each member of Council, "A Resolution of the Council of the City of Sylvania commending Sylvania Southview High School's Cougarettes Dance Team on its First Place finishes in the Pom and Jaz Divisions in the Ohio Association of Secondary School Administrators State Cheerleading and Dance Team Championship; and declaring an emergency." Mrs. Westphal moved, Mr. Luetke seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Milner, Westphal, Cappellini, Brown, Haynam (7) yeas; (0) nays. The motion carried.

Resolution No. 4-2013, "... commending... Southview... Cougarettes... Championship.."

Minutes of the Meeting of Council  
March 18, 2013

Mrs. Westphal moved, Mr. Haynam seconded, that Resolution No. 4-2013 be enacted as an emergency measure as declared therein: roll call vote being: Luetke, Milner, Westphal, Cappellini, Brown, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

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

Mrs. Westphal moved, Mr. Milner seconded, that no hearing be requested for the transfer of the D5 liquor license to Pastrokos & Skiadas, LLC, 7625-27 Sylvania Ave., Sylvania, OH 43560 from Skiadas, Inc. & Patio, 1540 W. Sylvania Ave., Toledo, OH 43612.; roll call vote being: Milner, Westphal, Cappellini, Brown, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

No hearing...  
liquor permit  
transfer...  
Pastrokos &  
Skiadas, LLC.

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

Mrs. Westphal moved, Mr. Haynam seconded, that no hearing be requested for the transfer of the D5, D6 liquor license to Bennett Enterprises, LLC, 5700 Monroe St, Unit 5702 & Patio, Sylvania, OH 43560 from Bennett Enterprises, Inc. d/b/a/ Ralphies Sports Eatery, 5700 Monroe St, Unit 5702 & Patio, Sylvania, OH 43560.; roll call vote being: Westphal, Cappellini, Brown, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried.

No hearing...  
liquor permit  
transfer ...  
Bennett  
Enterprises, LLC.

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

The Service Director's report on Arbor Way Sanitary Sewer Project was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance 29-2013, "Accepting the proposal of Lewandowski Engineers to provide survey services relative to the Arbor Way Sanitary Sewer Project; appropriating funds therefore in an amount not to exceed \$4,240; 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: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

Ordinance No.  
29-2013  
"Accepting  
proposal...  
Lewandowski  
Eng....Arbor  
Way Sanitary  
Sewer Project..."

Mr. Brown moved, Mrs. Westphal seconded, that Ordinance 29-2013 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.

Minutes of the Meeting of Council  
March 18, 2013

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

The Service Director's report on Sprint Cell Tower was placed on file. Mr. Haynam moved, Mrs. Cappellini seconded, to table this proposed Ordinance 30-2013 until the next council meeting; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried. Ordinance No. 30-2013, tabled until next meeting.

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

The Service Director's report on the Safe Routes to School was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance 31-2013, "Authorizing the Mayor and Director Finance of the City of Sylvania, Ohio to approve Amendment No. 1 to this City's Agreement with the Ohio Department of Transportation relative to the Safe Routes to School Project; and declaring an emergency." Mr. Milner moved, Mr. Haynam seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried. Ordinance No. 31-2013, "Authorizing Amendment No. 1 to Agreement with ODOT... Safe Routes to School..."

Mr. Milner moved, Mrs. Husman seconded, that Ordinance 30-2013 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.

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

Service Director Kevin Aller's report on the Erie Street Bridge No. 122 Replacement was placed on file. Mr. Milner moved, Mr. Haynam seconded to authorize the clerk to advertise for bids for the project; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried. Bids for Erie St. Bridge No. 122 Replacement.

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

Service Director Kevin Aller's report on Building Rehabilitation Standards was placed on file. Mr. Haynam moved, Mrs. Westphal seconded, to refer the Building Rehabilitation Standards to the Zoning and Annexation Committee for review along with proposed legislation for incorporation into the Zoning Code. Referral to Zoning & Annex... Bldg. Rehab. Standards

The Zoning and Annexation Committee will meet on April 1, 2013 at 6:30 p.m. to discuss the Building Rehabilitation Standards. Zoning & Annex Com. meeting... April 1, 6:30p.m.

Minutes of the Meeting of Council  
March 18, 2013

Mayor Stough stated that Council will now consider agenda item 13.

Service Director Kevin Aller's report on Maumee River Wastewater Treatment Plant Debt, 2010-2011 Improvements was placed on file. Mrs. Westphal stated this matter was discussed at the Finance Committee meeting of this date and the recommendation was to refer it to the Utilities & Environment Committee. Mrs. Westphal moved, Mr. Haynam seconded, to refer this matter to the Utilities & Environment Committee for review and recommendation.

Report...  
Maumee River  
WW Treatment  
Plant Debt.  
Referral to Util.  
Comm.

The Utilities & Environment Committee will meet on April 1, 2013 at 6:00 p.m. to discuss the Maumee Wastewater Treatment Plan Debt.

Utilities Com.  
set for April 1,  
6:00 p.m.

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

Mayor Stough presented the Planning Commission's recommendation for proposed Ordinance 24-2013, Amending Section 1117.07 – Accessory Buildings and Uses of the Planning and Zoning Code. Mr. Milner moved, Mrs. Westphal seconded, to set the public hearing date for May 6, 2013 at 6:30 p.m., and to authorize the clerk to advertise for same; roll call vote being: Brown, Cappellini, Haynam, Husman, Luetke, Milner, Westphal, (7) yeas; (0) nays. The motion carried.

Public hearing...  
Proposed Ord.  
No. 24-2103 set  
for May 6,  
6:30pm

Mayor Stough presented the Planning Commission's recommendation for proposed Ordinance 25-2013, Amending Part Eleven of the Planning and Zoning Code to regulate use of Illuminated Tubing. Mrs. Westphal moved, Mr. Milner seconded, to set the public hearing date for May 6, 2013 at 7:00 p.m., and to authorize the clerk to advertise for same; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried.

Public hearing...  
Proposed Ord.  
No. 25-2013 set  
for May 6,  
7:00pm

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

Mrs. Westphal stated the Finance Committee met at 6:45p.m. to discuss the 2011 management letter. Mrs. Westphal moved, Mr. Milner seconded, that a written policy be developed for review for cell phone, vehicles, and credit card usage; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried. Westphal stated the Maumee Wastewater Treatment Plan Debt was also discussed.

Report of  
Finance  
Comm....policy  
development...  
cell phone,  
vehicles, credit  
cards.

Minutes of the Meeting of Council  
March 18, 2013

Mr. Luetke reported on the Employee & Community Relations Committee meeting from 6:30p.m. to discuss the future editions of the Country Journal newsletter. Mr. Luetke moved, Mr. Haynam seconded, to approve the recommendation of the committee to reduce the number of editions of the Country Journal to two in 2013; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Report of Employee & Community Rel. Comm.

Mayor Stough stated that Council will now consider agenda item 17.

Mrs. Westphal moved, Mr. Milner seconded to enter into the Committee-of-the-Whole Executive Session to discuss potential sale of real estate and current state of litigation at 8:34 p.m; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Exec. Session... sale of real estate and litigation update.

Mrs. Westphal moved, Mr. Milner seconded to return from the Committee-of-the-Whole Executive Session to regular session at 9:35 p.m; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Mayor Stough stated that Council will now consider agenda item 18.

Mr. Haynam requested that proposed Ordinance 2-2013, Sign Code amendment be placed on the agenda for next meeting.

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

Mrs. Westphal moved, Mr. Haynam seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned 9:40 p.m.

Adjournment.

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Clerk of Council

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Mayor

Minutes of the Meeting of Council  
March 18, 2013