MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD JULY 27, 2010

Present were Council members Tom Mackin, John Kevern, Maria Ermie, Joe Lawless, Joe Rutherford and Tim McCarthy (6). Also present were Mayor Nelson Evans; John Alexander, City Administrator; Dave Creps, Clerk of Council and Mathew Beredo, Law Director. Councilmember Mike Olmstead was absent.

Mayor Evans called the meeting to order at 7:00 p.m.

Mr. Lawless made a motion to approve the minutes from the July 6, 2010 meeting without reading. The motion was seconded by Mr. Rutherford. Ayes: (6) Nays: (0).

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans reported that the 2011 Budget process has been started and information will be presented to Council at the end of September.

Mayor Evans reported that since taking a position with TMACOG as Second Vice-Chair there has been an opening on the Transportation Committee. He asked Council Member Joe Rutherford to fill the vacant position on the Transportation Committee.

As far as the TMACOG's Regional Water Discussion, Mayor Evans has been appointed Chair of the Policy Committee; John Alexander, City Administrator, has been appointed to the Legal Committee and Jon Eckel, Director of Public Service, has been appointed to the Technical Committee.

City Administrator's Report

Mr. Alexander reported on the problems associated with the One Call Now service and stated he had sent a letter to the CEO with a meeting scheduled for Thursday, July 29, 2010. The service has been suspended temporarily.

Mr. Alexander also reported on the power outage the City experienced several weeks ago stating that all traffic signals remained functional except for the intersection of Sandusky and Indiana. All traffic signals now have battery backup in case of loss of power and everything worked as it should.

Finally, Mr. Alexander reported on the Resurfacing Program stating that Cherbourg and Dogwood are completed, Ottekee has curbs poured and Eckel Road will be started at the end of August. The Program is running smoothly and on time.

Finance Director's Report

None

Director of Law

Mr. Beredo stated that the HSPU Committee has two TARTA Resolutions on the agenda for this evening that do not have numbers and will be numbered 10 and 11. There is also a late addition for HSPU of Resolution 12. The Personnel Committee has a problem with the spreadsheet (Exhibit B) attached to Ordinance 124 and the corrected spreadsheet (Exhibit B) was passed out this evening to the Council. The Personnel Committee is asking for a First Reading of this Ordinance instead of an Emergency Measure.

President of Council Report

None

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin summarized the minutes from the July 27, 2010 meeting and these are attached and made a part of the minutes.

The next Finance Committee meeting is scheduled for August 10, 2010 at 5:00 p.m.

Economic Development:

The next Economic Development meeting is schedule for August 16, 2010 at 6:30 p.m.

Service-Safety:

The next Safety-Service meeting is scheduled for August 4, 2010 at 5:00 p.m.

Recreation Committee:

Mr. Lawless read the minutes from the July 20, 2010 Recreation meeting and these are attached and made a part of the minutes.

The next Recreation meeting is scheduled for August 16, 2010 at 5:30 p.m.

Planning And Zoning Committee:

The next Planning and Zoning meeting is scheduled for August 18, 2010 at 5:00 p.m.

Personnel Committee:

Ms. Ermie summarized the minutes from the July 27, 2010 meeting and these are attached and made a part of the minutes.

Ms. Ermie introduced **ORDINANCE 122-2010 AUTHORIZING THE CITY TO ENTER INTO A LETTER OF UNDERSTANDING WITH THE PERRYSBURG MUNICIPAL EMPLOYEES ASSOCIATION WITH**

RESPECT TO THE PURCHASING OF BOOTS 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 No. 122-2010 by number and title only. Ms. Ermie moved that Ordinance No. 122-2010 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Ms. Ermie introduced **ORDINANCE 123-2010 AMENDING CODIFIED ORDINANCE 266.01-3 TO INCLUDE NEW POSITIONS WITHIN CITY ADMINISTRATION 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 No. 123-2010 by number and title only. Ms. Ermie moved that Ordinance No. 123-2010 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Ms. Ermie introduced for a first reading **ORDINANCE 124-2010 AMENDING CODIFIED ORDINANCE 266.15-2 TO INCLUDE NEW POSITIONS WITHIN MUNICIPAL ADMINISTRATION AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0). The clerk read Ordinance No. 124-2010 by number and title only.

The next Personnel meeting is scheduled for August 24, 2010 at 5:00 p.m.

<u>Health, Sanitation and Public Utilities Committee:</u>

Mr. Rutherford summarized the minutes from the July 27, 2010 meeting and these are attached and made a part of the minutes.

Mr. Rutherford introduced **RESOLUTION 10-2010 PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF PERRYSBURG, OHIO, THE ISSUE OF THE CITY'S CONTINUED PARTICIPATION IN TARTA 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: (5) Nays: (1-Mackin). The clerk read Resolution No. 10-2010 by number and title only. Mr. Rutherford moved that Resolution No. 10-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (4-Kevern, Ermie, Lawless, Rutherford) Nays: (2-Mackin and McCarthy). The ordinance passed as a non-emergency measure.

Mr. Mackin stated that there needs to be a second resolution telling voters how the City plans on funding other transportation options if Perrysburg is allowed out of TARTA. The City needs to be up front about what will happen in the future and ask taxpayers if they are willing to pay for an alternative form of public transportation.

Mr. Lawless stated that the first goal for the City should be getting out of TARTA. It will likely take several years before any action can take place. Then we can go back to the voters and see if they wish to fund an alternative.

Mr. Beredo stated that the Resolution's main purpose is for the City to ask to end current agreement with TARTA. If anything is added then the language needs to be changed for the Ballot. The Wood County Board of Elections determines what is placed on the ballot and just because the City would recommend something does not mean it will be approved by Wood County. To the extent that we can keep the ballot language simple, the more likely it is to be approved by the County.

Ms. Ermie felt the Resolution was a legislative way to get answers from the taxpayers and to also get out of TARTA. This Resolution is non-binding, so at this point the second question would not be necessary.

Mr. McCarthy agreed with Mr. Mackin in that the City needs to ask the voters that if they want out of the TARTA agreement are they willing to pay for the other options available and what are the other options.

Mr. Beredo stated that by the City Charter this issue would need to pass by five votes in order for it to be placed on the November Ballot. This issue did not pass by five votes, so it will not be placed on the November Ballot.

Mr. Rutherford introduced **RESOLUTION 11-2010 AUTHORIZING ACTION BY THE CITY ADMINISTRATION TO REMOVE PERRYSBURG FROM THE TERRITORY SERVED BY TARTA AND TO RELIEVE PROPERTY TAX PAYERS FROM THE BURDEN OF TARTA PROPERTY TAXES 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 No. 11-2010 by number and title only. Mr. Rutherford moved that Resolution No. 11-2010 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Rutherford moved to approve a sewer credit of $1,192.32 to Eric Stegman, 1114 Running Brook Drive. Mr. Mackin seconded the motion. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **RESOLUTION 8-2010 AUTHORIZING THE CITY ADMINISTRATION TO PURSUE STATE ISSUE 1 GRANTS FOR THE CHERRY STREET SEWER SEPARATION DISTRICT 208 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 No. 8-2010 by number and title only. Mr. Rutherford moved that Resolution No. 8-2010 be passed as an emergency. Seconded by Mr. kevern. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **RESOLUTION 12-2010 AUTHORIZING THE CITY ADMINISTRATION TO PURSUE STATE ISSUE 1 GRANTS FOR REPLACEMENT OF WATER LINES ON CHERRY 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 No. 12-2010 by number and title only. Mr. Rutherford moved that Resolution No. 12-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **RESOLUTION 9-2010 AUTHORIZING THE CITY ADMINISTRATION TO PURSUE GRANTS FROM THE OHIO DEPARTMENT OF DEVELOPMENT TO SUBSIDIZE CONVERSION OF WASTE WATER TO ENERGY 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 No. 9-2010 by number and title only. Mr. Rutherford moved that Resolution No. 9-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Alexander stated the City was only asking for approval to apply for the funding and was still investigating whether or not it would be considered a good return on their investment.

Mr. Rutherford introduced **ORDINANCE 125-2010 AUTHORIZING AN AGREEMENT WITH ENVIROCARE LAWN & LANDSCAPE IN AN AMOUNT NOT TO EXCEED NINE THOUSAND ONE HUNDRED TWENTY-FOUR DOLLARS AND NINETY CENTS ($9,124.90) TO COMPLETE RESTORATION WORK FOR SOUTHWOOD STORM 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 Mr. Kevern. Ayes: (6) Nays: (0). The clerk read Ordinance No. 125-2010 by number and title only. Mr. Rutherford moved that Ordinance No. 125-2010 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 126-2010 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT BIDS FOR CONSTRUCTION OF AN ELEVATED WATER TANK AT THE CITY'S PUBLIC SERVICE SITE 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. 126-2010 by number and title only. Mr. Rutherford moved that Ordinance No. 126-2010 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

The next Health, Sanitation, and Public Utilities meeting is July 27, 2010 at 6:00 p.m.

Other Business

Mr. Lawless felt that the Council had trouble following the HSPU agenda items due to the minutes not being available. Mr. Rutherford responded that it was a fluke that City Council happened to be the same evening as the HSPU Committee meeting and it should not be a problem in the future. Ms. Ermie requested that once Committee meeting minutes are finalized they be sent by electronic mail to all City Council members for quicker review.

Mayor Evans made a motion to adjourn at 8:30 p.m. The motion was seconded by Mr. Lawless.

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