MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD JUNE 2, 2009

Present were Council members Tom Mackin, John Kevern, Maria Ermie, Joe Lawless, Joe Rutherford, Mike Olmstead and Tim McCarthy (7). Also present were Mayor Nelson Evans; John Alexander, City Administrator; David Creps, Clerk of Council and Mathew Beredo, Law Director.

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

Mr. Lawless moved to approve the minutes from the May 19, 2009 meeting and to dispense with their reading. Ms. Ermie seconded the motion. Ayes: (7) Nays: (0)

SPECIAL REPORTS

Scott Kirby presented the annual Street Tree Commission Report to Council this evening. He reported that over the past year the Commission has met 11 times. The Commission was also responsible for planting 345 trees in 2008 compared to 405 in 2007, also the removal of 196 trees in 2008 compared to 165 in 2007. Also this year, the Commission celebrated Arbor Day 2009 in Woodland Park in front of the oldest known oak tree in Perrysburg. The tree is estimated to be 225 years old. Mr. Kirby also reported on the Emerald Ash Borer problem stating that it cost the City $14.52 per tree or $21,112 total to treat the street trees. Mr. Lawless asked if the treatments were effective and the response was that some of the trees that were treated were showing signs of improvement and that there is a new product that the Commission will be trying that is suppose to get better results. Ms. Ermie asked about problems with any other trees and Mr. Kirby stated that the Sweet Gum trees had been affected by the severe cold this past winter, especially North of Route 6 and that in Michigan these types of trees are hard to find.

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans reported to Council that TMACOG and ODOT were looking for groups to volunteer to adopt certain sections of the surrounding interstate, specifically where I-75 and I-475 meet. The groups would be responsible for litter control and landscaping which would include mulching. If anyone is interested please call the Mayor's office and they will be put in contact with the responsible party.

Mayor Evans recommended the appointment of Michael Barthold to the Historic Landmarks Commission. Mr. Lawless made a motion to accept the appointment. Ms. Ermie seconded. Ayes: (7) Nays: (0).

City Administrator's Report

None

Finance Director's Report

None

Director of Law

None

President of Council Report

Mr. Lawless introduced **ORDINANCE 115-2009 ACCEPTING THE APPLICATION OF CLAUDETTE AND MARTY DAVIS FOR THE ANNEXATION OF PROPERTY LOCATED AT 25740 DIXIE HIGHWAY 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 readings. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 115-2009 by number and title only. Mr. Lawless moved that Ordinance No. 115-2009 be approved. Seconded by Mr. Kevern. Ayes: (6) Nays: (0) Abstain: (1) . Mr. Rutherford abstained from the voting because of being an employee of the company handling the application for the Davis'.

Mr. Lawless introduced **ORDINANCE 116-2009 ACCEPTING THE APPLICATION OF AMERICAN TITLE AGENCY, INC. TRUSTEE, FOR THE ANNEXATION OF PROPERTY LOCATED AT THE CORNER OF FIVE POINT ROAD AND STATE ROUTE 25 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 readings. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 116-2009 by number and title only. Mr. Lawless moved that Ordinance No. 116-2009 be approved. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Lawless introduced **RESOLUTION 10-2009 AUTHORIZING THE DIRECTOR OF LAW TO PETITION THE BOARD OF COMMISSIONERS OF WOOD COUNTY, OHIO, TO CHANGE CERTAIN BOUNDARY LINES IN ACCORDANCE WITH REVISED CODE 503.07 AS A RESULT OF THE ANNEXATION OF DAVIS PROPERTY AT 25740 DIXIE HIGHWAY** 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Resolution No. 10-2009 by number and title only. Mr. Lawless moved that Resolution No. 10-2009 be approved. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Lawless introduced **RESOLUTION 11-2009 AUTHORIZING THE DIRECTOR OF LAW TO PETITION THE BOARD OF COMMISSIONERS OF WOOD COUNTY, OHIO, TO CHANGE CERTAIN BOUNDARY LINES IN ACCORDANCE WITH REVISED CODE 503.07 AS A RESULT OF THE ANNEXATION OF AMERICAN TITLE AGENCY, INC., ROPERTY AT THE CORNER OF FIVE POINT ROAD AND STATE ROUTE 25** 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Resolution No. 11-2009 by number and title only. Mr. Lawless moved that Resolution No. 11-2009 be approved. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Lawless introduced **RESOLUTION 12-2009 HONORING RICHARD A. GILTS FOR HIS SERVICE AND COMMITMENT 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 readings. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Resolution No. 13-2009 by number and title only. Mr. Lawless moved that Resolution No. 13-2009 be approved. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

COMMITTEE REPORTS

Finance Committee: No report

The next Finance Committee meeting is scheduled for June 9, 2009 at 5:00 p.m.

Economic Development: No report

The next Economic Development meeting is scheduled for June 3, 2009 at 9:00 a.m.

Safety and Service: No report

The next Safety-Service meeting is scheduled for June 15, 2009 at 6:00 p.m.

Recreation Committee:

Mr. Lawless read the minutes from the May 19, 2009 meeting and this report is attached and made a part of the minutes.

The next Recreation meeting is scheduled for June 15, 2009 at 5:30 p.m.

Planning And Zoning Committee:

Mr. McCarthy read the minutes from the May 20, 2009 meeting and this report is attached and made a part of the minutes.

Mr. McCarthy introduced **ORDINANCE 117-2009 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH PERRYSBURG TOWNSHIP WITH RESPECT TO DAVIS ANNEXATION REQUEST 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: (7) Nays: (0). The clerk read Ordinance No. 117-2009 by number and title only. Mr. McCarthy moved that Ordinance No. 117-2009 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

Mr. McCarthy introduced **RESOLUTION 9-2009 A RESOLUTION WITH RESPECT TO THE SHIPLE ANNEXATION IN COMPLIANCE WITH SECTION 709.03 OF THE OHIO REVISED CODE 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 readings. Seconded by Mr. Lawless. Ayes: (7) Nays: (0). The clerk read

Resolution No. 9-2009 by number and title only. Mr. McCarthy moved that Resolution No. 9-2009 be approved as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

The next Planning and Zoning meeting is scheduled for June 17, 2009 at 5:30 p.m.

Personnel Committee:

Ms. Ermie read minutes from the June 1, 2009 Special Meeting, Executive Session, and stated that the Committee voted to reject the fact finder report. Ms. Ermie stated that her reasons for rejecting the report were that she felt it would be negligent on the part of the Committee to ignore a 30% decline in City revenues for 2009; City employees were already at the higher end of the pay scale; and to wait for a budget deficit to occur would not be prudent and could result in lay-offs.

Mr. Rutherford thought it was ironic that the Committee would be provided with the fact finder report results at the same time that General Motors is in the news with their funding problems. He also took issue with the statement of fairness within the report stating that it would not be fair to ask a homeowner with four children and a wife, who could possibly loose his job, to foot the bill for higher pay increases for City employees.

Ms. Ermie added that the City recognizes what the firefighters contribute everyday when on the job and this is shown through the competitive salaries they earn.

Mr. Kevern stated that he found the report flawed.

Ms. Ermie made a motion to reject the Fact Finders Report. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Administration asked that Ordinance No. 122-09 be withdrawn from the agenda.

The next Personnel meeting is June 23, 2009 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

Mr. Rutherford read the minutes from the May 26, 2009 meeting and this report is attached and made a part of the minutes.

Mr. Rutherford introduced **ORDINANCE 118-2009 AUTHORIZING THE CITY TO RENEW ITS ELECTRICITY AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 118-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 118-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 119-2009 AUTHORIZING THE CITY TO ENTER INTO AGREEMENTS PURSUANT TO BIDDING THROUGH NOAC TO PROVIDE LOWER-COST ELECTRICITY FOR PERRYSBURG'S MUNICIPAL USERS AGGREGATION PROGRAM 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 119-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 119-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **ORDINANCE 120-2009 AUTHORIZING THE CITY TO ENTER INTO AGREEMENTS PURSUANT TO BIDDING THROUGH NOAC TO PROVIDE LOWER-COST ELECTRICITY FOR PERRYSBURG'S RESDIENTIAL AGGREGATION PROGRAM 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 120-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 120-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **RESOLUTION 14-2009 AUTHORIZING THE CITY TO INITIATE A REQUEST FOR QUALIFICATION FROM TRANSPORTATION CONSULTANTS WITH RESPECT TO THE CITY'S NEEDS FOR PUBLIC TRANSPORTATION TO SERVE CITY RESIDENTS 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Resolution No. 142009 by number and title only. Mr. Rutherford moved that Resolution No. 14-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Rutherford introduced **RESOLUTION 13-2009 OPPOSING THE SALES TAX LEVY PROPOSED TO SUPPORT THE OPERATIONS OF THE TOLEDO AREA REGIONAL TRANSIT AUTHORITY** 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Resolution No. 13-2009 by number and title only. Mr. Rutherford moved that Resolution No. 13-2009 be approved. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin asked what Resolution No. 13-2009 would do as far as action being taken against TARTA? Hasn't the City already made it very clear their dissatisfaction with TARTA? Ms. Ermie responded that this Resolution would be letting TARTA know that the City of Perrysburg does not approve of the sales tax funding for transportation purposes. Mr. Mackin asked what would happen next? Ms. Ermie responded that the plans for the next HSPU meeting would be to present verbage that would be placed on the Ballot for voters to decide what option would receive their approval. Mr. Mackin asked what the funding mechanism would be if TARTA is voted out of Perrysburg? Will the City have verbage on the ballot to address the funding issue? Mayor Evans stated that the consultants researching alternative transportation services would inform the City how much funding is needed and what resources could be used to obtain the funding.

The next Health, Sanitation, and Public Utilities meeting is June 23, 2009 at 6:00 p.m.

<u>Other Business</u>

None

There being no further business Mr. Lawless moved to adjourn at 7:50 p.m. Seconded by Ms. Ermie.

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