MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD DECEMBER 15, 2009

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

Mayor Evans called the meeting to order at 7:00 p.m.

Mr. Lawless moved to approve the minutes from the December 1, 2009 meeting and to dispense with their reading. Ms. Ermie seconded the motion. Ayes: (7) Nays: (0)

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans thanked Steve Herwat for all of his help and hard work in making City projects run smoothly. Mr. Herwat has accepted a position with the City of Toledo.

City Administrator's Report

Mr. Alexander reported that the City will be closing on the Fort Meigs Viewshed on December 17, 2009.

Finance Director's Report

None

Director of Law

None

President of Council Report

Mr. Lawless made a motion to move to executive session at the end of the meeting for the purpose of discussing the purchase of real property. Ms. Ermie seconded the motion. Ayes: (7) Nays: (0).

Mr. Lawless also announced that Council will hold four public hearings on January 19, 2010 at 6:40 p.m., 6:45 p.m., 6:50 p.m. and 6:55 p.m.

Mr. Lawless then suggested changing the order of the agenda this evening and covering Planning & Zoning first.

COMMITTEE REPORTS

Planning And Zoning Committee:

Mr. Kevern, as the Chairman of the Economic Development Committee, moved to renew the motion for passage of Ordinances 194-2009 and 196-2009 which were not approved by Council at its November 3 meeting. Ms. Ermie seconded the motion. Ayes: Ermie, Kevern, Mackin, Rutherford (4) Nays: (2 – Lawless , Olmstead) Abstain: (1 – McCarthy).

Mr. Kevern reintroduced **ORDINANCE 194-2009 AMENDING THE ZONING MAP OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, TO GRANT "RM" ZONING TO THE PROPOSED ST. CLARE COMMONS PROJECT AT 24250 DIXIE HIGHWAY FOR THE PURPOSE OF DEVELOPING A PLANNED ELDERLY HOUSING DEVELOPMENT AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Mackin. Ayes: (6) Nays: (0) Abstain: (1 – McCarthy). The clerk read Ordinance No. 194-2009 by number and title only. Mr. Kevern moved that Ordinance No. 194-2009 be passed as an emergency measure. Seconded by Mr. Mackin. Ayes: Ermie, Kevern, Mackin, Rutherford (4) Nays: (2 – Lawless and Olmstead) Abstain: (1 – McCarthy).

Mr. Kevern reintroduced **ORDINANCE 196-2009 AMENDING THE ZONING MAP OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, REGARDING THE SPITLER (MOENTER) ANNEXATION BY DIRECTING THE PLANNING, ZONING, AND ECONOMIC DEVELOPMENT DIVISION TO CHANGE SAID MAP IN ACCORDANCE HEREWITH AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Mackin. Ayes: (6) Nays: (0) Abstain: (1 – McCarthy). The clerk read Ordinance No. 196-2009 by number and title only. Mr. Kevern moved that Ordinance No. 196-2009 be passed as an emergency. Seconded by Mr. Mackin. Ayes: Ermie, Kevern, Mackin, Rutherford (4) Nays: (2 – Lawless and Olmstead) Abstain: (1 – McCarthy).

Mr. Rutherford stated that he thought there was a conflict of interest due to the fact that the company that holds his license is responsible for the selling of the property. After speaking with Mr. Beredo, City Law Director, he was assured that there was no need for him to abstain.

Mr. Olmstead stated he would be renewing his "no" vote but not because of any issue with Blessed John or the Franciscan group. The reasoning is a case of where the new facility will be located and how the land can be best utilized in the economic corridor. He also stated that he has been involved in the passing of 196 Ordinances in 2009 and has never come across a ruling for renewal of a motion by City Council. He felt the renewal of votes is a cumbersome part of government that he is not pleased with. He has never been involved with any background deals during his term on Council and that this renewal should be considered a procedural issue. He also asked what the rush was for getting these particular Ordinances passed through.

Mr. Lawless stated he agreed with Mr. Olmstead and that he has been on Council for twelve years and has never seen a renewal of a motion before. The Franciscan project is a quality project, but this is not what City Council is voting on this evening. The main issue is the re-zoning of 50 acres of land located in the economic corridor to residential. He also felt a passing vote would be considered taking an asset limited to Perrysburg and using it for a multi-family residential project. Mr. Lawless will vote against the Ordinance this evening.

Ms. Ermie stated that she voted against the Ordinances at the November 3 meeting and that she agrees with everything said thus far. She spent ten hours speaking to various individuals in order to gain more information about the project. She does not feel there was any intent to do anything behind the scenes and that she will be changing her vote and taking a leap of faith that the speculative piece will happen. After speaking to area realtors and business owners who told her that it is unlikely that the type of development that the City is seeking will actually occur in that area, any time soon. If the St. Clare's Commons facility would be allowed to be built it would bring in jobs and revenue which are both something needed in these economic times. The owner of the property took great care in making sure that the property was developed in a way that was good for the community.

Mr. Kevern stated that the renewal of the motion is perfectly legal. He also stated that SR25 is deemed the economic development corridor, but Blessed John Catholic Church is there even though revenue is minimal. He feels that the St. Clare's Commons project is a good for for this property and that a factory or office facility would not want to build behind a church.

Mr. Mackin stated that solid and sustained jobs, no matter the economy, is what Perrysburg needs. When discussing a need for a quick passing of these Ordinances, the developer of the project would respond that this project has been around for awhile with months of discussions at previous Committee meetings. The City needs to encourage business with a consistent process. He also stated that he appreciated City Council taking the time to re-evaluate these Ordinances.

Robert Spitler, Representative for Ron and Sue Moenter, stated that they were deeply appreciative of the time and effort City Council put into researching and reviewing information for this project. The Franciscan group plans on providing a project that is extremely attractive and good for the Community. He also stated that a Council member questioned the present value of a $300,000 annual income tax stream over twenty years, and calculated that it roughly equals $10 million.

The next Planning and Zoning meeting is scheduled for December 16, 2009 at 5:30 p.m.

<u>**Finance Committee:**</u>

Mr. Mackin read the minutes from the December 8, 2009 meeting and these are attached and made a part of the minutes.

Ms. Ermie wanted a correction on the minutes about spousal health insurance coverage for City employees. She wanted wording added to the policy stating that if a City employee's spouse is eligible for health insurance through their own employer they would need to be primary on their own plan, and secondary under the City of Perrysburg medical plan. This change was made in the Finance minutes.

Mr. Olmstead noted that all members of the City's Health Insurance Committee are on the health insurance plan and that City Council is asking people to vote on something that could negatively impact themselves. He also asked why the motion was not seconded.

Mr. Mackin stated the only way to change things for the healthcare plan are through the Healthcare Committee. The Committee was formed to address issues such as saving money.

Ms. Ermie stated that the City was experiencing a difficult budget, decreased revenues and receiving less money from the State. This healthcare issue is common place in the private sector. Employees understand what the City is trying to do in making this change. The City could save nine to eleven percent if the Committee is in favor of this request.

Mr. Olmstead asked if City Council should consider this issue and the answer is yes they should consider the issue. Anywhere else this would be done immediately.

Mr. Mackin stated that the Healthcare Committee has saved money and looks at providing quality service for quality employees.

Mr. Lawless stated that benefit costs have to be gotten under control and he suggested that the City consider going to an HAS arrangement, but he is not sure if the City could have two separate policies for bargaining and non-bargaining units.

Mr. Mackin stated that Administration had taken the right approach by working with different employees and that everyone needs to be mindful of costs.

Greg Bade, Planning Commission Member, asked what dollar amount nine to eleven percent would be equal to and Mr. Creps responded aprroximately $100,000.

Mayor Evans stated that the healthcare program the City has now has stabilized and that he does not understand why someone would not consider having a healthcare savings account. He also added that a family helathcare package is running $900 per month.

Pete Ermie, 26597 Mingo Drive, stated the City could have two different policies for management and non-management. He stated that nothing is cast in stone, and the City has the ability to change the program. The City should consider appointing members to the Committee from the outside.

Mr. Lawless stated that employees will eventually go to healthcare savings accounts, but these acounts must go by calendar year, so keeping a January 1 renewal date is in the best interest of the City.

Mr. Mackin introduced **ORDINANCE 207-2009 MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2010 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. 207-2009 by number and title only. Mr. Mackin moved that Ordinance No. 207-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 214-2009 AMENDING ORDINANCE NO 221-2008 BY AUTHORIZING CERTAIN ADDITIONS TO APPROPRIATIONS FOR CURRENT EXPENDITURES FOR THE 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. 214-2009 by number and title only. Mr. Mackin moved that Ordinance No. 214-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 215-2009 AMENDING ORDINANCE NO. 221-2008 AND ORDINANCE NO. 123-2009 TO REVISE THE ESTIMATED REVENUES FOR THE 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. 215-2009 by number and title only. Mr. Mackin moved that Ordinance No. 215-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 216-2009 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. 216-2009 by number and title only. Mr. Mackin moved that Ordinance No. 216-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 217-2009 AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH MEDICAL MUTUAL OF OHIO TO ADMINISTER THE CITY'S HEALTH INSURANCE PLAN FOR THE YEAR ENDING DECEMBER 31, 2010 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. 217-2009 by number and title only. Mr. Mackin moved that Ordinance No. 217-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (7) Nays: (0).

The next Finance Committee meeting is scheduled for January 12, 2009 at 5:00 p.m.

Economic Development:

The next Economic Development meeting is schedule for December 21, 2009 at 6:30 p.m.

Safety and Service:

Mr. Olmstead read the minutes from the December 2, 2009 meeting and these are attached and made a part of the minutes.

Mr. Olmstead introduced **ORDINANCE 218-2009 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH BRYSON TUCKER ELECTRICAL, IN AN AMOUNT NOT TO EXCEED THIRTY-FIVE THOUSAND EIGHT HUNDRED DOLLARS ($35,800.00) TO PERFORM ELECTRICAL WORK FOR THE CONSTRUCTION OF THE DIVISION OF POLICE INDOOR FIRING RANGE 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. Mackin. Ayes: (7) Nays: (0). The clerk read Ordinance No. 218-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 218-2009 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Olmstead introduced **ORDINANCE 219-2009 AUTHORIZING AN AGREEMENT WITH THE CRIMINAL JUSTICE COORDINATING COUNCIL IN AN AMOUNT NOT TO EXCEED NINETEEN THOUSAND TWO HUNDRED DOLLARS ($19,200.00) TO PROVIDE SERVICES THROUGH THE NORTHWEST OHIO REGIONAL INFORMATION SYSTEM (NORIS) 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. Mackin. Ayes: (7) Nays: (0). The clerk read Ordinance No. 219-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 219-2009 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

The next Safety-Service meeting is scheduled for January 6, 2010 at 5:30 p.m.

Recreation Committee:

The next Recreation meeting is scheduled for December 21, 2009 at 5:30 p.m.

Personnel Committee:

The next Personnel meeting is scheduled for December 22, 2009 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

The next Health, Sanitation, and Public Utilities meeting is December 22, 2009 at 6:00 p.m.

Mayor Evans made a motion to adjourn to executive session for the purpose of discussing the purchase of property at 7:55 p.m. Seconded by Mr. Lawless. The Council reconvened at 8:15 p.m.

Other Business

No other business.

Mr. Lawless moved to adjourn at 8:15 p.m. Seconded by Mr. McCarthy Ayes: (7) Nays: (0).

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