

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD OCTOBER 21, 2008

Mayor Evans called the meeting to order at 7:30 p.m. Present were Council Members John Kevern, Joe Lawless, Tom Mackin, Mike Olmstead, Joe Rutherford, and Tim McCarthy (6). Absent: Maria Ermie (1). Also present were John Alexander City Administrator, and David Creps Clerk of Council.

Mr. Lawless moved to approve the minutes from the October 7, 2008 meeting and to dispense with their reading. Mr. Rutherford seconded the motion. Ayes: (6) Nays: (0)

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

No report

City Administrator's Report

No report.

Finance Director's Report

No report.

Director of Law

Mr. Beredo stated the City of Perrysburg was being sued by Perrysburg Township and several Wood County agencies and suggested that Council go into executive session at the end of the meeting to discuss this pending litigation.

President of Council Report

Mr. Lawless moved that Council go into executive session after the regularly scheduled meeting to discuss pending litigation. Mr. Kevern seconded the motion. Ayes: (6) Nays (0).

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin reviewed the report from the Finance committee meeting held on October 14, 2008. This report is attached and made a part of the minutes. Mr. Mackin added that the Finance Committee met prior to tonight's meeting to discuss the note issuance. It was noted that the interest rate for the larger notes is 3.5% and for the library notes the interest rate is 3.62%. Mr. Mackin added that the City is continuing its aggressive paydown of notes.

Mr. Creps stated that the reason Ordinance No. 172-08 is being put through as an emergency is so the Tax Administrator is able to get things in order for the end of the year.

Next Finance Committee meeting is scheduled for November 12, 2008 at 5:00 p.m. with a Council of the Whole meeting to follow at 5:30 p.m. to discuss the 2009 budget.

Mr. Mackin introduced **ORDINANCE NO. 172-2008 AMENDING CHAPTER 890 – INCOME TAX** 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 reading. Seconded by John Kevern Ayes: (6) Nays: (0) The Clerk read Ordinance No. 172-2008 by number and title only. Mr. Mackin moved that Ordinance No. 172-2008 be passed as an emergency. Seconded by Mr. Kevern (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 189-2008 AUTHORIZING THE SALE FOR \$500 OF REAL PROPERTY OWNED BY THE CITY AT THE CORNER OF WEST SIXTH STREET AND FINDLAY STREET (PARCEL NO. Q61-000-90238011000) 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 189-2008 by number and title only. Mr. Mackin moved that Ordinance No. 189-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 191-2008 AUTHORIZING THE CITY TO ENTER INTO A LEASE WITH MR&E LTD. REGARDING PROPERTY AT 222-228 WEST THIRD STREET IN PERRYSBURG, OHIO AT AN ANNUAL RENT OF FIFTY-NINE THOUSAND TWO HUNDRED DOLLARS (\$59,200.00) 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 191-2008 by number and title only. Mr. Mackin moved that Ordinance No. 191-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 196-2008 PROVIDING FOR THE ISSUANCE AND SALE OF \$436,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING AND EXTENDING THE CITY'S WATERWORKS SYSTEM BY CONSTRUCTING WATER MAINS AND LINES, TOGETHER WITH ALL NECESSARY APPURTENANCES 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No.

196-2008 by number and title only. Mr. Mackin moved that Ordinance No. 196-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 197-2008 PROVIDING FOR THE ISSUANCE AND SALE OF \$420,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING THE CITY'S WATERWORKS SYSTEM BY CONSTRUCTING AND INSTALLING THE WEST SOUTH BOUNDARY WATERLINE, TOGETHER WITH ALL NECESSARY APPURTENANCES 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 197-2008 by number and title only. Mr. Mackin moved that Ordinance No. 197-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 198-2008 PROVIDING FOR THE ISSUANCE AND SALE OF \$465,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF EXPANDING THE CITY'S EXISTING WATER SYSTEM BY EXTENDING A WATERLINE TO SERVICE THE AREA OF FORT MEIGS AND FIVE POINT ROADS, TOGETHER WITH ALL NECESSARY APPURTENANCES 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 198-2008 by number and title only. Mr. Mackin moved that Ordinance No. 198-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 199-2008 PROVIDING FOR THE ISSUANCE AND SALE OF \$1,000,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF IMPROVING THE RECREATIONAL FACILITIES IN MUNICIPAL PARK BY CONSTRUCTING ATHLETIC FIELDS, PARKING FACILITIES, A BUILDING FOR CONCESSIONS, ADMINISTRATIVE OFFICES, STORAGE AND RESTROOMS, WALKWAYS, FENCING AND OTHER SITE IMPROVEMENTS AND RELATED LANDSCAPING, TOGETHER WITH ALL NECESSARY APPURTENANCES 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 199-2008 by number and title only. Mr. Mackin moved that Ordinance No. 199-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 200-2008 PROVIDING FOR THE ISSUANCE AND SALE OF \$2,900,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF PURCHASING REAL ESTATE AND INTERESTS IN REAL ESTATE ADJACENT TO THE EXISTING MUNICIPAL COMPLEX, CONSTRUCTING, FURNISHING AND EQUIPPING A POLICE STATION AND RELATED FACILITIES AND MAKING UTILITY AND RELATED SITE IMPROVEMENTS, TOGETHER WITH ALL NECESSARY APPURTENANCES 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 200-2008 by number and title only. Mr. Mackin moved that Ordinance No. 200-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 201-2008 PROVIDING FOR THE ISSUANCE AND SALE OF \$1,375,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF IMPROVING THE CITY'S WASTEWATER TREATMENT PLANT BY INSTALLING A PRIMARY SPLITTING CHAMBER, A PRIMARY SETTLING TANK, A 42 INCH DIAMETER CONNECTION FROM THE SETTLING TANK TO THE AERATION TANKS, A SEPTAGE RECEIVING STATION, A GRAVITY SLUDGE THICKENER, A SLUDGE PUMPING STATION, TWO RECYCLE FLOW PUMP STATIONS AND A BIOSOLIDS STORAGE PAD, TOGETHER WITH ALL NECESSARY APPURTENANCES 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 201-2008 by number and title only. Mr. Mackin moved that Ordinance No. 201-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **ORDINANCE 202-2008 PROVIDING FOR THE ISSUANCE AND SALE OF \$2,900,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF IMPROVING THE WAY PUBLIC LIBRARY BY CONSTRUCTING AN ADDITION, MAKING ALTERATIONS AND IMPROVEMENTS TO THE EXISTING BUILDING, PROVIDING OFF-STREET PARKING FACILITIES, AND PROVIDING FURNISHINGS AND EQUIPMENT, TOGETHER WITH ALL NECESSARY APPURTENANCES 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Ordinance No. 202-2008 by number and title only. Mr. Mackin moved that Ordinance No. 202-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Mackin introduced **RESOLUTION 26-2008 ACCEPTING AMOUNTS AND RATES DETERMINED BY THE BUDGET COMMISSION OF WOOD COUNTY, OHIO TO AUTHORIZE NECESSARY TAX LEVIES AND CERTIFY THEM TO THE COUNTY AUDITOR 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 reading. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The Clerk read Resolution 26-2008 by number and title only. Mr. Mackin moved that Resolution 26-2008 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Economic Development:

Mr. Kevern called attention to the report from the October 1, 2008 meeting which is attached and made a part of the minutes. Mr. Kevern stated he discussed it at the last meeting, but the report was not ready at that time.

The next meeting will be November 5, 2008 at 9:00 a.m.

Service-Safety:

Mr. Olmstead reviewed notes from the meeting held on October 9, 2008. This report is attached and made a part of the minutes.

Mayor Evans called attention to one correction in the report. The report states that Mayor Evans presented information about the ODOT Safe Routes to School Program, but in fact it was Doug Dariano that made the presentation.

Mr. Olmstead introduced **ORDINANCE 190-2008 AUTHORIZING THE CITY TO ENTER INTO A CONTRACT WITH QUINN CONCRETE CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED TWENTY-THREE THOUSAND TWO HUNDRED FIFTY FOUR DOLLARS (\$23,254,000) FOR REPAIR AND INSTALLATION OF SIDEWALKS 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 reading. Seconded by Mr. McCarthy Ayes: (6) Nays: (0) The Clerk read Ordinance No. 190-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 190-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Olmstead introduced **ORDINANCE 192-2008 AUTHORIZING THE CITY TO ENTER INTO A LOCAL PROJECT AUTHORITY AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION REGARDING THE CITY'S SAFE ROUTES TO SCHOOL PROGRAM 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 reading. Seconded by Mr. McCarthy Ayes: (6) Nays: (0) The Clerk read Ordinance No. 192-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 192-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Olmstead introduced **ORDINANCE 193-2008 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH E.T. ELECTRIC LTD. IN AN AMOUNT NOT TO EXCEED EIGHT THOUSAND SIX HUNDRED FORTY THREE DOLLARS (\$8,643.00) TO REPLACE SIGNALHEADS, INSTALL NEW LOOP DETECTORS AND WIRING, AND COORDINATE TIMING CHANGES AT FIVE 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 reading. Seconded by Mr. McCarthy Ayes: (6) Nays: (0) The Clerk read Ordinance No. 193-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 193-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Olmstead introduced **ORDINANCE 194-2008 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH RIDGE STONE BUILDERS AND DEVELOPERS IN AN AMOUNT NOT TO EXCEED THIRTY-EIGHT THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$38,980.00) FOR WORK ON THE SOUTHEAST CORNER OF PROGRESS DRIVE 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 reading. Seconded by Mr. McCarthy Ayes: (6) Nays: (0) The Clerk read Ordinance No. 194-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 194-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Olmstead introduced **ORDINANCE NO. 195-2008 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH BUCKEYE TELESYSTEM IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND TWO HUNDRED DOLLARS (\$25,200.00) FOR A REDUNDANT INTERNET CONNECTION SERVING THE CITY'S**

SAFETY FORCES AND OTHER DIVISIONS 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 reading. Seconded by Mr. McCarthy Ayes: (6) Nays: (0) The Clerk read Ordinance No. 195-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 195-2008 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

The next Service-Safety meeting is November 5 at 5:30 p.m.

Recreation Committee:

Mr. Lawless stated the Recreation Committee met the previous evening, but the report is not ready yet so he will present it at the next meeting.

The next Recreation Committee meeting will be November 17, at 5:30 p.m.

Planning And Zoning Committee:

Mr. McCarthy had no report this evening. However, he noted that the October 15 meeting date was changed to Wednesday, October 22 at 5:30 p.m.

Personnel Committee:

No report.

Next Personnel Committee meeting is October 28 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

Mr. Rutherford reviewed the report from the meeting held on September 23. This report is attached and made a part of the minutes.

The next meeting will be October 28, 2008 at 6:00 p.m.

Mr. Rutherford introduced for the second reading **ORDINANCE 181-2008 “AMENDING SECTION 1050.02 OF THE CODIFIED ORDINANCES REGARDING SEWER CHARGES OUTSIDE THE CITY OF PERRYSBURG.”** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern Ayes: (6) Nays: (0) The Clerk read Ordinance No. 181-2008 by number and title only.

Mr. Rutherford introduced for the second reading **ORDINANCE 182-2008 “AMENDING SECTION 1050.015 OF THE CODIFIED ORDINANCES REGARDING SANITARY SEWER COLLECTION CHARGES.”** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 182-2008 by number and title only.

Mr. Rutherford introduced for the second reading **ORDINANCE 183-2008 “AMENDING SECTION 1050.01 OF THE CODIFIED ORDINANCES REGARDING SEWER CHARGES WITHIN THE CITY OF PERRYSBURG.”** and moved that the rules be suspended to allow for its reading

by number and title only. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 183-2008 by number and title only.

Mr. Rutherford introduced for the second reading **ORDINANCE 184-2008 “AMENDING SECTION 1050.09(a) OF THE CODIFIED ORDINANCES REGARDING CAPITAL EXPANSION CHARGES ON SEWER SERVICE.”** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 184-2008 by number and title only.

Mr. Rutherford introduced for the second reading **ORDINANCE 185-2008 “AMENDING SECTION 1060.08 OF THE CODIFIED ORDINANCES REGARDING CAPITAL EXPANSION CHARGES ON WATER SERVICE.”** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 185-2008 by number and title only.

Mr. Rutherford introduced for the second reading **ORDINANCE 186-2008 “AMENDING SECTION 1060.02 OF THE CODIFIED ORDINANCES REGARDING WATER CHARGES WITHIN THE CITY OF PERRYSBURG.”** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 186-2008 by number and title only.

Mr. Rutherford introduced for the second reading **ORDINANCE 187-2008 “AMENDING SECTION 1060.03 OF THE CODIFIED ORDINANCES REGARDING WATER CHARGES OUTSIDE THE CITY OF PERRYSBURG.”** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 187-2008 by number and title only.

Mr. Rutherford introduced for the second reading **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 REMOVE THE CITY OF PERRYSBURG FROM THE TERRITORY SERVICED BY TARTA AND TO RELIEVE ALL CITY OF PERRYSBURG PROPERTY TAXPAYERS 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. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) The Clerk read Resolution No. 25-2008 by number and title only.

Mr. Rantanen spoke to Council about the TARTA issue and explained that he feels that the City needs a longer time period than one year to come up with an equivalent transportation plan, collect the funds, and then implement it. He felt that one year was not sufficient to accomplish these goals and that it is premature to suggest being removed from TARTA before a plan is in place.

At 8:08 p.m. Council adjourned to executive session.

Council returned from executive session at 8:31 p.m.

Mayor Evans read the following statement regarding a lawsuit filed against the City of Perrysburg by Perrysburg Township, the Wood County Engineer and the Wood County Planning Commission:

“I was disappointed to learn that the Wood County Prosecutor has chosen to expend County resources on initiating litigation between several public entities.

I have worked diligently for the majority of my term as Mayor to encourage a consistent and effective dialogue with the Perrysburg Township Trustees. That fact is evident in the many documents that detail the City’s relationship with the Perrysburg Township Trustees, and in particular, the subject matter of this lawsuit.

Unfortunately, that effort at communication has been met with silence; with the exception of one letter, which acknowledged that the City has an interest in development occurring at its border, and now this lawsuit.

I believe the taxpaying public and our respective constituents expect that we, as elected officials, will diligently engage in efforts to resolve our conflicts on behalf of the community’s good. In order to do so, both sides must be committed to that value.

The time and cost of litigation will do little to encourage the meaningful and productive inter-governmental relationships that our citizens should demand of their leaders.”

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Lawless moved to adjourn. Seconded by Mr. Mackin. Ayes: (6) Nays: (0). Council adjourned the Regular Meeting at 8:33 p.m.

David D. Creps, Clerk

Nelson D. Evans, Mayor