

CITY COUNCIL

February 20, 2012

The February 20, 2012 City Council meeting was called to order at 7:30 p.m. in Council Chambers by Don Spiegel, 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 Don Spiegel, Scot Swinehart, Bill Thornton, Kyle McColly, Rick Roberts, and Chad Smith. Evie Hall-Case was absent.

Others present included: Scott Washburn, Mayor; Mark Ellis, Law Director; Todd Jenkins, Peterman Associates; Greg Knestrick, Peterman Associates; Mary Snyder; Chanda Neely, Daily Chief Union; and Sarah Bennett, Clerk.

The minutes of the February 6, 2012 City Council meeting, having been mailed to each City Council member, were approved as amended.

The minutes of the February 6, 2012 Service Committee meeting, having been mailed to each City Council member, were reviewed.

The minutes of the February 6, 2012 Safety Committee meeting, having been mailed to each City Council member, were reviewed.

The minutes of the February 9, 2012 Planning Commission meeting, having been mailed to each City Council member, were reviewed.

The minutes of the February 13, 2012 Park Board meeting, having been mailed to each City Council member, were reviewed.

A motion was made by Mr. Swinehart, seconded by Mr. Spiegel, to remove Ordinance No. 83-12 from the table. Upon Roll Call, all members voted Yes. The President declared the motion carried.

Discussion was held concerning Ordinance No. 83-12. Mr. Mark Ellis, Law Director, indicated that he reviewed the language contained in the Ordinance and added, "per parcel owner per project" to the proposed \$25.00 tree permit fee. It was noted that under this Ordinance, a property owner will be charged \$25.00 to remove, prune, or trim any number of trees located in the street right of way on one property, and should the property owner own two adjoining parcels and want to remove, prune, or trim trees located on both parcels the total cost for these projects would be \$50.00.

A motion was made by Mr. Thornton, seconded by Mr. Roberts, to approve the amendment to the language in Ordinance No. 83-12 to include, "per parcel owner per project". Upon Roll Call, all members voted Yes. The President declared the motion carried.

A motion was made by Mr. Swinehart, seconded by Mr. Thornton, to place Ordinance No. 83-12 entitled, "AN ORDINANCE AMENDING THE FEE FOR A PERSON OR PROPERTY OWNER TO REMOVE, PRUNE OR TRIM A TREE LOCATED IN THE STREET RIGHT OF WAY, AS CONTAINED IN SECTION 905.03(B) OF THE CODIFIED ORDINANCES OF THE CITY OF UPPER SANDUSKY.", on its second reading by title only as amended. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 83-12 for the second time by title only as amended.

A motion was made by Mr. Swinehart, seconded by Mr. Spiegel, to for the adoption of Ordinance No. 83-12. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 83-12 was duly adopted.

A motion was made by Mr. Swinehart, seconded by Mr. Thornton, to place Ordinance No. 84-12 entitled, "AN ORDINANCE AMENDING SECTION 151.01 OF THE CITY OF UPPER SANDUSKY CODIFIED ORDINANCES RELATING TO RESIDENCY REQUIREMENTS OF EMPLOYEES.", 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. 84-12 for the second time by title only.

A motion was made by Mr. Smith, seconded by Mr. Swinehart, for the adoption of Ordinance No. 84-12. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 84-12 was duly adopted.

A motion was made by Mr. Smith, seconded by Mr. Thornton, to place Ordinance No. 85-12 entitled, "AN ORDINANCE AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES FOR THE UPPER SANDUSKY LONG TERM CONTROL PLAN AND STORM SEWER SYSTEM STUDY BETWEEN THE CITY OF UPPER SANDUSKY AND PETERMAN ASSOCIATES, INC., 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.

A motion was made by Mr. Swinehart, seconded by Mr. Thornton, for the adoption of Ordinance No. 85-12. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 85-12 was duly adopted.

A motion was made by Mr. Smith, seconded by Mr. Swinehart, to place Ordinance No. 86-12 entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 38-12, ESTABLISHING NEW RATES FOR SEWER SERVICES TO BECOME EFFECTIVE APRIL 1, 2012.", 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. 86-12 for the second time by title only.

A motion was made by Mr. Swinehart, seconded by Mr. Smith, for the adoption of Ordinance No. 86-12. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 86-12 was duly adopted.

A motion was made by Mr. Swinehart, seconded by Mr. McColly, to place Ordinance No. 87-12 entitled, "AN ORDINANCE AUTHORIZING THE THREE YEAR LEASE OF TWO POLICE CRUISERS.", 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. 87-12 for the second time by title only.

A motion was made by Mr. Swinehart, seconded by Mr. Spiegel, for the adoption of Ordinance No. 87-12. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 87-12 was duly adopted.

A motion was made by Mr. Smith, seconded by Mr. Swinehart, to place Resolution No. 88-12 entitled, "A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A REVOLVING LOAN FUND ADMINISTRATION AGREEMENT BETWEEN THE CITY OF UPPER SANDUSKY AND THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT, AND DECLARING THIS 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 Resolution No. 88-12 for the second time by title only.

A motion was made by Mr. Roberts, seconded by Mr. Thornton, for the adoption of Resolution No. 88-12. Upon Roll Call, all members voted Yes. The President declared the motion carried and Resolution No. 88-12 was duly adopted.

A motion was made by Mr. Swinehart, seconded by Mr. Smith, to place Ordinance No. 89-12 entitled, "AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT FOR PLANNING OF THE UPPER SANDUSKY SEWER SYSTEM LONG TERM CONTROL PLAN PROJECT BETWEEN THE CITY OF UPPER SANDUSKY AND THE OHIO WATER DEVELOPMENT AUTHORITY, AND DECLARING AN EMERGENCY.", on its first reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 89-12 for the first time by title only.

A motion was made by Mr. Smith, seconded by Mr. Swinehart, to place Resolution No. 90-12 entitled, "A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF UPPER SANDUSKY TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) PROGRAM(S) FOR WATER LOANS AND LOAN FORGIVENESS AND TO EXECUTE CONTRACTS AS REQUIRED, AND DECLARING THIS ACT AN

EMERGENCY.”, on its first reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Resolution No. 90-12 for the first time by title only.

Mr. Roberts indicated that he has been in contact with downtown merchants concerning people dropping items off at the second hand store located in the 100 block of South Sandusky Avenue and the clutter at the rear of the property. Mayor Washburn indicated the Mr. Kenneth McMillan, Zoning Inspector, has sent a notification concerning this matter.

Mr. Swinehart inquired as to if fines can be issued to motorists tearing up the grassy area at the reservoir. Mayor Washburn stated that the Police Department patrols the area but due to their limited manpower they cannot stake out the area and the motorists causing the damage need to be caught or reported prior to any charges being filed. Mr. Ellis noted that the prosecutor would determine the charges and fines would be imposed based on this determination.

Mr. Swinehart and Mr. Spiegel both reported seeing computer monitors lying along the bank of the reservoir recently. It was noted that individuals caught dumping trash at the reservoir can be issued citations.

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

Sarah J. Bennett, Clerk

Don Spiegel, President