

Minutes of the Meeting of Council  
April 2, 2012

The Council of the City of Sylvania, Ohio met in regular session on Monday, April 2, 2012 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, Todd Milner, Mary J. Westphal (7); absent: (0).

Roll call: all present.

Mr. Luetke 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 amendments to the agenda;

Amendments to the agenda.

4a. Move item 11 here.

4b. Move item 12 here.

13a. Report of the Committee-of-the-Whole.

15. Update on the downtown marketing plan.

Mr. Haynam moved, Mrs. Westphal 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.

Mr. Milner presented the March 19 minutes. Mr. Milner 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 March 19, 2012 be approved as submitted, provided there are no amendments from other members of Council; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the March 19 minutes.

Chris Nixon, chef and part-owner of Element 112, a restaurant soon opening at 5737 Main Street, was present and updated Council on his plans for the new venture. He is seeking to serve some alcohol. Mr. Milner moved, Mr. Haynam seconded, that no objection be filed or hearing be requested for the D3 liquor permit for Element 112, 5737 Main St., roll call vote being: Haynam, Husman, Luetke, Milner, Westphal, Brown, Cappellini (7) yeas; (0) nays. The motion carried.

No objection to liquor permit for Element 112, 5737 Main.

Jack Steele, President, Highland Meadows Golf Club, explained the club's plans to replace the fencing along Erie Street. They request permission to replace it in the same location even though it is in an easement. They are also seeking a 10 year loan from the City. Council concurred that the club is an asset, and will consider an agreement at a future meeting.

Highland Meadows fence.

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

Service Director Kevin Aller's report on the change order for the Main Street repaving project was placed on file. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 24-2012, 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 Gerken Paving, Inc., for the Main Street Paving and Waterline Improvements Project which reflects the actual materials used and work performed on this project; increasing the contract amount by \$9,280.72; appropriating funds therefore; and declaring an emergency." Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Resolution; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam (7) yeas; (0) nays. The motion carried.

Ordinance 24-2012, ...approve Change Order... Main Street..."

Mr. Milner moved, Mr. Haynam seconded, that Ordinance No. 24-2012 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 6.

Law Director Jim Moan reported that Section 1102.022 of the Zoning Code was inadvertently deleted when Council approved the revised code. After discussion, Mr. Haynam moved, Mr. Milner seconded, to refer proposed Ordinance 25-2012, the amending of Section 1103.022 to the Planning Commission for review and recommendation, and they are specifically requested to consider an extension of the 50 year construction time frame, and to consider if this should be applied city-wide, or only in the historic overlay district; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried.

Proposed Ordinance 25-2012 to Planning Commission.

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

Police Chief William Rhodus said the Police Division has 19 cell phones which are no longer of use to them, so as was previously done, he is requesting they be donated to Sparrow's Nest. Mr. Milner presented and read aloud by title only, proposed Ordinance No. 26-2012, a written copy of same having been previously furnished to each member of Council, "Authorizing the donation of cellular telephones to Sparrow's Nest; determining said items to be of no further use to the City of Sylvania; and declaring an emergency." Mr. Milner moved, Mrs. Husman seconded, that Council dispense with the Second and Third Readings of said Ordinance; roll call vote

Ordinance 26-2012, "...donation of cellular tele-phones to Sparrow's Nest..."

being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0)

nays. The motion carried.

Mr. Milner moved, Mr. Luetke seconded, that Ordinance No. 26-2012 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 8.

Mr. Brown presented and read aloud by title only, proposed Ordinance No. 27-2012, a written copy of same having been previously furnished to each member of Council, "Providing for the construction, maintenance, repair, cleaning and enclosing open drainage ditches located within the corporate limits of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2012; establishing one district for said purpose in accordance with the provisions of Section 727.012 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency." Mr. Brown moved, Mr. Luetke 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 27-2012, "Providing ...repair...ditches ..."

Mr. Brown moved, Mr. Milner seconded, that Ordinance No. 27-2012 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.

Mrs. Cappellini presented and read aloud by title only, proposed Ordinance No. 28-2012, a written copy of same having been previously furnished to each member of Council, "Providing for the controlling blight and disease of shade trees and for planting, maintaining, trimming and removing shade trees in and along the streets and within public right-of-way of the City of Sylvania; authorizing the Director of Public Service, by and through the proper officers of said City to do said work during the year 2012; establishing one district for said purpose in accordance with the provisions of Section 727.011 of the Revised Code of Ohio; providing for the assessment of the cost and expense thereof upon abutting property; and declaring an emergency." Mrs. Cappellini moved, Mr. Brown 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 28-2012, "Providing ...blight and disease...shade trees..."

Mrs. Cappellini moved, Mr. Luetke seconded, that Ordinance No. 28-2012 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.

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

Mayor Stough presented the Service Director's report on the salt storage facility. Mrs. Husman moved, Mrs. Westphal seconded, to authorize the clerk to advertise for bids for the salt storage facility; roll call vote being: Milner, Westphal, Brown, Cappellini, Haynam, Husman, Luetke (7) yeas; (0) nays. The motion carried. Clerk to advertise for salt storage bids.

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

Mrs. Westphal moved, Mr. Luetke seconded, that no objection be filed or hearing be requested for the D1, D2, and D3 permit for Mifinter, LLC, d/b/a Treo, 5703 Main Street, noting that this is a change in stock holders; roll call vote being: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner (7) yeas; (0) nays. The motion carried. No objection to Treo liquor permit change.

Items 11 and 12 had previously been considered and Mayor Stough stated that Council will now consider agenda item 13.

Mr. Milner reported that Council reviewed several budget projections at the March 30 Committee-of-the-Whole meeting that were prepared by the Finance Director. The Service Director presented his five year capital projects list. The committee will meet again on April 16 at 4:30 p.m. to review the law enforcement budget. C-O-W report.

There were no items for 14 and Mayor Stough stated that Council will now consider agenda item 15.

Bill Sanford noted that he had distributed stop mosquito spray literature from Susan Searles, and said that she was present if any Council member wished to speak with her. He also asked Council to present questions about the downtown market study prior to the April 16 meeting. Downtown market study.

Mayor Stough stated that all items on the agenda had been considered. Mr. Luetke moved, Mrs. Westphal seconded, that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 8:30 p.m. Adjournment.

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Clerk of Council

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Mayor