

Minutes of the Meeting of Council
July 21, 2014

The Council of the City of Sylvania, Ohio met in regular session on July 21, 2014 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 Westphal (7) present; (0) absent.

Roll call: All present.

Mrs. Cappellini 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.

Additions to the agenda.

- 16a. Ordinance 43-2014, Amending Chapter 505-Animals.
18. Report of Public Hearing-Vacation of High St., Ordinance 41-2014.
19. Report of Public Hearing-Design Review Regulations, Ordinance 42-2014.
20. Report of Public Hearing- ZA-2-2014, Alexis & Acres Rezoning, set Zoning & Annexation Committee meeting.
21. Report of Public Hearing- SUP-1-2014, Highland Meadows pump house, Ordinance 44-2014.
22. Report of Public Hearing- SUP-2-2014, Loyal Order of Moose storage building, Ordinance 45-2014.
6. Correction of applicant of ZA-3-2014, Sister of St. Francis.
23. SCAT Golf Scramble Information.
24. Sylvania Historical Village –new program “Tell your Sylvania story” Information.

Mrs. Westphal moved, Mr. Haynam seconded to approve the agenda as amended; 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 4.

Mr. Haynam presented the June 16, 2014 minutes. Mr. Haynam moved, Mr. Luetke 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 June 16, 2014 be approved; roll call vote being: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown (7) yeas; (0) nays. The motion carried.

Approval of the June 16 minutes.

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

Chief Rhodus introduced the new Police Patrolman, Brandon Follrod.

Introduction of Patrolman Brandon Fullrod.

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

Mr. Haynam moved, Mrs. Husman seconded, to excuse Mr. Milner, at his request, due to a possible conflict of interest; roll call vote being: Haynam, Husman, Luetke, Westphal, Brown, Cappellini, (6) yeas; (0) nays. The motion carried. Milner excused.

Mr. Hayman moved, Mrs. Westphal seconded, to excuse Mr. Luetke, at his request, due to a possible conflict of interest; roll call vote being: Husman, Milner, Westphal, Brown, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried. Luetke excused.

Mr. Haynam moved, Mrs. Westphal seconded, to excuse Mrs. Husman, at her request, due to a possible conflict of interest; roll call vote being: Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (6) yeas; (0) nays. The motion carried. Husman excused.

Mr. Haynam moved, Mrs. Westphal seconded to refer Zoning Ordinance Amendment Petition No. ZA-3-2014 to the Plan Commission for review and recommendation; roll call vote being: Haynam, Westphal, Brown, Cappellini, (4) yeas; (0) nays. The motion carried. Refer ZA-3-2014 to Plan Commission.

Mr. Haynam moved, Mrs. Cappellini seconded, to set the public hearing for Zoning Ordinance Amendment Petition No. ZA-3-2014 for September 2, 2014 at 7:00p.m; roll call vote being: Westphal, Brown, Cappellini, Hayman. (4) yeas; (0) nays. The motion carried. Set P.H. ZA-3-2014, 9/2/14, 7:00p.m.

Mr. Milner, Mr. Luetke and Mrs. Husman returned to the table.

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

Mr. Brown presented and read aloud by title only, proposed Ordinance 34-2014, a written copy of same having been previously furnished to each member of Council, "Accepting an easement from the Sylvania City School District for utility purposes; and declaring an emergency."; Mr. Brown 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 34-2014, "Accepting easement from Sylvania Schools for utility purposes"

Mr. Brown moved, Mr. Milner seconded, that Ordinance 34-2014 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 8.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 35-2014, a written copy of same having been previously furnished to each member of Council, "Approving the banner application of St. Elias Orthodox Church; authorizing the Deputy Director of Public Service to indicate such approval on behalf of the City of Sylvania; and declaring an emergency."; Mr. Haynam moved, Mrs. Husman 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
35-2014,
"Approving
banner
application of St.
Elias Orthodox
Church..."

Mr. Haynam moved, Mr. Milner seconded, that Ordinance 35-2014 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 9.

Mr. Brown presented and read aloud by title only, proposed Ordinance 36-2014, 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. 3 (Final) to this City's agreement with CB&I Constructors, Inc. for the 2 MG elevated water tank project which reflects work to be performed on this project; decreasing the contract amount by \$16,978.25; and declaring an emergency."; Mr. Brown moved, Mr. Haynam 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
36-2014,
"Approving
CO #3 to 2MG
elevated water
tank project..."

Mr. Brown moved, Mrs. Husman seconded, that Ordinance 36-2014 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 10.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 37-2014, a written copy of same having been previously furnished to each member of Council, "Accepting for Annexation to the City of Sylvania, Ohio, the territory described in Annexation Petition Number 2013-7 for which James E. Moan is the agent, and as hereinafter described; providing for the interim zoning of said territory; and declaring an emergency."; Mr. Haynam moved, Mrs. Westphal seconded, that Council dispense

Ordinance
37-2014,
"Accepting
Annexation
Petition No.
2013-7 ..."

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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.

Mr. Haynam moved, Mrs. Husman seconded, that Ordinance 37-2014 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 11.

Mr. Brown presented and read aloud by title only, proposed Ordinance 38-2014, a written copy of same having been previously furnished to each member of Council, "Authorizing the Mayor and Director of Finance to enter into an assignment and transfer from Monroe County to Whiteford Township the discharge of sanitary sewer from the service area of Whiteford Township Sewage Disposal System No.1; and declaring an emergency."; Mr. Brown 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
38-2014,
"Authorizing to
enter into an
assignment....
Whiteford Twp.
sewage disposal
system #1..."

Mr. Brown moved, Mr. Luetke seconded, that Ordinance 38-2014 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 12.

Mr. Milner presented and read aloud by title only, proposed Ordinance 39-2014, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of Ohio Excavating & Sewer Contractors, Inc. and awarding the contract for the Cadet Drive, Forestgate Court and Garden Park Drive Improvements to same; authorizing the expenditure for the improvements in the amount of \$346,468; 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: Westphal, Brown, Cappellini, Haynam, Husman, Luetke, Milner, (7) yeas; (0) nays. The motion carried.

Ordinance
39-2014,
"Accepting bid
of Ohio
Excavating...
Cadet, Forestgate
and Garden Park
projects..."

Mr. Milner moved, Mrs. Husman seconded, that Ordinance 39-2014 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.

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

Mr. Brown presented and read aloud by title only, proposed Ordinance 40-2014, a written copy of same having been previously furnished to each member of Council, "Accepting the bid of Insight Pipe Contracting, L.P. and awarding the contract for the Monroe Street Sanitary Sewer lining project to same; authorizing the expenditure for the project in the amount of \$47,400; appropriating funds therefore; and declaring an emergency."; Mr. Brown 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
40-2014,
"Accepting bid
of Insight Pipe
for Monroe St
Sewer Lining
Project..."

Mr. Brown moved, Mrs. Westphal seconded, that Ordinance 40-2014 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.

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

Mrs. Westphal moved, Mr. Haynam seconded, that a 30-day extension be requested for the C1 and C2 liquor permit from Ohio CVS Stores, LLC, dba CVS/Pharmacy 10457, 7510 Sylvania Avenue; roll call vote being: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Request 30 day
extension for
liquor permit for
CVS Pharmacy.

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

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

Items for
GovDeals.com.

Mrs. Husman moved, Mrs. Westphal seconded, to amend the motion to include the police department items on the GovDeals.com list of items to be offered for sale; 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 16.

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Mrs. Westphal reported on the July 1st and July 21st Safety Committee meetings that discussed amending Chapter 505.08-Animals – Nuisance conditions and feeding of wildlife and stray animals prohibited of the Sylvania Codified Ordinances. After additional public comment, the committee recommended to advance legislation to amend Chapter 505.08 to council.

Mrs. Westphal presented and read aloud by title only, proposed Ordinance 43-2014, a written copy of same having been previously furnished to each member of Council, “Amending Chapter 505-Animals of the Sylvania Codified Ordinances, 1979, as amended, by amending Section 505.08-Nuisance conditions and feeding of wildlife and stray animals prohibited; 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: Cappellini, Haynam, Husman, Luetke, Milner, Westphal, Brown, (7) yeas; (0) nays. The motion carried.

Ordinance
43-2014,
“Amending
Chapter 505
Animals...”

Mrs. Westphal moved, Mr. Haynam seconded, that Ordinance 43-2014 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.

Mayor Stough stated that since there are no items for agenda item 17, council will now consider agenda item 18.

Mrs. Westphal reported on the public hearing held regarding the Petition for the Vacation of High Street by Charles Villolovos and Lourdes University. There was no public comment. It was recommended to advance Ordinance 41-2014 to council for approval.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 41-2014, a written copy of same having been previously furnished to each member of Council, “Vacating a portion of High Street; reserving to the City of Sylvania a water and sanitary sewer easement; ordering the recording of certified copy of the vacating ordinance; and declaring an emergency.”; Mr. Haynam moved, Mrs. Husman 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
41-2014,
“Vacating a
portion of High
St....”

Mr. Haynam moved, Mr. Brown seconded, that Ordinance 41-2014 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.

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Mayor Stough stated that Council will now consider agenda item 19.

Mrs. Westphal reported on the public hearing held regarding the amendments to Sylvania Codified Ordinances-by adding Chapter 1152-Design Review Regulations. There was no public comment. It was recommended to advance Ordinance 42-2014 to council for approval.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 42-2014, a written copy of same having been previously furnished to each member of Council, "Affirming Ordinance No. 31-2014; and declaring an emergency."; Mr. Haynam 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
42-2014,
"Affirming
Ordinance
31-2014..."

Mr. Haynam moved, Mrs. Westphal seconded, that Ordinance 42-2014 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.

Mayor Stough stated that Council will now consider agenda item 20.

Mrs. Westphal reported on the public hearing regarding Zoning Ordinance Amendment Application No. ZA-2-2014, from DJF Properties, Ltd, for property at 5904 Alexis, 5623 and 5625 Acres Rd from R-2 to B-2. After public comment, it was recommended to refer this matter to the Zoning & Annexation Committee for further consideration.

ZA-2-2014, refer
to Zoning &
Annexation
Committee.

Mr. Haynam set the Zoning & Annexation Committee meeting for further discussion of ZA-2-2014 for August 18, 2014 at 6:30p.m.

Mayor Stough stated that Council will now consider agenda item 21.

Mrs. Westphal reported on the public hearing held regarding Amendment to Special use Permit Application SUP-1-2014, from Highland Meadows Golf Club at 7455 Erie St. It was recommended to advance Ordinance 44-2014 to council for approval.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 44-2014, a written copy of same having been previously furnished to each member of Council, "Amending the Special Use Permit for Highland Meadows Golf Club to construct a new pump house, on the recommendation of the Municipal Planning Commission; and

Ordinance
44-2014,
"Amending SUP-
1-2014, Highland

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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: Husman, Luetke, Milner, Westphal, Brown, Cappellini, Haynam, (7) yeas; (0) nays. The motion carried.

Meadows...
pump house..”

Mr. Haynam moved, Mr. Luetke seconded, that Ordinance 44-2014 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 22.

Mrs. Westphal reported on the public hearing held regarding Amendment to Special Use Permit Application SUP-2-2014, from Loyal Order of Moose #1579 at 6072 N. Main St. It was recommended to advance Ordinance 45-2014 to council for approval.

Mr. Haynam presented and read aloud by title only, proposed Ordinance 45-2014, a written copy of same having been previously furnished to each member of Council, “Amending the Special Use Permit for Loyal Order of the Moose #1579 to construct a new storage building, on the recommendation of the Municipal Planning Commission; and declaring an emergency.”; Mr. Haynam 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.

Ordinance
45-2014,
“amending SUP-
2-2014...Loyal
Order of
Moose...new
storage bldg...”

Mr. Haynam moved, Mrs. Husman seconded, that Ordinance 45-2014 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 stated council will now consider agenda item 23.

Mrs. Husman provided information on the SCAT 4th Annual Golf Scramble on August 15, 2014 and stated everyone is welcome.

SCAT Golf
Scramble.

Mayor stated council will now consider agenda item 24.

Mrs. Husman stated the Sylvania Historical Village is introducing a new program, “Tell your Sylvania story” on August 2, 2014 from 10-2 a.m. and 3-5 p.m. All are welcome.

Historical Village
Event-“Tell your
Story”

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

Mr. Haynam moved, Mrs. Westphal seconded that this meeting adjourn; all present voting yea (7); (0) nays. The motion carried and the meeting adjourned at 9:10 p.m.

Adjournment.

Clerk of Council

Mayor