MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD DECEMBER 16, 2008

Present were Mayor Nelson Evans, Council Members John Kevern, Mike Olmstead, Joe Rutherford, Joe Lawless, Maria Ermie, Tom Mackin and Tim McCarthy (7). Also present were John Alexander, City Administrator; David Creps, Clerk of Council and Mathew Beredo, Law Director.

Mayor Evans called the meeting to order at 7:03 p.m.

Mr. Lawless moved to approve the minutes from the December 2, 2008 meeting and to dispense with their reading. Mr. Olmstead seconded the motion Ayes: (7) Nays: (0)

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

Kevin Rantanen, 713 Silver Maple Drive, stated that November 24, 2008 was the last leaf pick up for the Three Meadows area and residents still had leaves that needed to be picked up after this date. Mr. Rantanen said that he saw the last leaf pick up date listed in the Messenger Journal in October, but normally the City would make one last sweep in early December just to make sure it was done. He ended up picking up leaves for customers in this area which cost him $225 dollars. He felt some of his customers would reimburse him, but others would not, causing him to loose money. He asked the City if they would consider making one final sweep in early December.

Mr. Alexander stated that the final date is published for a reason and that the City needs to stick by that date in order to have time to prepare the City Trucks for winter snow plowing. On the final leaf pick up date the City makes one final sweep east to west to make sure all areas are finished.

Rick Ruffner asked about the CSX railroad steel removal on Third Street. He asked if the City could place a call to the railroad to have this done. Mr. Alexander stated that the railroad had already been called with no response. He said he would call CSX again to get this issue resolved.

ADMINISTRATIVE REPORTS

Mayor's Report

No report

City Administrator's Report

No report

Finance Director's Report

No report

Director of Law

No report

President of Council Report

Mr. Lawless notified the Council of two public hearings set for January 20, 2008. The first hearing will be at 6:30 p.m. and the purpose is to consider amendments to the Planning and Zoning Code of the Codified Ordinances for the City of Perrysburg. The second hearing will be at 6:55 p.m. and the purpose is to assign permanent zoning to the Cayton Annexation to R1 (Single Family Residential).

Mr. Lawless also made a motion for the Council to adjourn to an executive session after the meeting to discuss labor negotiations and pending litigation. Ms. Ermie seconded. Ayes: (7) Nays: (0).

COMMITTEE REPORTS

Health, Sanitation and Public Utilities Committee:

Mr. Rutherford introduced **RESOLUTION 25-2008 REQUESTING THAT THE CITY OF PERRYSBURG REPRESENTATIVE TO THE TOLEDO AREA REGIONAL TRANSIT AUTHORITY (TARTA) INTRODUCE A RESOLUTION BEFORE THE TARTA BOARD OF TRUSTEES TO INITIATE THE PROCESS BY WHICH THE CITY, PURSUANT TO A VOTE OF ITS CITIZENS AT THE NEXT GENERAL ELECTION, MAY BE REMOVED FROM THE TERRITORY SERVED BY TARTA AND MAY RELIEVE ALL CITY OF PERRYSBURG PROPERTY-TAX PAYERS FROM THE BURDEN OF THE TARTA PROPERTY-TAX LEVIES** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the third reading. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The Clerk read Resolution No. 25-2008 by number and title only. Mr. Rutherford moved that Ordinance No. 25-2008 be passed. Seconded by Ms. Ermie. Ayes: (5) Nays: (2). Mr. Mackin and Mr. McCarthy voted Nay on this issue.

Kevin Rantanen requested that Council explain the process of the Resolution to TARTA. Ms. Ermie stated that the Mr. Rantanen would present the Resolution to Tarta asking that the City of Perrysburg be released from the transportation service subject to constituent voting in November. If they say they will release the City then an alternative transportation plan will be developed in anticipation of a vote at the next general election. There would be a timeline in place for meeting certain deadlines, so that the City would not be left without transportation service at any given time. Mr. Ermie felt that the TARTA program was based on taxation with out representation for the constituents of Perrysburg.

Mr. Jim Gee, TARTA representative, stated that once TARTA received the Resolution it would be presented to member communities to vote whether or not to let Perrysburg out of the contract. The final vote would not be up to the TARTA board, but up to member communities.

Mr. Mackin felt that the Resolution did not specify exactly what Perrysburg was asking of TARTA. He also felt that the Resolution could leave the City without any alternatives for the citizens. Ms. Ermie stated that it would not be prudent to come up with a detailed transportation plan, using time, money and resources, if TARTA does not let the City out of the contract. She also reiterated that timelines would be to meet certain goals and deadlines and that, in November, if voters choose to opt out of TARTA then the City needs to abide by their decision. She asked Mr. Mackin if he would prefer to have a second Resolution stating specifically what the City is requesting. Mr. Mackin felt that it would clrify the matter. Mr. Lawless asked how long it would take for a second Resolution to be drafted and Mr. Beredo, Law Director, stated he could have a draft prepared for the next Health, Sanitation and Public Utilities meeting and then present it at the next City Council meeting. Mr. Rutherford was not in agreement with this idea because he felt the Committee would pick holes in the second draft which would delay the process and a final draft would not be presented until March.

Rick Ruffner asked if the Resolution could be written asking communities members to let the City out of TARTA and then ask the voters. Mr. Rutherford stated that if the member communitiies let Perrysburg out of TARTA, but the voters do not, then the City is without transportation. Mr. Gee stated that the City would have to petition to be put back into TARTA service. Mr. Mackin stated that if the voters of Perrysburg opt out of TARTA and then, on a separate ballot vote not to pay for alternative public transportation, then the City has a problem.

At this time, an elderly TARTA customer, who represented a group of elderly TARTA customers, asked the Mayor if he had a friend who owned a transportation service and if this was why the City wanted out of their contract with TARTA. The Mayor responded that he did not have a friend who owned a transportation service. The representative asked several other questions of the Mayor such as: Will the new service be all handicap accessible? Will they have more then one bus? How much will it cost to ride? Will riders be at doctors appointments on time? What will it cost the tax payers? What will a person do who has dialysis two times a week? The Mayor responded that the Council is looking for more efficient transportation for the citizens of Perrysburg and that all of these issues would be taken into consideration when choosing an alternative service. Ms. Ermie also stated that the City did an extensive survey two years ago on transportation service and that the main goal of the Council is to make sure the needs of the residents of Perrysburg are being met and she acknowledged that TARPS is one of those needs.

The next Health, Sanitation, and Public Utilities meeting is December 23 at 6:00 p.m.

<u>Finance Committee:</u>

Mr. Mackin reviewed the minutes from the December 9, 2008 meeting and this report is attached and made a part of the minutes.

Mr. Mackin introduced **ORDINANCE 221-2008 MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2009 AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 221-2008 by number and title only. Mr. Mackin moved that Ordinance No. 221-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 224-2008 AUTHORIZING THE CITY TO ENTER INTO A REVOLVING LOAN FUND ADMINISTRATION AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT**

REGARDING THE CITY'S ADMINISTRATION OF THE REVOLVING LOAN FUND AND DECLARING AN EMERGENCY and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 224-2008 by number and title only. Mr. Mackin moved that Ordinance No. 224-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 227-2008 AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL OF OHIO TO ADMINISTER THE CITY'S HEALTH INSURANCE PLAN AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 227-2008 by number and title only. Mr. Mackin moved that Ordinance No. 227-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 228-2008 AMENDING ORDINANCE NO. 190-2007 TO REVISE THE ESTIMATED REVENUES AND APPROPRIATIONS FOR THE YEAR ENDING DECEMBER 31, 2008 AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 228-2008 by number and title only. Mr. Mackin moved that Ordinance No. 228-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 229-2008 AMENDING ORDINANCE NO. 190-2007 BY AUTHORIZING CERTAIN ADDITIONS TO APPROPRIATIONS FOR CURRENT EXPENDITURES FOR THE YEAR ENDING DECEMBER 31, 2008 AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 229-2008 by number and title only. Mr. Mackin moved that Ordinance No. 229-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 230-2008 AUTHORIZING CERTAIN CASH TRANSFERS WITHIN THE CITY'S BUDGETS AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 230-2008 by number and title only. Mr. Mackin moved that Ordinance No. 230-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Next Finance Committee meeting is scheduled for January 13, 2008 at 5:00 p.m.

<u>Economic Development:</u>

Mr. Kevern reviewed the minutes from the December 3, 2008 meeting and this report is attached and made a part of the minutes.

Mr. Kevern introduced **ORDINANCE 225-2008 AMENDING O-I'S COMMUNITY REINVESTMENT AREA (CRA) AGREEMENT WITH**

THE CITY AND DECLARING AN EMERGENCY and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 225-2008 by number and title only. Mr. Kevern moved that Ordinance No. 225-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 226-2008 AMENDING SCHUETZ CONTAINER'S ENTERPRISE ZONE AGREEMENT AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 226-2008 by number and title only. Mr. Kevern moved that Ordinance No. 226-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

The next meeting will be January 7, 2008 at 9:00 a.m.

Safety and Service:

Mr. Olmstead read the minutes from the December 9, 2008 meeting and this report is attached and made a part of the minutes.

Mr. Olmstead introduced **ORDINANCE 231-2008 AUTHORIZING CONTRACTS WITH ADJACENT PROPERTY OWNERS IN THE AMOUNT OF ONE HUNDRED SIXTY-SIX THOUSAND FOUR HUNDRED SIXTY SEVEN DOLLARS ($166,467.00) TO PURCHASE RIGHT-OF-WAY NEEDED FOR IMPROVEMENTS ON ROACHTON ROAD AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 231-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 231-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Olmstead introduced **ORDINANCE 232-2008 AUTHORIZING AN AGREEMENT WITH TRI-MASTER, INC. IN AN AMOUNT NOT TO EXCEED FIFT-FIVE THOUSAND SIX HUNDRED DOLLARS ($55,600.00) TO PROVIDE BACK-UP POWER TO SIGNALS AT ELEVEN CITY INTERSECTIONS AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The Clerk read Ordinance No. 232-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 232-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

The next Safety and Service meeting is January 7, 2008 at 5:30 p.m.

Recreation Committee:

Mr. Lawless read the minutes from the December 15, 2008 meeting and this report is attached and made a part of the minutes.

Ms. Ermie questioned the posting of "No Trespassing" signs at the pond in Three Meadows and asked what would happen if someone was caught swimming in the pond. Mr. Alexander stated that they would be considered trespassers and could be fined.

The next Recreation meeting is January 19 at 5:30 p.m.

Planning And Zoning Committee:

The next Planning and Zoning meeting is December 17, 2008 at 5:30 p.m.

Personnel Committee:

The next Personnel meeting is December 23, 2008 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

No report.

Next meeting – January 27, at 6:00 p.m.

There being no other business Council adjourned to executive session at 8:28 p.m..

Council returned from executive session at 9:56 p.m.

ADJOURNMENT

Mr. Lawless moved to adjourn the meeting. Seconded by Ms. Ermie. Ayes: (7). Nays: (0). The meeting adjourned at 9:56 p.m.

David D. Creps, Clerk of Council   Nelson D. Evans, Mayor