MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MAY 18, 2010

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; Dave Creps, Clerk of Council and Mathew Beredo, Law Director.

Mayor Evans called the meeting to order at 7:37 p.m.

Mr. Lawless made a motion to approve the minutes from the May 4, 2010 meeting without reading. The motion was seconded by Ms. Ermie. Ayes: (7) Nays: (0).

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

None

City Administrator's Report

None

Finance Director's Report

Mr. Creps asked Council how it was working not having copies of the Ordinances in the books to save on paper and the response was positive.

The summer City Council schedule was reviewed, approved and is as follows: July 6, July 27 and August 17 all at 7:00 p.m.

Mr. Creps also read a statement that is entered into these minutes:

> "In its May 5 issue, the Perrysburg Messenger-Journal reported that Larry Dillin, under the business names of Levis Land, LLC, Levis Commons, LLC, Dillin Homes LLC, Preston Place LLC and Levis Town Square Land LLC will owe more than $710,000 in delinquent real estate taxes by June 30. The article also stated that $525,250 is owed to the City of Perrysburg in the form of special assessment payments on the Levis Commons Town Square and Preston Place districts.
>
> It is important to note that these special assessment districts were created through the Toledo-Lucas County Port Authority, and the Cleveland-Cuyahoga County Port Authority which issued bonds on behalf of the previously named businesses. The City of Perrysburg's role was to facilitate the process as the taxing

> authority, and to act as a pass-through entity, to take the assessments collected by the County Auditor and pass them along to the Bond Trustee, who in this case, was the Bank of New York Mellon. The City of Perrysburg has no direct liability in these transactions.
>
> Also, although it is unclear in the article, it appears that much of the delinquent balance referenced in the article, is related to the Preston Place Special Assessment district. That district's assessments have been paid in full, and are no longer due, but because of some confusion in the process, remain on the records in the County Auditor's office. The City Administration is working with County officials and Mr. Dillin to resolve the matter, but this might have inflated the numbers as reported in the article.
>
> Per the Messenger-Journal's numbers, the amount owed to the City of Perrysburg will actually be $6,369.00. I cannot verify that number exactly, but it appears to be approximately correct."

Director of Law

Police Unions for the City of Perrysburg filed law suits against the City stating their declaration of rights had been violated with the residency requirements set forth in the present negotiated contracts. According to the State of Ohio statute, cities and municipalities are prohibited from requiring residency of employees such as police and fire. Mr. Beredo stated this requirement was part of the recent negotiations for police division contracts. The judge, overseeing the case, sided with the City. The unions will still be able to appeal the decision in the future.

President of Council Report

Mr. Lawless introduced **RESOLUTION 3-2010 APPROVING ON BEHALF OF THE CITY THE ADDITION OF OTTAWA HILLS TO THE NORTHWEST OHIO AGGREGATION COALITION 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. Rutherford. Ayes: (7) Nays: (0). The clerk read Resolution No. 3-2010 by number and title only. Mr. Lawless moved that Resolution No. 3-2010 be passed as an emergency. Seconded by Mr. Rutherford. Ayes: (7) Nays: (0).

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin read the minutes from the May 11, 2010 meeting and these are attached and made a part of these minutes.

Mr. Mackin made a motion to remove Ordinance 78-2010 from this evening's agenda. The motion was seconded by Ms. Ermie. Ayes: (7) Nays: (0). Ordinance 78-2010 was removed.

Mr. Mackin introduced **ORDINANCE 79-2010 AUTHORIZING THE CREATION OF A LAW ENFORCEMENT TRUST FUND 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. 79-2010 by number and title only. Mr. Mackin moved that Ordinance No. 79-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 80-2010 AUTHORIZING THE CREATION UNDER R.C. 5705.13 OF A RESERVE BALANCE ACCOUNT FOR THE CITY** 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. 80-2010 by number and title only. Mr. Mackin moved that Ordinance No. 80-2010 be passed. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 81-2010 AUTHORIZING THE PURCHASE OF SERVER TECHNOLOGY FROM HP AT A PRICE NOT TO EXCEED TWENTY-SIX THOUSAND FORTY-FOUR DOLLARS AND ONE CENT ($26,044.01) 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. 81-2010 by number and title only. Mr. Mackin moved that Ordinance No. 81-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 82-2010 AUTHORIZING THE PURCHASE OF WINDOWS 2008 SERVER SOFTWARE LICENSES FROM SHI AT A PRICE NOT TO EXCEED FOUR THOUSAND TWO HUNDRED FIFTY-TWO DOLLARS ($4,252.00) 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 readings. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 82-2010 by number and title only. Mr. Mackin moved that Ordinance No. 82-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 83-2010 AUTHORIZING THE PURCHASE OF VMWARE VSPHERE SERVER VIRTUALIZATION SOFTWARE THROUGH OARNET AT A PRICE NOT TO EXCEED FOUR THOUSAND AND FIVE HUNDRED TWENTY-NINE DOLLARS AND TEN CENTS ($4,529.10) 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. 83-2010 by number and title only. Mr. Mackin moved that Ordinance No. 83-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

The next Finance Committee meeting is scheduled for June 8, 2010 at 5:00 p.m.

Economic Development:

Mr. Olmstead read the minutes from the May 17, 2010 meeting and these are attached and made a part of these minutes.

Mr. Olmstead introduced **ORDINANCE 84-2010 AUTHORIZING AN AGREEMENT WITH REVEILLE IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS ($25,000.00) TO PROVIDE ECONOMIC DEVELOPMENT AND PLANNING 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. Lawless. Ayes: (7) Nays: (0). The clerk read

Ordinance No. 84-2010 by number and title only. Mr. Olmstead moved that Ordinance No. 84-2010 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (7) Nays: (0).

Mr. McCarthy asked what the City was looking for, and what services Reveille would be able to provide. Mr. Alexander responded that Mr. Grisdale would be helping out with the NextEconomy program, the Business Visitation program and also putting together documentation for the bound document which lists the City's philosophy and strategies for economic development.

The next Economic Development meeting is schedule for June 21, 2010 at 6:30 p.m.

Service-Safety:

Mr. Kevern read the minutes from the May 5, 2010 meeting and these are attached and made a part of these minutes. Mr. Kevern also summed up the Special Service-Safety meeting minutes from May 18, 2010 and these are also attached and made a part of these minutes.

Mr. Kevern introduced **ORDINANCE 85-2010 AUTHORIZING A FOURTEEN (14) DAY EXTENSION TO THE CONTRACTS WITH BAYES INC., BRYSON TUCKER ELECTRICAL INC., AND RUPP ROSEBROCK INC. WITH RESPECT TO THE CONSTRUCTION OF THE DIVISION OF POLICE'S INDOOR FIRING RANGE 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: (7) Nays: (0). The clerk read Ordinance No. 85-2010 by number and title only. Mr. Kevern moved that Ordinance No. 85-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 86-2010 AUTHORIZING AN AGREEMENT WITH PYROTECNICO TO PRESENT THE PERRYSBURG-MAUMEE 2010 FIREWORKS DISPLAY AT A COST TO THE CITY NOT TO EXCEED FIFTEEN THOUSAND FIVE HUNDRED DOLLARS ($15,500.00) 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 readings. Seconded by Mr. Mackin. Ayes: (7) Nays: (0). The clerk read Ordinance No. 86-2010 by number and title only. Mr. Kevern moved that Ordinance No. 86-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 87-2010 AUTHORIZING A THREE (3) YEAR AGREEMENT WITH ONE CALL NOW TO PROVIDE EMERGENCY COMMUNICATIONS SERVICES AT A NET COST NOT TO EXCEED NINETEEN THOUSAND EIGHT HUNDRED EIGHTY-THREE DOLLARS AND SEVENTY-FIVE CENTS ($19,883.75) 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: (7) Nays: (0). The clerk read Ordinance No. 87-2010 by number and title only. Mr. Kevern moved that Ordinance No. 87-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 88-2010 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT FOR BIDS FOR 2010 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. Mackin. Ayes: (7) Nays: (0). The clerk read Ordinance No. 88-2010 by number and title only. Mr. Kevern moved that Ordinance No. 88-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 89-2010 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT BIDS FOR A PORTABLE HEAVY TRUCK LIFT STATION 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: (7) Nays: (0). The clerk read Ordinance No. 89-2010 by number and title only. Mr. Kevern moved that Ordinance No. 89-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 90-2010 AUTHORIZING AN AGREEMENT WITH PROUDFOOT ASSOCIATES IN AN AMOUNT NOT TO EXCEED TWENTY-FOUR THOUSAND NINE HUNDRED DOLLARS ($24,900.00) FOR DESIGN WORK ON A MULTI-USE PATH (MUP) ALONG STATE ROUTE 65 BETWEEN STATE ROUTE 25 AND FORT MEIGS 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: (7) Nays: (0). The clerk read Ordinance No. 90-2010 by number and title only. Mr. Kevern moved that Ordinance No. 90-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Ms. Ermie stated she would support the multi-use path Ordinance at this time, but hoped the City would continue to look for opportunities for a bike lane in the roadways when resurfacing. Mayor Evans responded that there was an extra cost for buying land and widening roads in order to install a bike lane. Mr. Lawless asked if the multi-use path to be installed met the requirements of the Facility Plan put in place several years ago to create connecting bike paths in the City and Mr. Mackin responded that yes it did.

Mr. Kevern introduced **ORDINANCE 91-2010 AUTHORIZING A CONTRACT WITH DGL CONSULTING ENGINEERS, LLC IN AN AMOUNT NOT TO EXCEED TWENTY-FOUR THOUSAND SIX HUNDRED THIRTY-SEVEN DOLLARS ($24,647.00) TO PERFORM ENGINEERING DESIGN SERVICES FOR THE CITY'S SAFE ROUTES TO SCHOOL PLAN 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: (7) Nays: (0). The clerk read Ordinance No. 91-2010 by number and title only. Mr. Kevern moved that Ordinance No. 91-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **RESOLTUION 4-2010 DESCRIBING POTENTIAL MUNICIPAL SERVICES APPLICABLE TO THE PROPOSED FRIEDLEY ANNEXATION IN COMPLIANCE WITH SECTION 709.03 OF THE OHIO REVISED 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 readings. Seconded by Mr. Mackin. Ayes: (7) Nays: (0). The clerk read Resolution No. 4-2010 by number and title only. Mr. Kevern moved that Resolution No. 4-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

The next Safety-Service meeting is scheduled for June 2, 2010 at 5:00 p.m.

Recreation Committee:

Mr. Lawless read the minutes from the May 17, 2010 meeting and these are attached and made a part of these minutes.

Mr. Lawless made a motion to approve applying for the Wood County Park Grant. Mr. Rutherford seconded the motion. Ayes: (7) Nays: (0).

Mr. McCarthy asked where the Frisbee Golf Course installation stood with the Recreation Committee and Mr. Lawless responded that Mr. Eckel would be coming back with a new design showing the modifications recommended by the Committee.

The next Recreation meeting is scheduled for June 21, 2010 at 5:30 p.m.

Planning And Zoning Committee:

The next Planning and Zoning meeting is scheduled for May 26, 2010 at 5:00 p.m.

Personnel Committee:

The next Personnel meeting is scheduled for May 25, 2010 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

The next Health, Sanitation, and Public Utilities meeting is May 25, 2010 at 4:00 p.m.

Other Business

No other business

Mayor Evans entertained a motion to adjourn at 8:18 p.m. Seconded by Mr. Lawless.

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