

PUBLIC HEARING

April 5, 2010

The April 5, 2010 Public Hearing was called to order at 6:30 p.m. in Council Chambers by Gary Veith, President. City Council members present were Evie Hall-Case, Kyle McColly, Chad Smith, Don Spiegel, Scot Swinehart, Gary Veith, and Paul Wagner.

Others present included: Scott Washburn, Mayor; Kenneth McMillan, Zoning Inspector; Bud Miller; Jacob Beach; Tyler Billeg; Alex Parks; Sam Molnar; Chanda Neely, Daily Chief Union; and Sarah Bennett, Clerk.

The purpose of this public hearing was to discuss possible amendments to the City's zoning and building regulations, as recommended by the Planning Commission.

The following amendments to the City's zoning and building regulations, as recommended by the Planning Commission, were reviewed:

Section No. 1111.01 Definitions – (37) Home Occupation means the use of a home for a small business or service which is established entirely within the dwelling unit, is conducted only by members of the family residing in the residence and, utilizing not more than twenty-five percent (25%) of the dwelling unit on such lot, does not create a traffic problem and must be completely in a building. The word “only” will replace the word “primarily”. The following additional sentences will be added to this definition: A home occupation shall in no way alter the external appearance of the principal structure. The only external indication of such home occupation shall be limited to one sign, controlled by the sign regulations of the zoning code. There shall be no outside storage of any kind related to such home occupation. Allowable home occupations are not to be open to the general public nor cause disruption to the neighborhood or the general traffic flow of the area.

Section 1123.04(a)(1) - Notification by mail to individual property owners of the public hearing before City Council is mandatory. The word “is” will replace the words “is not”.

The following amendments to Section 1123.01 Primary Uses were reviewed:

Accounting, Auditing Services - add primary use in HB

Animal Hospitals - add primary use in HB

Antique, Novelty Shops - change from Home occupation in R-2 to Special use; and change from shopping center, plaza, mall to primary use in HB

Art, Music, Dancing Schools - add primary use in HB

Association and Club Offices - add primary use in HB

Attorneys Offices - add primary use in HB

Bait Stores (Ord.185-9.Passed 7-3-95.) - eliminate primary use in R-3

Bakery, Dairy, Egg Retail (3,000 sq.ft.or less) - change from shopping center, plaza, mall to primary use in HB

Beauty, Barber, Florist, Hat Shops, Tanning Salons - change from shopping center, plaza, mall
to primary use in HB

Beauty and Barber Shops (with 4 operators or less) - add as special use in R-2 and R-3; and change from shopping center, plaza, mall to primary use in HB

Beauty and Barber Shops (only one operator or immediate residing family member) -
change
from home occupation to special use in R-
2

Bicycle Repair - eliminate home occupation in R-1

Blueprint and Photocopy Services - change from shopping center, plaza, mall to primary
use in
HB

Business Consulting Services - change special use to home occupation in R-3; change
special
use to primary use in LB; add primary use in HB

Camera, Photo Studio Shops - change home occupation to special use in R-2; change from
shopping center, plaza, mall to primary use in
HB

Chiropractor's Offices - eliminate home occupation in R-1; eliminate special use in R-2;
add
primary use in HB

Clothing, Shoe, Tailor Stores - change from shopping center, plaza, mall to primary use in
HB

Collection Agencies, Investment and Consumer Services - change from shopping
center, plaza,
mall to primary use in HB

Convenience Stores - eliminate from special use in R-3 and R-3A

Crafts, Needlecraft - change home occupation to special use in R-1 and R-2

Credit and Finance Related Business - change from shopping center, plaza, mall to
primary use
in HB

Day Care Centers - add primary use in HB

Delicatessen Stores (3,000 sq.ft. in floor area) - change from shopping center, plaza, mall to
primary use in HB

Dentist Offices - eliminate home occupation in R-1; eliminate special use in R-2; add
primary
use in HB

Drugs, Proprietary and Variety Stores (3,000 sq. ft. or less in floor area) - change from
shopping center, plaza, mall to primary use in
HB

Emergency and Charitable Services - add primary use in HB

Employment and Placement Offices - add primary use in HB

Engineering, Architectural, Urban Planning Services - change special use in R-3 to Home
occupation; add primary use in HB

Fire Extinguisher Repair - eliminate as home occupation in R-1

General and Health Resorts - add primary use in HB

General Merchandise Stores - change from shopping center, plaza, mall to primary use in HB

Government Offices - add primary use in HB

Governmental Service Buildings - add primary use in HB

Hardware, Paint, Glass Stores - add primary use in LB and GB

Home Bakery and Catering - change from home occupation to special use in R-1 and R-2

Insurance, Real Estate, Title Offices - change from shopping center, plaza, mall to primary use

in HB

Lapidary and Watch Repair Shops - change from home occupation to special use in R-1 and R-2

Mailing Services - change from shopping center, plaza, mall to primary use in HB

Physician's Offices - eliminate home occupation in R-1

Picture Framing - eliminate from home occupation in R-1; change from home occupation to
special use in R-2

Private Music, Dance, Baton and Voice Instruction - change from home occupation to special
use in R-1 and R-2; add primary use in
HB

Sewing and Alterations - change from home occupation to special use in R-2 and R-3

Shopping Centers, Malls, Plazas - add as primary use in LB and GB

Single Family Dwellings - eliminate from Public Facilities

Small Appliance Repair - change from home occupation to special use in R-2 and R-3

Stationery, Book, Jewelry Stores - change from shopping center, plaza, mall to primary use
in
HB

Taverns, Night Clubs, Liquor Retail - change from shopping center, plaza, mall to primary
use
in HB

Tool Sharpening - eliminate home occupation in R-1; change from home occupation to
special use in R-2, R-3, and R-3A

Tropical Fish and Supplies - eliminate home occupation in R-1; change from home
occupation to special use in R-2, R-3, and R-3A

Veterinarian Offices - change from shopping center, plaza, mall to primary use in HB

Video Rental Stores - change from shopping center, plaza, mall to primary use in HB

There being no further business, the President declared the hearing adjourned.

Sarah J. Bennett, Clerk

Gary Veith, President

CITY COUNCIL

April 5, 2010

The April 5, 2010 City Council meeting was called to order at 7:30 p.m. in Council Chambers by Gary Veith, President. A moment of silence was observed followed by the Pledge of Allegiance to the Flag of the United States of America. City Council members present were Evie Hall-Case, Kyle McColly, Chad Smith, Don Spiegel, Scot Swinehart, Gary Veith, and Paul Wagner.

Others present included: Scott Washburn, Mayor; Kenneth McMillan, Zoning Inspector; Bud Miller; Jacob Beach; Tyler Billeg; Alex Parks; Sam Molnar; Jeff Conley, Volunteer Fireman; Bill Sturgeon, Fire Chief; Irvin Woods, Wyandot Classics and Cruisers; Jim Rhoden, Wyandot Classics and Cruisers; Mary Snyder; John Hawkins; Morris Lear; Chanda Neely, Daily Chief Union; and Sarah Bennett, Clerk.

The minutes of the March 16, 2010 City Council meeting, having been mailed to each City Council member, were approved as received.

The minutes of the March 15, 2010 Tree Commission meeting, having been mailed to each City Council member, were reviewed.

The minutes of the March 15, 2010 Service Committee meeting, having been mailed to each City Council member, were reviewed.

Prior to the meeting, Mayor Washburn presented Mayor's Awards to Jacob Beach, Tyler Billeg, Alex Parks, and Sam Molnar, as members of the Upper Sandusky Swim Team who qualified and participated at State, for their accomplishment.

At this time Mayor Washburn presented Mr. Jeff Conley, Volunteer Fireman, with a Mayor's Award for his work in writing a grant that has been awarded to the City from the US Department of Homeland Security for the purchase of self contained breathing apparatuses and radio equipment for the Fire Department. Total federal grant award was \$99,047.00 with the City to match \$5,273.00 for a total of \$104,260.00. Fire Chief Bill Sturgeon and City Council members expressed their appreciation to Mr. Conley for his work.

Mr. Jim Rhoden and Mr. Irvin Woods, Wyandot Classics and Cruisers, addressed City Council concerning the annual 10th annual Autumn Cruise being planned for Saturday, September 25, 2010. Mr. Rhoden and Mr. Woods were referred to the Safety Committee for their request.

It was noted that the new water tower located along Malabar Drive has been placed in operation.

A motion was made by Mr. Swinehart, seconded by Mr. Veith, to place Ordinance No. 22-12 entitled, "AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS TO THE ANNUAL APPROPRIATIONS ORDINANCE NO. 9-12, TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF UPPER SANDUSKY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010, AND DECLARING THIS ACT AN EMERGENCY.", on its second reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 22-12 for the second time by title only.

A motion was made by Mr. Smith, seconded by Mr. Swinehart, for the adoption of Ordinance No. 22-12. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 22-12 was duly adopted.

City Council members discussed the amendments to the City's zoning and building regulations, as recommended by the Planning Commission and reviewed in the public

hearing held prior to this meeting. City Council members agreed to proceed with having an Ordinance drafted and presented at the next City Council meeting to address these proposed amendments.

Mr. Veith indicated that a problem has been encountered with the Ohio Department of Transportation (ODOT) project to resurface State Route 199 from the south corporation limit to the north corporation limit. Mayor Washburn explained that he and Mr. Allen Boes, Street Department Supervisor, met recently with representatives of ODOT and these representatives were under the belief that the north corporation limit ended at CH 49 and claimed they were unaware that the City's north corporation limit ended at CH 47. Mayor Washburn indicated that he is attempting to resolve this matter.

Mayor Washburn requested Chief Sturgeon to report on the status of Mr. Nelson Dilley, full-time fireman. Chief Sturgeon indicated that Mr. Dilley responded to the accident crash this morning at the intersection of US 23 and CH 44 and was overcome by what appeared to be heat exhaustion. Mr. Dilley was checked out by Wyandot Memorial Hospital and given a clean bill of health.

There being no further business, the President declared the meeting adjourned.

Sarah J. Bennett, Clerk

Gary Veith, President