

Minutes of the Meeting of Council
April 15, 2013

The Council of the City of Sylvania, Ohio met in regular session on April 15, 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.

Mr. Milner 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.

14a. Executive Session to discuss pending litigation.

17. Report on the Sylvania Arts Commission Film Festival.

Mrs. Westphal moved, Mr. Milner 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 April 1 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 April 1, 2013 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the
April 1 minutes.

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

Mayor Stough presented Resolution No. 4-2013 to the members of the Southview's Cougarettes Dance Team and the coach, commending their first place finishes in the Pom & Jazz Division in the OASSA State Cheerleading and Dance Team Championship.

Resolution to
Southview's
Cougarettes.

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

Mayor Stough presented the list of items to be offered for sale. Mrs. Cappellini moved, Mrs. Husman seconded, to authorize the sale of items from the Parks and Forestry and Police Divisions on GovDeals.com since they are no longer needed by the City; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried.

Items for
GovDeals.com.

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

Mrs. Westphal moved, Mr. Milner seconded, that no hearing be requested for the new D5I permit for MT Bellys, Inc. d/b/a/ B Gump Restaurant, 5147 Main St., Sylvania, OH 43560; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

No objection to new liquor permit for B. Gump.

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

Mr. Haynam presented and read aloud by title only, proposed Ordinance 37-2013, "Approving the banner application of St. Joseph church; authorizing the Deputy Director of Public Service to indicate such approval of behalf of the City of Sylvania; and declaring an emergency." Mr. Haynam moved, Mr. Westphal 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 37-2013, "...St. Joseph church... banner approval."

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance 37-2013 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 9.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance 38-2013, "Authorizing the Mayor and Director of Finance to enter into an agreement, on behalf of the City of Sylvania, Ohio, with the Board of Lucas County Commissioners, for the provision of Public Defender Services to the Sylvania Municipal Court for the year 2013; and declaring an emergency." Mrs. Westphal moved, Mr. Haynam 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.

Ordinance 38-2013, "...Authorize agreement with Lucas Co ... Public Defender for 2013..."

Mrs. Westphal moved, Mr. Milner seconded, that Ordinance 38-2013 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.

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

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Service Director Kevin Aller's report on Erie Street Bridge No. 122 Replacement Project bids was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance 39-2013, "Accepting the bid of Vernon Nagle, Inc. and awarding the contract for the Erie Street Bridge No. 122 Replacement Project to same; authorizing the expenditure for the improvements in the amount of \$461,229.25; appropriating funds therefore; 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: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried.

Ordinance
39-2013,
"Accepting bid of
Vernon Nagle,
Inc....Erie St.
Bridge No 122...
\$461,229.25..."

Mr. Milner moved, Mr. Haynam seconded, that Ordinance 39-2013 be enacted as an emergency measure as declared therein; roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini, (7) yeas; (0) nays. The motion carried

Service Director Kevin Aller's report on Erie Street Bridge No. 122 Replacement Project easement was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance 40-2013, "Accepting a perpetual easement from Inez O'Grady relative to the replacement of Erie Street Bridge No. 122 Project; dedicating the easement for public purposes; appropriating funds therefore; 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: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Ordinance
40-2013,
"Accepting
perpetual
easement...for
Erie St. Bridge
Replacement..."

Mr. Milner moved, Mrs. Husman seconded, that Ordinance 40-2013 be enacted as an emergency measure as declared therein; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (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 Maumee River Wastewater Treatment Plan Debt 2010-2011 Improvements was placed on file. Mr. Brown presented and read aloud by title only, proposed Ordinance 41-2013, "Appropriating the sum of \$426,741.54 to satisfy the City of Sylvania's debt obligation for the Maumee River Wastewater Treatment Plan Improvements; 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: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

Ordinance
41-2013,
"Appropriating
\$426,741.54.....
City's debt
obligation....
wastewater
treatment
plant..."

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Mr. Brown moved, Mr. Haynam seconded, that Ordinance 41-2013 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.

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

Mr. Haynam presented and read aloud by title only, proposed Resolution 6-2013, “Adopting a statement, pursuant to Revised Code of Ohio 709.03(D), indicating what services will be provided to the area proposed to be annexed to the City of Sylvania by petition for annexation filed with the Board of Lucas County Commissioners; and declaring an emergency.” Mr. Haynam 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.

Resolution No. 6-2013, “Adopting services provided to proposed Annexed area.....”

Mr. Haynam moved, Mrs. Husman seconded, that Resolution 6-2013 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 that Council will now consider agenda item 13.

Municipal Planning Commission’s report regarding PD-2-2012 Planned Development – Pine Tree Village was placed on file. Mr. Haynam, Mrs. Westphal seconded, to set the public hearing for PD-2-2012 for May 20, 2013 at 6:30p.m. and to authorize the clerk to advertise for same; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, Husman, (7) yeas; (0) nays. The motion carried.

Public hearing for PD-2-2012 set for May 20, 6:30p.m.

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

Mrs. Westphal moved, Mr. Milner seconded to enter into Committee-of-the-Whole Executive Session to discuss pending litigation at 8:15 p.m.; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke, (7) yeas; (0) nays. The motion carried.

C-O-W Exec. Session... Pending Litigation.

Mrs. Westphal moved, Mrs. Husman seconded to return to regular session from Committee-of-the-Whole Executive Session at 8:43 p.m.; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried.

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Mayor Stough state Council will now consider agenda item 14.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 2-2013, “Amending Chapter 1166-Sign Regulations of the Sylvania Codified Ordinances by amending Section 1166.03 – Permit Required; by amending Section 1166.07 – Standards for Permitted Signs; denying the recommendation of the Sylvania Municipal Planning Commission; and declaring an emergency.” Mr. Haynam moved, Mr. Milner seconded, that council dispense with the Second and Third Readings of said Ordinance; roll call vote being: Milner, Luetke, Haynam, Cappellini, Brown, (5) yeas; Westphal, Husman, (2) nays. The motion carried.

Ordinance
2-2013
“Amending
Chapter 1166-
Sign Regulations
....”

Mr. Haynam moved, Mrs. Husman seconded, that Ordinance 2-2013 be enacted as an emergency measure as declared therein; roll call vote being: Milner, Luetke, Haynam, Cappellini, Brown, (5) yeas; Westphal, Husman, (2) nays. The motion carried.

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

Mrs. Westphal reported on the Committee of the Whole meeting held at 6:30p.m. There was discussion on the CRA No. 3 & 8 amendments with the determination to refer this matter back to administration for additional discussion and review.

C-O-W reviews
CRA No. 3 & 8
Amendments.

There were no items for 16 and Mayor Stough stated that Council will now consider agenda item 17.

Mrs. Cappellini reported on the Sylvania Arts Commission Film Festival on April 13th. These movies will be available for viewing on the Sylvania Arts Commission website for all to enjoy. The Commission submitted a grant proposal to the Ohio Arts Commission to get funding for next year’s festival.

Report on Arts
Commission Film
Festival.

Mayor Stough commented on a letter under his signature to TMACOG regarding the possible expansion of the Adrian and Blissfield railroad. Mayor provided comments on the impact to the City of Sylvania.

Railroad
comments to
TMACOG.

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

Mrs. Westphal moved, Mr. Luetke seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned 9:03 p.m.

Adjournment.

Clerk of Council

Mayor

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