

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD OCTOBER 20, 2009

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

Mayor Evans called the meeting to order at 7:02 p.m.

Mr. Lawless moved to approve the minutes from the October 6, 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

Kevin Rantanen, 113 Silver Maple Drive, stated he had called the City to ask for the removal of spray paint on a stop sign close to a friend's residence and the City was out the next day. He wanted to thank them for the fast response.

Alan Piotrowski, 1293 Tricia Court, stated that because of the signage for the construction on Ft. Meigs Road, 75 tickets had been given out to residents in the McKinley Woods Subdivision. He felt the signage that states "Local Traffic Only" is very confusing when he feels, as well as several of his neighbors, that local traffic includes McKinley Woods' residents. There have been several incidents when police are patrolling the area and allow vehicles to drive through the construction, but then 75 tickets at \$118 a piece have been handed out in one day. Mr. Piotrowski also stated that in one Saturday morning he has seen a large number of soccer parents leaving Rivercrest Park and driving through the construction without any penalty. Mrs. Piotrowski stated she was coming home from work early, one morning and was stopped and given a ticket. The patrolman who issued the citation was very short with her and she tried to explain the confusion about the signage to no avail. Mayor Evans spoke to the Chief of Police about this and was told that it would be looked into. Mayor Evans also spoke to the City Engineer who specified that the "Local Traffic" referred to on the construction sign would be Rivercrest Park, Dold property, Shiple property and Township Fire Station. The City did try to provide information to residents by holding a community open house and placing an article in the local paper. Mr. Piotrowski told Council that he was appealing the ticket and Ms. Ermie asked if there was anyway to communicate to the court about the confusion of the signage to help Mr. Piotrowski with his appeal. Roger Wright, 2396 Drive, stated he also received a ticket on October 13, 2009 which he paid. He had also seen other cars going through the construction without being ticketed and felt there should be some consistency in how the police are handling the situation. He thought they should either ticket everyone or allow everyone to go through. Danielle McDowell, 1443 Logan Lane, stated she drove through the construction going home and passed four officers in doing so, who allowed her through. She had also been observed turning left out of her neighborhood on several occasions without being stopped. This led her to believe that it was allowable to drive through the construction because she was considered "Local Traffic". She was one of the 75 residents that received a \$118 ticket and is appealing. Mr.

Rutherford responded to this situation by using an example from when he worked with ODOT. He stated people did not realize that a road was closed because it could not be completely barricaded. The County Sheriff would give out citations in the beginning of the closure to hinder traffic from using the road under construction.

ADMINISTRATIVE REPORTS

Mayor's Report

None

City Administrator's Report

None

Finance Director's Report

None

Director of Law

Mr. Beredo reported that when a citizen files an appeal for a decision by the Historic Landmarks Commission it will go to City Council. City Council can reverse or affirm the decision, but can not modify. Council can also request further information about the decision from HLC. If a Public Hearing is requested there are a set of requirements that need to be met and it would be considered a quasi-judicial proceeding, in which a court reporter would be needed in order for the proceedings to be official in case of a legal appeal of Council's decision.

President of Council Report

Mr. Lawless introduced **ORDINANCE 186-2009 ACCEPTING THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY (DAVIS II ANNEXATION) IN PERRYSBURG TOWNSHIP TO THE CITY OF PERRYSBURG** 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 186-2009 by number and title only. Mr. Lawless moved that Ordinance No. 186-2009 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0). Mr. Rutherford abstained from the vote.

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin read the minutes from the October 13, 2009 meeting and these are attached and made a part of the minutes.

Mr. Mackin introduced **ORDINANCE 187-2009 APPROVING THE EDITING, INCLUSION, ARRANGEMENT, NUMBERING OR RENUMBERING, AND PUBLICATION OF CERTAIN ORDINANCES AND PARTS OF ORDINANCES AS PART OF THE COMPONENT CODES OF THE CODIFIED ORDINANCES OF 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 187-2009 by number and title only. Mr. Mackin moved that Ordinance No. 187-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 188-2009 PROVIDING FOR THE ISSUANCE AND SALE OF TWO MILLION FOUR HUNDRED THOUSAND DOLLARS (\$2,400,000.00) IN 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 readings. Seconded by Ms. Ermie. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0). The clerk read Ordinance No. 188-2009 by number and title only. Mr. Mackin moved that Ordinance No. 188-2009 be passed as an emergency, with an administrative change, inserting the interest rate of 1.25%. Seconded by Mr. Kevern. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 189-2009 PROVIDING FOR THE ISSUANCE AND SALE OF TWO MILLION ONE HUNDRED THOUSAND DOLLARS (\$2,100,000.00) 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 readings. Seconded by Ms. Ermie. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0). The clerk read Ordinance No. 189-2009 by number and title only. Mr. Mackin moved that Ordinance No. 189-2009 be passed as an emergency, with an administrative change, inserting the interest rate of 1.25%. Seconded by Mr. Kevern. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 190-2009 PROVIDING FOR THE ISSUANCE AND SALE OF TWO MILLION DOLLARS (\$2,000,000.00) NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY THE COSTS OF CONSTRUCTING, EQUIPPING AND FURNISHING A MUNICIPAL PUBLIC SERVICE BUILDING FOR THE CITY'S DEPARTMENT OF PUBLIC SERVICE, 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 readings. Seconded by Ms. Ermie. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0). The clerk read Ordinance No. 190-2009 by number and title only. Mr. Mackin moved that Ordinance No. 190-2009 be passed as an emergency, with an administrative change, inserting the interest rate of 1.25%. Seconded by Mr. Kevern. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 191-2009 PROVIDING FOR THE ISSUANCE AND SALE OF ONE HUNDRED FIVE THOUSAND DOLLARS (\$105,000.00) NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING THE MUNICIPAL RECREATIONAL FACILITIES IN RIVERCREST PARK BY CONSTRUCTING A RECREATIONAL TRAIL, A BASEBALL DIAMOND, PARKING FACILITIES, AN ACCESS ROAD, A BUILDING FOR CONCESSIONS, STORAGE AND RESTROOMS, SEWERS AND RELATED UTILITY FACILITIES, AND FENCING AND OTHER 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 readings. Seconded by Ms. Ermie. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0). The clerk read Ordinance No. 191-2009 by number and title only. Mr. Mackin moved that Ordinance No. 191-2009 be passed as an emergency, with an administrative change, inserting the interest rate of 1.25%. Seconded by Mr. Kevern. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 192-2009 PROVIDING FOR THE ISSUANCE AND SALE OF NINE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$935,000.00) 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 readings. Seconded by Ms. Ermie. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0). The clerk read Ordinance No. 192-2009 by number and title only. Mr. Mackin moved that Ordinance No. 192-2009 be passed as an emergency, with an administrative change, inserting the interest rate of 1.25%. Seconded by Mr. Kevern. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy, Olmstead, Rutherford (7) Nays: (0).

Mr. Mackin introduced **RESOLUTION 22-2009 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 readings. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Resolution No. 22-2009 by number and title only. Mr. Mackin moved that Resolution No. 22-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

The next Finance Committee meeting is scheduled for November 10, 2009 at 5:00 p.m.

Economic Development:

Mr. Kevern read the minutes from the October 19, 2009 meeting and these are attached and made a part of the minutes.

The next Economic Development meeting is schedule for November 16, 2009 at 6:30 p.m.

Safety and Service:

Mr. Olmstead read the minutes from the October 7, 2009 meeting and these are attached and made a part of the minutes.

Mr. Olmstead introduced **ORDINANCE 193-2009 AUTHORIZING THE CITY TO PURCHASE THREE (3) 2010 FORD CROWN VICTORIA POLICE CRUISERS FROM STATEWIDE FORD, INC., THROUGH THE STATE COOPERATIVE PURCHASING AGREEMENT, AT A TOTAL COST NOT TO EXCEED SIXTY-THREE THOUSAND FOUR HUNDRED EIGHTY-NINE DOLLARS (\$63,489.00) 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 readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The clerk read Ordinance No. 193-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 193-2009 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

The next Safety-Service meeting is scheduled for November 4, 2009 at 5:30 p.m.

Recreation Committee:

The next Recreation meeting is scheduled for October 28, 2009 at 6:00 p.m.

Planning And Zoning Committee:

The next Planning and Zoning meeting is scheduled for October 21, 2009 at 5:30 p.m.

Personnel Committee:

The next Personnel meeting is scheduled for October 27, 2009 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

Mr. Rutherford reported on the Special HSPU meeting held before City Council this evening. Doug Dariano, City Engineer, requested approval for a Change of Order totaling \$114,000 to resurface the road affected by the Cherry Street Sewer Separation Project.

The next Health, Sanitation, and Public Utilities meeting is October 27, 2009 at 6:00 p.m.

Other Business

No other business.

Mr. Lawless moved to adjourn at 7:58 p.m. Seconded by Mayor Evans.

David D. Creps, Clerk of Council

Nelson D. Evans, Mayor