MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD JULY 8, 2008

Mayor Evans called the meeting to order at 7:30 p.m. Present were Council Members Ermie, Kevern, Lawless, Mackin, McCarthy, and Olmstead (6). Absent Rutherford (1). Also present were John Alexander City Administrator, Martin Aubry Acting Law Director, and Dave Creps Clerk of Council.

Mr. Lawless made a motion to move to Executive Session in order to interview prospective Law Director, Mathew Beredo. Mr. Mackin seconded. Ayes: (6) Nays: (0).

At 7:35 p.m. Council returned to chamber and Mr. Lawless moved the Council meeting resume. Mr. McCarthy second. Ayes: (6) Nays: (0).

Mr. Lawless moved to approve the minutes from the previous meeting and to dispense with their reading. Seconded by Mr. Mackin. Ayes: (6) Nays: (0)

<u>SPECIAL REPORTS</u>

Charter Review Commission
Commission Chair, Kim Klewer, addressed Council with the changes proposed by the Charter Review Commission. He stated the Committee started with 53 issues for consideration and after much deliberation, whittled the list down to nine items. The Committee researched other Charters, and Ohio Revised Code. He acknowledged and thanked John Alexander and Dave Creps for their participation and insight into these proposed changes/additions. The one topic that the Committee spent a lot of time discussing was the Vacancy of the Mayor's seat. The Committee decided to leave that language as is for now.

Mr. Klewer then listed the "housekeeping" suggestions that the Committee would like to see changed or added to the Charter:
1. Add language in the charter noting that Council members have staggered terms.
2. Add language for Elected Officials' Conflict of Interest
3. Take Clerk of Council language from VII and put in III under that section and remove mention of Director of Finance.
4. Remove Clerk of Council language and put in proper section, i.e. from Director of Finance area.
5. Add language that will allow Director of Finance to address duties and function as treasurer as defined in the ORC.
6. Language currently says Law Director serves the Mayor, Council Board and Commissions but does not have direct reporting line language. Add language that Law Director serves under the supervision of the City Administrator

These next items would be substantive changes:

7. The number of signatures required for elected officials to be put on ballot, currently 2%. Proposed 50 signatures.
8. Primary elections currently required when the number of candidates is greater than 2 times the number of seats. Proposal changes to greater than 3 times the number of seats elected to force a primary. This would cut primary costs.

9. Interpreting the Charter – Current language was vague. After research new language will give a method to who will interpret.

Mr. Klewer then stated that the Committee decision not to change the Mayor Vacancy Article did not come easily, as the final vote of the Commission was 4-3 of the seven members present. Mr. Lawless suggested that at the next meeting, Council will decide whether to recommend changes to the Mayor Vacancy Article.

Maria Ermie and Joe Lawless commended the entire Charter Review Commission for an awesome job. Mr. McCarthy also reminded Council that this Commission had to work with a limited time line to research and make all of their recommendations. Mr. Creps has already assembled all of the research materials, agenda, minutes, etc. from the meetings that lead up to these recommendations. Mr. Klewer also suggested a set of all of this material be made available to the Way Library for future reference.

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

Resident, Louie Bower from 271 Margaret Place shared his frustration over the Vito's Pizza HVAC equipment on City Right of Way. He inquired whether every merchant could get away with this type of indiscretion and just be required to pay a $500 fee and he also inquired whether this might apply to residences also. After sharing his frustration, Mr. Bower did commend the City and the Economic Development Committee. Mr. McCarthy told Mr. Bower that this issue will be further discussed at the next Planning and Zoning meeting.

ADMINISTRATIVE REPORTS

Mayor's Report:

Mayor Nelson Evans introduced Mathew Beredo, who this evening was recommended to City Council to serve as Law Director for the City of Perrysburg. Mr. Beredo is making the move to Perrysburg from the Cleveland area. He has been through an extensive interview process and Mayor Evans recommended his appointment to City Council tonight. **Mr. Lawless moved Council accept Mathew Beredo's appointment as Law Director. Marie Ermie seconded. Ayes: (6) Nays: (0).**

Mayor Evans then introduced Claire Wilson, a local artist whose patriotic themed watercolors are currently displayed in the city building. Ms. Wilson is a self-taught artist and has won a variety of awards. Her work is also on display and available at Divine Designs on Louisiana.

The fireworks display went off this year without a hitch. The fire department did a fine job. The street department also did a great job cleaning up afterwards. Thanks to all of the crews.

City Administrator:

Mr. Alexander also commended the fire department for a fine job at the fireworks celebration and the Perrysburg Arts Council for the concert.

The power outage Monday was due to equipment failure, not the weather, and has been repaired. There was another line down on Louisiana today as well.

The City has received an appeal from Paul and Judith Anderson regarding denial of Historic Landmarks Commission. He recommended Council hear their appeal at the July 29 meeting. This will go to Planning and Zoning on July 23, and they will determine whether to bring to Council July 29.

Finance Director:

No report.

Director of Law:

No report

President of Council:

Mr. Lawless introduced **ORDINANCE 105-2008 "ACCEPTING THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY 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 reading. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 105-2008 by number and title only. Mr. Lawless moved that Ordinance No. 105-2008 be passed. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Lawless introduced **RESOLUTION 20-2008 "AUTHORIZING THE ACTING DIRECTOR OF LAW TO PETITION THE BOARD OF COMMISSIONERS OF WOOD COUNTY, OHIO TO CHANGE CERTAIN BOUNDARY LINES IN ACCORDANCE WITH REVISED CODE SECTION 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 reading. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0) The Clerk read Resolution No. 20-2008 by number and title only. Mr. Lawless moved that Resolution No. 20-2008 be passed. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

<u>COMMITTEE REPORTS:</u>

Finance Committee

Mr. Mackin will have a report at the next meeting. He did report that Ordinance 110-2008 and Resolution 21-2008 needs to be passed today. Ordinance 110-2008 only received one bid from Hylant which the Committee agreed to 3-0.

Mr. Mackin introduced **ORDINANCE 110-2008 'AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO CONTRACTS FOR THE PURCHASE OF INSURANCE, COVERING FIRE AND EXTENDED COVERAGE, VANDALISM AND MALICIOUS MISCHIEF COVERAGE ON MUNICIPALLY OWNED BUILDINGS AND THEIR CONTENTS, COMPREHENSIVE COVERAGE, PRODUCTS COMPLETED OPERATIONS COVERAGE, MOTOR VEHICLE LIABILITY COVERAGE, THROUGH THE GOVERNMENT RISK MANAGEMENT PLAN ADMINISTERED BY HYLANT ADMINISTRATIVE SERVICES, AND TO DECLARE 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 reading. Seconded by Ms. Ermie. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 110-2008 by number and title only. Mr. Mackin moved that Ordinance No. 110-2008 be passed as an emergency measure. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Mackin introduced **RESOLUTION 21-2008 'SUBMITTING AN ESTIMATE OF REVENUES TO THE WOOD COUNTY BUDGET COMMISSION FOR THE BUDGET YEAR BEGINNING JANUARY 1, 2009, AND TO DECLARE 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 reading. Seconded by Ms. Ermie. Ayes: (6) Nays: (0) The Clerk read Resolution No. 21-2008 by number and title only. Mr. Mackin moved that Resolution No. 21-2008 be passed as an emergency measure. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Next Finance Committee meeting is August 12 at 5:00 p.m.

Economic Development Committee

Mr. Kevern stated minutes will be distributed in the next few days as the committee just met this evening. He did share that Christine Best was at the meeting on behalf of Main Street Program asking for an $8,000 grant, however, the Committee recommended $4,000 and will look at the other half at the end of the year.

Mr. Kevern then stated that Ordinance 106-2008 and Ordinance 107-2008 have been pulled from the agenda for now until more information can be gathered and hopes to bring these to the July 29 meeting.

Mr. Kevern then introduced **ORDINANCE 108-2008 "AUTHORIZING THE CITY TO MAKE A DOWNTOWN IMPROVEMENT GRANT TO BILL AND JIM SEIBOLD FOR 122 W. FRONT STREET AND TO DECLARE 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 reading. Seconded by Ms. Ermie. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 108-2008 by number and title only. Mr. Kevern moved that Ordinance No. 108-2008 be passed as an emergency measure. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Kevern then introduced **ORDINANCE 109-2008 "AUTHORIZING THE CITY TO MAKE A DOWNTOWN IMPROVEMENT GRANT TO THOMAS WOOD, FOR 112 LOUISIANA AVENUE AND TO DECLARE 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 reading. Seconded by Ms. Ermie. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 109-2008 by number and title only. Mr. Kevern moved that Ordinance No. 109-2008 be passed as an emergency measure. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Next Economic Development Committee meeting scheduled for Monday, August 5 at 6:00 p.m.

Service-Safety Committee

Mr. Olmstead reviewed minutes from meeting held on July 7. This report is attached and made a part of the minutes.

Mr. Olmstead then introduced **ORDINANCE 111-2008 "AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO MAKE APPLICATION FOR A D.A.R.E. GRANT AND TO DECLARE 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 reading. Seconded by Mr. McCarthy Ayes: (6) Nays: (0) The Clerk read Ordinance No. 111-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 111-2008 be passed as an emergency measure. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Mr. Olmstead then introduced **ORDINANCE 115-2008 "AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH GEDDIS PAVING AND EXCAVATING, INC. AT A COST NOT TO EXCEED ONE MILLION TEN THOUSAND FOUR HUNDRED FORTY THREE AND 78/100 DOLLARS ($1,010,443.78) FOR THE 2008 RESURFACING PROGRAM AND TO DECLARE 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 reading. Seconded by Mr. McCarthy Ayes: (6) Nays: (0) The Clerk read Ordinance No. 115-2008 by number and title only. Mr. Olmstead moved that Ordinance No. 115-2008 be passed as an emergency measure. Seconded by Mr. McCarthy. Ayes: (6) Nays: (0).

Next Safety and Service Meeting August 6, at 5:30 p.m.

Recreation Committee

Mr. Lawless, no report as next **Recreation Committee meeting is July 21 at 5:30 p.m.**

Planning and Zoning Committee

Mr. McCarthy reviewed the report on the June 24 meeting of the Planning and Zoning Committee. This report is attached and made a part of the minutes.

At this point Mr. McCarthy introduced **ORDINANCE 116-2008 "AUTHORIZING A LICENSE AGREEMENT WITH VITO'S PIZZA NO. 9 AND ERIE SHORES REAL ESTATE, LTD. FOR ENCROACHMENT INTO WEST SOUTH BOUNDARY STREET RIGHT OF WAY, AND ACCEPTING FIVE HUNDRED DOLLARS ($500.00) LICENSE FEE."** 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 reading. Seconded by Mr. Mackin Ayes: (6) Nays: (0) The Clerk read Ordinance No. 116-2008 by number and title only. Mr. McCarthy moved that Ordinance No. 116-2008 be passed. Seconded by Mr. Olmstead. Ayes: (6) Nays: (0).

Mr. McCarthy spoke at length about the Comprehensive Planning recommendations. There will be a special working session of interested community members and all are invited to make any comments or suggestions at this special meeting Monday, July 14, at 5:00 p.m. At this time, Council should have an opportunity to look carefully at the entire plan.

The topic of Perrysburg homeowners wishing to demolish garage and erect a new one was mentioned. Depending on the amount of discussion at special meeting on Monday night, Mr. Lawless will determine whether another meeting is necessary. Mr. Lawless said to wait until the Planning and Zoning Committee meeting on July 23 to determine how much time this might take. The Committee needs to give notice to the property owner of the hearing. He will make a decision after the July 23 Planning and Zoning Meeting. Mr. Alexander will tell the property owner we are shooting for July 29.

Personnel Committee

There has not been a Personnel Committee meeting since last Council meeting.

Maria Ermie introduced Ordinance 93-2008 third reading. **"AMENDING SECTION 230.01 OF THE CODIFIED ORDINANCES REGARDING THE MAYOR'S COMPENSATION."** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Lawless. Ayes: (6) Nays: (0) The Clerk read Ordinance No. 93-2008 by number and title only. Ms. Ermie moved that Ordinance No. 93-2008 be passed. Seconded by Mr. Lawless. Ayes: (5) Nays: (1) Mr. Mackin.

Next Personnel Committee meeting July 22, at 5:00 p.m.

Health, Sanitation and Public Utilities

Mr. Rutherford was on vacation. No Committee report.

Mr. Kevern introduced **ORDINANCE 112-2008 "AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH JONES & HENRY ENGINEERS, LTD. TO PROVIDE ENGINEERING SERVICES AND RESIDENT PROJECT REPRESENTATION FOR PHASE IIA OF THE WASTEWATER TREATMENT PLANT IMPROVEMENTS AT A COST NOT TO EXCEED $175,000.00 AND TO DECLARE AN EMERGENCY."** and that the rules be suspended to allow for its reading by number and title only, and to dispense with the second and third reading. Seconded by Ms. Ermie Ayes: (6) Nays: (0) The Clerk read Ordinance No. 112-2008 by number and title only. Mr. Kevern moved that Ordinance No. 112-2008 be passed as an emergency measure. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

Mr. Kevern introduced **ORDINANCE 113-2008 "AUTHORIZING AN ADDITIONAL STREET LIGHT AT THE ENTRANCE TO WATERSONE LANDING ON ROACHTON ROAD BETWEEN APEX LAND AND BROAD AVENUE."** and moved that the rules be suspended to allow for its first reading by number and title only. Seconded by Ms. Ermie Ayes: (6) Nays: (0) The Clerk read Ordinance No. 113-2008 by number and title only

Mr. Kevern then introduced **ORDINANCE 114-2008 "AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH POGGEMEYER DESIGN GROUP FOR PROFESSIONAL ENGINEERING SERVICES OF THE CONSTRUCTION OF AN EIGHTEEN INCH SANITARY SEWER LINE ALONG FIVE POINTS ROAD BETWEEN STATE ROUTE 25 AND INTERSTATE 75 AT**

A COST NOT TO EXCEED $75,500.00." and moved that the rules be suspended to allow for its first reading by number and title only. Seconded by Ms. Ermie Ayes: (6) Nays: (0) The Clerk read Ordinance No. 114-2008 by number and title only.

Next HSPU Meeting July 22 at 6:00 p.m.

OTHER BUSINESS

Rick Ruffner inquired about Economic Development grant approval for properties he had applied for at 206- 204 Louisiana Avenue. Since the program might be put aside until funds are replenished. His paperwork has been turned in. He was asking for an Ordinance for reimbursement in 2009, however, Mr. Ruffner said the work will be completed in 2008. He is aware that funds are depleted for 2008 and wanted approval for a grant to be paid to him in 2009. Mr. Kevern asked Mr. Ruffner to attend the next Economic Development on August 5 to present this question to the Committee

ADJOURNMENT

Mr. Lawless moved the meeting be adjourned at 9:10 p.m. Mr. McCarthy seconded the motion. Ayes: (6) Nays: (0).

David D. Creps, Clerk

Nelson D. Evans, Mayor