MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD OCTOBER 6, 2009

Present were Council members Tom Mackin, John Kevern, Maria Ermie, Joe Lawless, Joe Rutherford, and Mike Olmstead (6). Also present were Mayor Nelson Evans; John Alexander, City Administrator; David Creps, Clerk of Council and Mathew Beredo, Law Director. Mr. McCarthy was not present.

Mayor Evans called the meeting to order at 7:01 p.m.

Mr. Lawless moved to approve the minutes from the September 15, 2009 meeting and to dispense with their reading. Ms. Ermie seconded the motion. Ayes: (6) Nays: (0)

SPECIAL REPORTS

Kristin Siegel, Ohio Coalition for Safer Highways, stated her group was a national non-profit organization which has chapters in 38 states. The purpose of the group is to keep trucks traveling on the Nation's highways from getting any bigger. Congress is contemplating passing a law which would increase the maximum weight of tractor trailer vehicles from 80,000 to 97,000 lbs. Open access for longer combination vehicles would also be included in this bill. At this time these types of vehicles are only allowed access, in the State of Ohio, on the Turnpike. The weight of tractor trailers is causing infrastructural damage to roads with one truck equaling 9,600 cars. Safety margins on bridges are being compromised because of trucks with 6,000 bridges in the State of Ohio needing repair or repaired or replaced. Ms. Siegel's group is receiving support from The Ohio Police and Fire chief Association, the Teamsters Union of Truck Drivers and independent truck drivers. Ms. Siegel stated she was going to as many city Councils, Trustee Boards and Mayors within the State of Ohio asking for letters of support to be sent to legislature.

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

Denny Barrett, W. Front Street, stated that State and Municipal governments have added 110,000 jobs from the beginning of the recession to September 2009 and was questioning how many new jobs the City of Perrysburg has added during this time. He added that he was against all governments big or small growing during a recession period. Mr. Lawless responded that the City has added 2 new employees and that retirement and pension programs are out of control because they are dictated by the State and that Perrysburg is not encouraging employment growth. Mayor Evans added that there were no new hires planned for 2010

Sandy Latchem, Perrysburg Convention and Visitors Bureau, was recognized and thanked for a job well done concerning the recent Harrison Rally Day event and also the successful Farmer's Market Season.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans called attention to the 2010 Budget packets which have been distributed to the Council members. He suggested amending IT line items in January because not sure what items the new IT person will add or cut from the budget.

City Administrator's Report

Mr. Alexander reported that the authorized proposal for alternate public transportation received one response and would be presented to the Health, Sanitation and Public Utilities Committee for review.

SR 199 from the Perrysburg corporation limit to Indiana Avenue will not be done this year because it is too late in the year to start the project. It will be kicked over to 2010. There could be a potential conflict with the SR 795 resurfacing project from Louisiana Avenue to Lime City Road, but we do not anticipate a conflict at this time.

The three CSX crossings being worked on will be closed on January 11, 2010 and the vegetation will be put in during the spring season.

The Public Service building is on schedule, opening November 13 and on budget.

Finance Director's Report

Mr. Creps reported that the Historic Landmarks Commission's decision of not allowing the relocation of a fence on Ms. Smith's property was appealed by the applicant and will be returning to the Planning and Zoning Committee on October 21, 2009 with a Public Hearing scheduled as soon as possible. Mr. Lawless felt the process was a bad one for the applicant if it has taken since May 2009 trying to resolve the problem. Pete Ermie stated that the Historic Landmarks Commission is not a chartered division and that City Council should have the privilege of canceling their decision.

Director of Law

Mr. Beredo reported that the Ft. Meigs property purchased as a scenic Viewshed and then sold to the Ohio Cultural Historic Society needs to be resurveyed because the former survey was inaccurate. The City was told that we are not allowed to own waterway property within the State of Ohio. Wood County will not accept the legal description. The finalization of the LaPointe property purchase will take place next month.

Mr. Beredo requested that City Council go into executive session at the end of the regular meeting for the purpose of discussing pending litigation.

Mr. Lawless made a motion to move into executive session, after the regular meeting, for the purpose of discussing pending litigation. Ms. Ermie seconded the motion. Ayes: (6). Nays: (0).

President of Council Report

Mr. Lawless stated there would be a Public Hearing on Code Amendments for Dumpsters/Roll-Offs on November 17, 2009 at 6:55 p.m.

Mr. Lawless introduced **ORDINANCE 179-2009 ACCEPTING THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY (SHIPLE 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: (6) Nays: (0). The clerk read Ordinance No. 179-2009 by number and title only. Mr. Lawless moved that

Ordinance No. 179-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).
Mr. Lawless introduced **RESOLUTION 19-2009 AUTHORIZING THE DIRECTOR OF LAW TO PETITION THE BOARD OF COMMISSIONERS OF WOOD COUNTY, OHIO, TO CHANGE CERTAIN BOUNDARY LINES WITH RESPECT TO THE SHIPLE ANNEXATION IN ACCORDANCE WITH REVISED CODE 503.07** 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: (6) Nays: (0). The clerk read Resolution No. 19-2009 by number and title only. Mr. Lawless moved that Resolution No. 19-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

<u>COMMITTEE REPORTS</u>

<u>Finance Committee:</u>

Mr. Mackin introduced **ORDINANCE 185-2009 AN ORDINANCE PROVDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF $13,700,000, FOR THE PURPOSE OF PAYING THE COSTS OF (I) IMPROVING THE CITY'S WASTEWATER TREATMENT PLANT BY INSTALLING AN ULTRAVIOLET DISINFECTION SYSTEM TO REPLACE THE EXISTNG CHLORINE DISINFECTION SYSTEM, A PLANT-WIDE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM, THREE AERTION BASINS, A BLOWER BUILDING AND AERATION BLOWERS, TWO FINAL CLARIFIERS, RETURN ACTIVATED SLUDGE PUMP, EFFLEUNT DISCHARGE PUMPS AND LINES, AN EFFLUENT METERING FLUME, AN ANAEROBIC DIGESTER A COGENERATION UNIT AND DIKE APPURTEANCES, (11) IMPROVING THE CITY'S WASTEWATER TREATMENT PLANT BY INTALLING A PRIMARY SPLITTING CHAMBER, A PRIMARY SETTLING TANK, A 42 INCH DIAMETER A SEPTAGE RECEIVING STATION, A GRAVITY SLUDGE THICKENER, A SLUDGE PUMPING STATION, TWO RECYCLE FLOW PUMP STATIONS AND A BIOSOLIDS STORAGE PAD, TOGETHR WITH ALL NECESSRY APPURTENANCES, (III) SANITARY INTERCEPTOR CONNECTION AND A 30 INCH DIAMETER CONNECTION TO REPLACE EXISTING CONNECTIONS FROM A NEW MANHOLE TO BE COSTRUCTED ON THE EXISTING 48 INCH DIAMETER SEWER ON GREEN LANE EAST ALONG WATER STREET TO LOUISIANA AVENUE AND ALL APPURTENANT MANHOLES, SERVICE CONNECTIONS AND CONNECTIONS TO EXISTING LATERAL SEWERS, AND REHABILITATING APPROXIMATELY 3772 LINEAL FEET OF EXISTING SEWERS LOCATED ALONG THE MAUMEE RIVER BETWEEN EAST BOUNDARY STREET AND THE CITY'S WASTEWATER TREATMENT PLANT, TOGETHER WITH ALL NECESSARY APPURTENANCES, (IV) IMPROVING THE CITY'S WASTEWATER TREATMENT PLANT BY INSTALLING AN INLET CHAMBER, TWO AERATION TANKS, TWO SEWAGE SCREENS, TWO FERROUS CHLORIDE STORAGE TANKS, AND FEED PUMPS TO REPLACE AN EXISTING UNDERGROUND STORAGE TANK, 48 INCH DIAMETER CONNECTIONS FROM THE SETTLING TANK TO THE AERATION TANKS AND SEWAGE SCREEN AND FOM THE SEWAGE SCREENS TO THE EXISTING INFLUENT METER, AND CONSTRUCTING ADDITIONS TO THE WASTEWATER TREATMENT PLANT ADMINISTRATION BUILDING AND MAINTENANCE**

BUILDINGS, TOGETHER WITH ALL NECSSARY APPURTENANCES, (V) IMPROVING THE CITY'S WASTEWATER TREATMENT PLANT BY INSTALLING A PRIMARY SPLITTING CHAMBER, A PRIMARY SETTLING TANK, A 42 INCH DIAMATER 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 BIOSOLIDS STORAGE PAD, TOGETHER WITH ALL NECESSARY APPURTENANCES, (VI) IMPROVING THE CITY'S SANITARY SEWER SYSTEM BY INSTALLING 18 AND 24 INCH SANITARY TRUNK SEWER LINES ALONG THE RIGHT OF WAY OFF SIMMONS ROAD BETWEEN INTERSTATE 75 AND U.S. HIGHWAY 20 AND ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE THEREFORE, TOGETHER WITH SANITARY CURB CONNECTIONS AND ALL NECESSARY APPURTENANCES, AND (VII) IMPROVING THE CITY'S SANITARY SEWER SYSTEM BY ACQUIRING, CONSTRUCTING AND INSTALLING A PUMP STATION AND FORCE AND GRAVITY MAINS IN THE AREA OF STATE ROUTE 25 AND FIVE POINTS ROAD, AND ACQUIRING REAL ESTATE AND INTERESTS IN REAL ESTATE THEREFORE, 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 Mr. Kevern. Ayes: (6) Nays: (0). The clerk read Ordinance No. 185-2009 by number and title only. Mr. Mackin moved that Ordinance No. 185-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Creps reported that the closing date would be October 27, 2009 with an estimated interest rate of 4.39%.

The next Finance Committee meeting is scheduled for October 13, 2009 at 5:00 p.m.

Economic Development:

Mr. Kevern moved to remove Ordinance No. 177-2009 and 178-2009 from this evening's agenda. Seconded by Mr. Lawless. Ayes: (6) Nays: (0).

The next Economic Development meeting is schedule for October 19, 2009 at 6:30 p.m.

Safety and Service:

The next Safety-Service meeting is scheduled for October 7, 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:

Mr. Mackin read the minutes from the September 16, 2009 meeting and these are attached and made a part of the minutes.

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

Personnel Committee:

Ms. Ermie read the minutes from the September 22, 2009 meeting and these are attached and made a part of the minutes.

Ms. Ermie introduced **ORDINANCE 180-2009 AMENDING CODIFIED ORDINANCE 266.05-3 REGARDING COMPENSATORY TIMES FOR NON-EXEMPT STAFF MEMBERS AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The clerk read Ordinance No. 180-2009 by number and title only. Ms. Ermie moved that Ordinance No. 180-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Ms. Ermie introduced for a first readnig **ORDINANCE 181-2009 AMENDING CODIFIED ORDINANCE 254.01 REGARDING THE COMPOSITION OF THE CITY'S POLICE DIVISION** 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. 181-2009 by number and title only. Ms. Ermie moved that Ordinance No. 181-2009 be passed. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Ms. Ermie introduced **ORDINANCE 182-2009 AMENDING CODIFIED ORDINANCE 266.01-2 TO SPECIFY THAT LAW DEPARTMENT PERSONNEL ARE SUBJECT TO THE CITY'S PERSONNEL POLICY AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: (6) Nays: (0). The clerk read Ordinance No. 182-2009 by number and title only. Ms. Ermie moved that Ordinance No. 182-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Ms. Ermie introduced for a first reading **ORDINANCE 183-2009 AMENDING CODIFIED ORDINANCE 266.13-1 REGARDING RESIDENCY OF CERTAIN CITY EMPLOYEES** 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. 183-2009 by number and title only. . Ms. Ermie moved that Ordinance No. 183-2009 be passed. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Ms. Ermie introduced for a first reading **ORDINANCE 184-2009 REPEALING CODIFIED ORDINANCE 266.14-1** 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. 184-2009 by number and title only. Ms. Ermie moved that Ordinance No. 184-2009 be passed. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mayor Evans reported that he discussed the topic of presenting a unified letter to the State Legislature to review several issues pertaining to the decision of employee wages at the recent Mayors' Meeting and Fostoria's Mayor was the only one who was upset at the proceedings and Bowling Green's Mayor seemed fine with how things were handled.

Mr. Olmstead stated that even if Perrysburg was the only municipality to take action, the more people see and hear of this issue it could become a majority.

Mr. Alexander stated that the municipality would need a catalyst to rally around in order for the General Assembly to undertake the issue. Administration would like to see a review commission organized. Mr. Lawless stated he would support any efforts made to get the General Assembly to look at ORC 4117.

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

Health, Sanitation and Public Utilities Committee:

Mr. Rutherford read the minutes from the September 22, 2009 meeting and these are attached and made a part of the minutes.

Mr. Alexander stated that the Crosstown Sewer Project is a live project with sewage in lines and if the City accepts ARRA funding they will be subject to an ARRA audit which they may or may not be able to meet the requirements. Council will proceed in applying for funds, but are not optimistic.

Mr. Rutherford moved to approve a sewer credit of $1,023.75 for James O'Bryant, 29713 Durham Circle. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **RESOLUTION 20-2009 AUTHORIZING THE CITY ADMINISTRATOR TO PURSUE GRANTS THROUGH THE OHIO EPA/DEFA TO RECOVER CERTAIN COSTS FOR THE MAUMEE RIVER SANITARY INTERCEPTOR SEWER PROJECT 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: (6) Nays: (0). The clerk read Resolution No. 20-2009 by number and title only. Mr. Rutherford moved that Resolution No. 20-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **RESOLUTION 21-2009 AUTHORIZING THE CITY ADMINISTRATOR TO PURSUE GRANTS THROUGH THE OHIO EPA/DEFA TO COVER CERTAIN COSTS FOR THE CITY'S LIFT STATION TELEMETRY PROJECT 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: (6) Nays: (0). The clerk read Resolution No. 21-2009 by number and title only. Mr. Rutherford moved that Resolution No. 21-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

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

Council moved to executive session for the purpose of discussing pending litigation at 8:20 p.m. and returned at 9:04 p.m.

Other Business

No other business.

Mayor Evans moved to adjourn at 9:04 p.m. Seconded by Mr. Lawless.

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