MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD AUGUST 21, 2012

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

Mr. Lawless moved to approve the minutes from the July 31, 2012 meeting and to dispense with their reading. Mr. Olmstead seconded the motion. Ayes: (6). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans said that if there are no objections, the order of committee reports will be changed to have the Health, Sanitation and Public Utilities Committee go first.

Mayor Evans requested that City Council go into Executive Session to discuss contract issues. Mr. Lawless moved that City Council go into Executive Session at the end of the regular meeting. Mr. McCarthy seconded. Ayes: (6). Nays: (0).

City Administrator's Report

Ms. Kabat said that she would like to make comments during the HSPU report regarding discussions with TARTA.

Finance Director's Report

No report.

Director of Law

Mr. Beredo called attention to Resolution 18-2012 which is also regarding discussions with TARTA.

President of Council Report

No report.

COMMITTEE REPORTS

Health, Sanitation and Public Utilities Committee:

Mr. Grayson gave his report of the August 7, 2012 and August 16, 2012 meetings, copies of which are attached hereto and made a part of these minutes.

Next regular meeting: Tuesday, August 28, 2012 at 6:00 p.m.

Ms. Kabat brought City Council up to date on talks with TARTA. She said that earlier in the week there was a TARTA Policy Board meeting. They have requested formalization of the City's request to negotiate with TARTA. That request is the reason for Resolution 18-2012. Mr. Mackin asked if these negotiations can be accomplished by the time of the gap. Ms. Kabat said that City Council would have to determine what they consider the gap. The Resolution deals with the period of time from the levy date forward. Mr. Mackin clarified that we are not talking about covering from September 23rd to November 6th. Ms. Kabat stated that the Administration is not making that request. Mr. Mackin said that as he recalls, City Council made promises, as a Council, that public transportation would be on the November ballot, that we would have an alternative, and that there would be no gap. He said he appreciates where we are going, but the HSPU committee better do something about the gap that begins Septebmer 23rd. He said that those who rely on public transit had a reasonable belief that City Council would step forward to cover the gap if no one else did. Mr. McCarthy said that City Council has not made a decision to not use General Fund dollars to cover the gap. He asked if TARTA would negotiate with the City about the gap. Kevin Rantanen, Perrysburg's representative to the TARTA Board, stated that he is not sure if the Board would approve it. Mr. Lawless asked for clarification about what they are voting on. He said that if they are voting to allow the Administration to negotiate with TARTA for connectivity and better service after January 1st, he's good with it. However, if City Council is saying although the voters voted to get TARTA out of town, now we are going to spend General Fund money on it, he's against it. Mr. Grayson said that Resolution 18-2012 will allow Ms. Kabat to sit down with Jim Gee of TARTA to hash this out. Mr. Mackin said that we have to have a Plan B for September 23rd.

Mr. Grayson introduced **RESOLUTION 18-2012 AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE WITH THE TOLEDO AREA REGIONAL TRANSIT AUTHORITY WITH RESPECT TO SERVICES 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: (6). Nays: (0). The Clerk read Resolution 18-2012 by number and title only. Mr. Grayson moved that Resolution 18-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 145-2012 AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE WITH RIDE RIGHT LLC FOR TRANSPORTATION SERVICES PURSUANT TO THE CITY'S REQUEST FOR PROPOSALS 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: (6). Nays: (0). The Clerk read Ordinance 145-2012 by number and title only. Mr. Grayson moved that Ordinance 145-2012 be approved as an emergency. Seconded by Mr. McCarthy.

Mr. Lawless said that he feels Council needs to move forward with this issue. Mr. McCarthy said that, if approved, negotiations will proceed with Ride Right and in case something unexpected happens, then negotiations would begin with Black and White. Mr. Kevern read a prepared statement. He said that he will be voting against moving forward with negotiations with Ride Right. He said that those who depend on this service would benefit more from Black and White as they are a local company that runs 24 hours a day, seven days a week, 365 days a year. He added that choosing Black and White would serve taxpayers in the most prudent way possible. Mr. Lawless said he will honor the Committee's selection and will be supporting it, but he would echo Mr. Kevern's comments. Mr. McCarthy noted that there are a number of transportation providers out there and in three years, numbers can change. He said Ride Right has more experience and he hopes it works for many more years, but if it doesn't, there are options. Mr. Olmstead said that he agrees that when possible, a local company makes sense, but Ride Right scored the best according to the RFP.

Ayes: Grayson, Lawless, Mackin, McCarthy, Olmstead (5). Nays: Kevern (1).

Finance Committee:

Mr. Mackin gave his report of the August 14, 2012 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, September 11, 2012 at 5:00 p.m.

Mr. Mackin introduced **ORDINANCE 138-2012 AUTHORIZING A SOURCING AGREEMENT WITH NATIONAL INTER-GOVERNMENTAL PURCHASING ALLIANCE (NIPA) 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 138-2012 by number and title only. Mr. Mackin moved that Ordinance 138-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Mackin introduced **ORDINANCE 139-2012 PRESCRIBING PURSUANT TO OHIO REVISED CODE § 1901.31(C)(1) THE COMPENSATION FOR THE PERRYSBURG MUNICIPAL COURT CLERK JANICE ELKES 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 139-2012 by number and title only. Mr. Mackin moved that Ordinance 139-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Mackin introduced **ORDINANCE 140-2012 AUTHORIZING A LICENSE PERMITTING COM NET INC. ACCESS TO ONE (1) INNERDUCT WITHIN THE CITY CONDUIT ALONG STATE ROUTE 25 AT A PRICE TO COM NET INC. OF TWO HUNDRED FIFTY-SEVEN THOUSAND FOUR HUNDRED EIGHTY-FIVE DOLLARS AND EIGHTY-TWO CENTS ($257,485.82) 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 140-2012 by number and title only. Mr. Mackin moved that Ordinance 140-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Mackin introduced **ORDINANCE 142-2012 AUTHORIZING ALL ACTIONS NECESSARY UNDER R.C. §5705.13 TO CREATE AND FUND A RESERVE BALANCE ACCOUNT FOR THE CITY FOR THE**

PURPOSE OF BUDGET STABILIZATION 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 142-2012 by number and title only. Mr. Mackin moved that Ordinance 142-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

<u>Economic Development Committee:</u>

Mr. Olmstead gave his report of the August 20, 2012 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Monday, September 17, 2012 at 6:00 p.m.

<u>Service-Safety Committee:</u>

Mr. Kevern gave his report of the August 1, 2012 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, September 5, 2012 at 5:00 p.m.

Mr. Kevern introduced **ORDINANCE 141-2012 ASSESSING A SPECIAL TAX TO PAY A PART OF THE COST AND EXPESE OF PROVIDING FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES FOR THE PURPOSE OF CONTROLLING THE BLIGHT AND DISEASE OF SAME AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHTS-OF-WAY OF THE CITY OF PERRYSBURG FOR THE YEAR ENDING DECEMBER 31, 2012, 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). The Clerk read Ordinance 141-2012 by number and title only.

Mr. Kevern introduced **ORDINANCE 143-2012 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT FOR BIDS FOR STATE ROUTE 65 FROM THE EAST CORPORATION LINE TO BURLINGWOOD 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: (6). Nays: (0). The Clerk read Ordinance 143-2012 by number and title only. Mr. Kevern moved that Ordinance 143-2012 be approved as an emergency. Seconded by Mr. Olmstead. Ayes: (6). Nays: (0).

<u>Recreation Committee:</u>

Mr. Lawless gave his report of the August 20, 2012 meeting, a copy of which is attached hereto and made a part of these minutes.

Mr. Lawless stated that he received an e-mail from Ms. Kabat as a follow-up to one of the items discussed at the meeting. She contacted the Police Chief and he said that they had no reports of problems with the adult leagues at Rivercrest Park.

Next meeting: Monday, September 17, 2012 at 5:00 p.m.

Planning And Zoning Committee:

Mr. McCarthy gave his report of the meeting held prior to tonight's City Council meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, September 19, 2012 at 5:00 p.m.

Mr. McCarthy introduced **ORDINANCE 144-2012 AMENDING CODIFIED ORDINANCE 1250.42 REGARDING FENCE HEIGHTS WITHIN 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 Mr. Lawless. Ayes: (6). Nays: (0). The Clerk read Ordinance 144-2012 by number and title only. Mr. McCarthy moved that Ordinance 144-2012 be approved as an emergency. Seconded by Mr. Lawless. Ayes: (6). Nays: (0).

Personnel Committee:

No report.

Next meeting: Tuesday, August 28, 2012 at 5:00 p.m.

OTHER BUSINESS

Denny Barrett, 514 West Front Street, said that he has been involved with the TARTA issue for many years. He said a committee has been formed to promote an alternate transportation system, and he is the treasurer of the committee. He said that he has assured people that the City will step up and do something to cover the gap after TARTA service ceases on September 22, 2012. He said that he feels it would be a terrible mistake for the City to not cover the gap.

ADJOURNMENT

Mr. Lawless moved to adjourn the regular meeting at 7:33 p.m. and go into Executive Session. Seconded by Mr. Grayson. Ayes: (6). Nays: (0). City Council returned from Executive Session at 8:08 p.m. Mr. Lawless moved to adjourn. Seconded by Mr. Grayson. Ayes: (6). Nays: (0).

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