

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD SEPTEMBER 1, 2009

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

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

Mr. Lawless moved to approve the minutes from the August 18, 2009 meeting and to dispense with their reading. Mr. Olmstead seconded the motion. Ayes: (6) Nays: (0)

Ms. Ermie made a correction to the minutes stating that at the last meeting Mr. Thielen reported that the Downtown Improvement Program (DIP) allowed for 2 years when in fact the program allows for 1 year.

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans reported that the Municipal Building was showcasing a new artist, Joann Rigal. The Mayor commented that her Quilt Artwork brought a sense of history mixed with a modern flare which matches the City's mission.

Mayor Evans also introduced to Council, Gary Kleinfelter of Perrysburg, who was hired as the new IT Director for the City. Mr. Lawless made a motion to approve this appointment and Mr. McCarthy seconded. Ayes: (6). Nays: (0). Mr. Kleinfelter's first day will be September 21, 2009.

City Administrator's Report

None

Finance Director's Report

None

Director of Law

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

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

President of Council Report

None

COMMITTEE REPORTS

Finance Committee:

The next Finance Committee meeting is scheduled for September 8, 2009 at 5:00 p.m.

Economic Development:

Mr. Lawless reported to the Council that the Economic Development meetings are being changed to the third Monday of the month at 6:30 p.m. for the remainder of 2009. The next meeting is schedule for September 21, 2009 at 6:30 p.m.

Safety and Service:

The next Safety-Service meeting is scheduled for September 2, 2009 at 5:30 p.m.

Recreation Committee:

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

Planning And Zoning Committee:

Mr. McCarthy read the minutes of the August 19, 2009 meeting and this report is attached and made a part of the minutes.

Mr. McCarthy introduced **ORDINANCE 168-2009 AUTHORIZING EXTENSION OF WATER SERVICE TO 25626 HULL PRAIRIE ROAD (GARDNER) 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. Lawless. Ayes: (5) Nays: (0). The clerk read Ordinance No. 168-2009 by number and title only. Mr. McCarthy moved that Ordinance No. 168-2009 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (5) Nays: (0). Mr. Rutherford abstained from the vote due to a business relationship with the applicants.

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

Personnel Committee:

The next Personnel meeting is September 22, 2009 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

Mr. Rutherford read the minutes from the August 25, 2009 meeting and this report is attached and made a part of the minutes.

Mr. Rutherford introduced **ORDINANCE 169-2009 AUTHORIZING AN AGREEMENT WITH NORMAND ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED SEVEN THOUSAND EIGHT HUNDRED DOLLARS (\$7,800.00) FOR THE REDESIGN OF THE EXISTING STREET DIVISION BUILDING TO ACCOMMODATE THE CITY'S WATER AND SEWER BILLING OFFICE 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 Ms. Ermie. Ayes: (6) Nays: (0). The clerk read Ordinance No. 169-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 169-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 170-2009 AUTHORIZING AN AGREEMENT WITH ARCADIS FPS IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND DOLLARS (\$20,000.00) FOR SERVICES WITH RESPECT TO UPDATING THE CITY'S WATER SYSTEM MASTER PLAN 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 Ms. Ermie. Ayes: (6) Nays: (0). The clerk read Ordinance No. 170-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 170-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 172-2009 LEVYING SPECIAL ASSESSMENTS FOR THE SEPARATION OF COMBINED SEWERS WITHIN CHERRY STREET SEWER SEPARATION DISTRICT 206 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 Ms. Ermie. Ayes: (6) Nays: (0). The clerk read Ordinance No. 172-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 172-2009 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 171-2009 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT BIDS FOR WORK ON THE CITY'S WASTE WATER TREATMENT PLANT PHASE 2B CONTRACT 10 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. McCarthy. Ayes: (6) Nays: (0). The clerk read Ordinance No. 171-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 171-2009 be passed as an emergency. Seconded by Mr. McCarthy.

Mr. Lawless stated that he had some hesitation in voting for the passage of this Ordinance because he feels there is stimulus money still out there to be had and he is not sure why the City is in a hurry to go out to bid for this project. He feels the city would look foolish if they pass the Ordinance tonight and the Government comes back later with funds and it is too late. He is not convinced that this project needs to be started right away.

Ms. Ermie stated that Jon Eckel, Public Service Director, told the Committee that the Ordinance needs to be passed in order to get the work completed on the water treatment plant so that the City can maintain what they already have in order to meet EPA specifications. This work will not help with future growth. The City was already able to get the first delay from the EPA, but a second delay would not be possible.

Mr. Mackin stated that he agrees with Mr. Lawless and that the longer the project can be postponed the better chance of receiving money if available.

Mr. Alexander stated that Phase 2B is a continuation of Phase 2A and that Phase 3 will be the most expensive project and is now under design. Phase 2 is being done within the parameters with which we committed to the EPA. These parameters need to be continuously met in order to for the City to keep their operating permit. Ms. Ermie added that the City could be subject to fines if they are not compliant with the EPA.

Mr. Mackin added that this would create an increase in efficiency, but that there is not a big increase in demand and that the process should be slowed down.

Mr. Alexander suggested that the Ordinance should be presented as a first reading this evening and readdressed at the September 12, 2009 Council meeting.

Mr. Rutherford moved to rescind his previous motion on passage of Ordinance 171-2009 and reintroducing it as a first reading. Ms. Ermie seconded the motion. Ayes: (6). Nays: (0).

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

Other Business

No other business.

The Council moved to executive session for the purpose of discussing acquisition of property and pending litigation at 7:40 p.m. and returned at 8:23 p.m.

Mayor Evans moved to adjourn at 8:24 p.m. Seconded by Mr. Lawless.

David D. Creps, Clerk of Council

Nelson D. Evans, Mayor