

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD JUNE 21, 2011

Mayor Evans called the meeting to order at 7:00 p.m. Present were Council Members Maria Ermie, Todd Grayson, John Kevern, Joe Lawless, Tom Mackin and Mike Olmstead (6). Tim McCarthy arrived at 7:08 p.m. Also present were John Alexander, City Administrator, David Creps, Clerk of Council, and Mathew Beredo, Director of Law.

Mr. Lawless moved to approve the minutes from the June 7, 2011 meeting and to dispense with their reading. Mr. Grayson seconded the motion. Ayes: (6). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans reported that the new flagpoles and lights have been installed near the Maumee-Perrysburg Bridge and it is a very attractive display.

Mayor Evans stated that the re-paving of Eckel Junction Road which was a joint effort with Perrysburg Township has been completed.

Mayor Evans reported that Rexam has been sold to a company out of Indiana. Rexam did not renew their lease at Levis with Owens Illinois so that will need to be considered during the budget process.

City Administrator's Report

No report.

Finance Director's Report

No report.

Director of Law

No report.

President of Council Report

Mr. Lawless reminded everyone that there will not be a City Council meeting on July 5, 2011 unless something unforeseen arises.

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin gave his report of the June 14, 2011 meeting, a copy of which is attached hereto and made a part of this report.

Next meeting: Tuesday, July 12, 2011 at 5:00 p.m.

Mr. Mackin introduced **ORDINANCE 112-2011 SUBMITTING AN ESTIMATE OF REVENUES TO THE WOOD COUNTY BUDGET COMMISSION FOR THE BUDGET YEAR BEGINNING JANUARY 1, 2012 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 reading. Seconded by Mr. Kevern. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 112-2011 by number and title only. Mr. Mackin moved that Ordinance No. 112-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7). Nays: (0).

Mr. Mackin introduced **ORDINANCE 113-2011 AUTHORIZING THE PURCHASE OF INSURANCE THROUGH OHIO PLAN RISK MANAGEMENT, INC. AT A COST NOT TO EXCEED ONE HUNDRED SIXTY THOUSAND TWO HUNDRED FIFTEEN DOLLARS (\$160,215.00) 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 reading. Seconded by Mr. Kevern. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 113-2011 by number and title only. Mr. Mackin moved that Ordinance No. 113-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7). Nays: (0).

Economic Development Committee:

Mr. Olmstead gave his report of the June 20, 2011 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Monday, July 18, 2011 at 6:30 p.m.

Service-Safety Committee:

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

Next meeting: Monday, July 11, 2011 at 5:00 p.m. which is a change from the regular date.

Mr. Kevern introduced **ORDINANCE 114-2011 AUTHORIZING AN AGREEMENT WITH BOWSER MORNER IN AN AMOUNT NOT TO EXCEED SIXTY-ONE HUNDRED DOLLARS (\$6,100.00) TO PERFORM MATERIALS TESTING ON THE MULTIUSE PATH ALONG STATE ROUTE 65 (PID 89089) 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. Olmstead. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 114-2011 by number and title only. Mr. Kevern moved that Ordinance No. 114-2011 be passed as an emergency. Seconded by Mr. Olmstead. Ayes: (7). Nays: (0).

Mr. Kevern introduced **ORDINANCE 115-2011 AUTHORIZING AN AGREEMENT WITH BOWERS ASPHALT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED TWENTY-TWO THOUSAND EIGHT HUNDRED EIGHTY-FOUR DOLLARS AND TWENTY-FIVE CENTS (\$222,884.25) FOR THE CITY'S 2011 PAVEMENT RESURFACING 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. Olmstead. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 115-2011 by number and title only. Mr. Kevern moved that Ordinance No. 115-2011 be passed as an emergency. Seconded by Mr. Olmstead. Ayes: (7). Nays: (0).

Recreation Committee:

No report.

Next meeting: Monday, July 18, 2011 at 5:30 p.m.

Planning And Zoning Committee:

Mr. McCarthy gave his report of the June 15, 2011 meeting, a copy of which is attached hereto and made a part of this report.

Next meeting: Wednesday, July 20, 2011 at 5:00 p.m.

Mr. McCarthy introduced **ORDINANCE 116-2011 AMENDING CODIFIED ORDINANCE 1270.04 REGARDING THE CITY'S PLANNING COMMISSION 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 116-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 116-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 117-2011 AMENDING CODIFIED ORDINANCE 1275.01 REGARDING THE ORGANIZATION OF THE CITY'S BOARD OF ZONING APPEALS 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 117-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 117-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 118-2011 AMENDING CODIFIED ORDINANCE 1275.02 REGARDING THE JURISDICTION OF THE CITY'S BOARD OF ZONING APPEALS 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 118-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 118-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 119-2011 AMENDING CHAPTER 1280 OF THE CODIFIED ORDINANCES REGARDING ADMINISTRATION AND ENFORCEMENT PROVISIONS FOR THE PLANNING AND ZONING DIVISION 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 119-2011 by number and title only. Mr. McCarthy moved that Ordinance No.

119-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 120-2011 AMENDING CODIFIED ORDINANCE 1285.02 REGARDING AMENDMENTS TO THE CITY'S PLANNING AND ZONING CODE 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 120-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 120-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 121-2011 GRANTING SPECIAL APPROVAL USE TO PERRYSBURG EXEMPTED VILLAGE SCHOOLS WITH RESPECT TO PROPOSED ATHLETIC FIELDS AT PERRYSBURG HIGH SCHOOL 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 121-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 121-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 122-2011 AMENDING THE ZONING MAP OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, REGARDING THE DAVIS III ANNEXATION BY DIRECTING THE PLANNING, ZONING AND ECONOMIC DEVELOPMENT DIVISION TO CHANGE SAID MAP IN ACCORDANCE HERewith 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 122-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 122-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 123-2011 AMENDING CODIFIED ORDINANCE 1215.02 TO CORRECT VISUAL REPRESENTATION FOR "CLEAR VISION ZONE" AND "CORNER LOT" 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 123-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 123-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 124-2011 AMENDING CODIFIED ORDINANCE 1215.02(93.1) DEFINING "INSTITUTIONAL USE" 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 124-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 124-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 125-2011 AMENDING CODIFIED ORDINANCE 1220.07(h) REGARDING INSTITUTIONAL DISTRICTS 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 125-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 125-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 126-2011 AMENDING CODIFIED ORDINANCE 1235.02(b) REGARDING APPLICATION OF SPECIAL APPROVAL USE 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 126-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 126-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 127-2011 AMENDING CODIFIED ORDINANCE 1245.48(b) REGARDING THE PERRYSBURG HISTORIC LANDMARKS COMMISSION 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 127-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 127-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 128-2011 AMENDING CODIFIED ORDINANCE 1245.49(a)(12) REGARDING THE PERRYSBURG HISTORIC LANDMARKS COMMISSION 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 128-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 128-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 129-2011 AMENDING CODIFIED ORDINANCE 1250.02(u) REGARDING PARKING REQUIREMENTS FOR SITE DESIGN STANDARDS 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 129-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 129-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 130-2011 AMENDING CODIFIED ORDINANCE 1250.30 REGARDING DEFINITIONS APPLICABLE TO THE CITY'S SIGN CODE 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 130-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 130-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 131-2011 AMENDING CODIFIED ORDINANCE 1250.34 REGARDING ENTRANCEWAY STRUCTURES AND SIGNS 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 131-2011 by number and title only. Mr.

McCarthy moved that Ordinance No. 131-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 132-2011 AMENDING CODIFIED ORDINANCE 1250.41 REGARDING STORAGE OF RECREATIONAL EQUIPMENT AND TRAILERS 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 132-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 132-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 133-2011 AMENDING CODIFIED ORDINANCE 1250.42(a) REGARDING FENCES, WALLS, STRUCTURAL SCREENS, HEDGES AND SCREEN PLANTINGS AND DECLARING AN EMERGENCY** with an administrative change to Section 1 changing it from 1250.41 to 1250.42(a) 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. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 133-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 133-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 134-2011 AMENDING CODIFIED ORDINANCE 1250.54 REGARDING CLEAR VISION ZONES 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 134-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 134-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 135-2011 AMENDING CODIFIED ORDINANCE 1250.63 REGARDING NEWSRACK/DROP-BOX 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 135-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 135-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 136-2011 AMENDING CODIFIED ORDINANCE 1250.64 REGARDING NEWSRACKS IN THE CITY'S HISTORIC DISTRICT 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 136-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 136-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 137-2011 AMENDING CODIFIED ORDINANCE 1250.481(g) REGARDING BUILDING FACADES, STOREFRONTS, ROOFLINES AND COLORS 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 137-2011 by number and title only. Mr. McCarthy moved that Ordinance No.

137-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 138-2011 AMENDING CODIFIED ORDINANCE 1250.31(g) REGARDING DEFINITIONS APPLICABLE TO THE CITY'S SIGN CODE 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Ordinance No. 138-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 138-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **RESOLUTION 24-2011 ADOPTING A STATEMENT OF SERVICES IN COMPLIANCE WITH OHIO REVISED CODE § 709.03 WITH RESPECT TO THE ANNEXATION PETITION FILED BY SHEPHERD OF THE VALLEY LUTHERAN CHURCH 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 reading. Seconded by Mr. Lawless. Ayes: (7). Nays: (0). The Clerk read Resolution No. 24-2011 by number and title only. Mr. McCarthy moved that Resolution No. 24-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7). Nays: (0).

Personnel Committee:

No report.

Next meeting: Tuesday, June 28, 2011 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

No report.

Next meetings: Tuesday, June 28, 2011 at 6:00 p.m. and Tuesday, July 26, 2011 at 6:00 p.m.

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Lawless moved to adjourn the regular meeting at 7:33 p.m. Seconded by Mr. Olmstead. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Nelson D. Evans, Mayor