

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MAY 3, 2011

Mayor Evans called the meeting to order at 7:22 p.m. Present were Council Members Maria Ermie, John Kevern, Joe Lawless, Tom Mackin, Tim McCarthy, and Mike Olmstead (6). 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 April 19, 2011 meeting and to dispense with their reading. Mrs. Ermie seconded the motion. Ayes: (6). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

None.

City Administrator's Report

Mr. Alexander reported that he represented Mayor Evans before the Ohio House Finance Committee regarding the TARTA Voters' Right Amendment. He stated that he and Mrs. Ermie travelled to Columbus to speak about the amendment to HB 153 which was introduced by Representative Randy Gardner. Mrs. Ermie explained to the Committee that the \$1.3 million we spend on TARTA is a large amount of money for the services received. Mr. Alexander detailed other county-wide levies in comparison to the TARTA levy. Mrs. Ermie stated that one representative stated that a million dollars is a drop in the bucket so why should we be treated differently. She explained that she feels we are being treated differently because it's a case of taxation without representation. She added that she is not sure if they changed any votes, but a House vote was scheduled for later that week and it would then go onto the Senate.

Mayor Evans thanked Mrs. Ermie and Mr. Alexander for their representation.

Finance Director's Report

None.

Director of Law

Mr. Beredo reported that Mark Frye, President of Palmer Energy and a consultant for the Northwest Ohio Aggregation Coalition, is once again present to take comments regarding gas aggregation during the HSPU portion of the meeting.

Mr. Beredo stated that regarding Ordinance 80-2011 regarding Chapter 1453 Flood Plain Regulations is listed on the agenda as an emergency measure, but by law there must be several readings, so tonight is a first reading only.

President of Council Report

Mr. Lawless moved that public hearings be scheduled for 6:15, 6:50, and 6:55 on June 7, 2011. He noted that previously public hearings were scheduled for that same evening at 6:30, 6:40 and 6:45 so the total number is six. Mr. McCarthy seconded and it was unanimously approved.

Mr. Lawless introduced **ORDINANCE 70-2011 ACCEPTING THE PETITION OF LOUISVILLE TITLE AGENCY, ET AL. FOR ANNEXATION OF 254.201 ACRES LOCATED AT THE CORNER OF ROACHTON ROAD AND HULL PRAIRIE ROAD** 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. 70-2011 by number and title only. Mr. Lawless moved that Ordinance No. 70-2011 be approved. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Lawless introduced **RESOLUTION 14-2011 AUTHORIZING THE DIRECTOR OF LAW TO PETITION THE BOARD OF COMMISSIONERS OF WOOD COUNTY, OHIO, TO CHANGE CERTAIN BOUNDARY LINES WITH RESPECT TO THE ANNEXATION OF 254.201 ACRES LOCATED ON THE CORNER OF ROACHTON ROAD AND HULL PRAIRIE ROAD IN ACCORDANCE WITH REVISED CODE §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. 14-2011 by number and title only. Mr. Lawless moved that Resolution No. 14-2011 be approved. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

COMMITTEE REPORTS

Finance Committee:

No report.

Next meeting: May 10, 2011 at 5:00 p.m.

Economic Development Committee:

No report.

Next meeting: May 16, 2011 at 6:30 p.m.

Service-Safety Committee:

Mr. Kevern gave his report of the May 2, 2011 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: June 6, 2011 at 5:00 p.m.

Mr. Kevern introduced **ORDINANCE 71-2011 AUTHORIZING THE CITY TO PARTICIPATE IN A SALT-PURCHASING CONSORTIUM THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 71-2011 by number and title only. Mr. Kevern moved that Ordinance No. 71-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 72-2011 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT FOR BIDS FOR MARKING PAVEMENT WITHIN THE CITY 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 72-2011 by number and title only. Mr. Kevern moved that Ordinance No. 72-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 73-2011 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT FOR BIDS FOR THE SAFE ROUTES TO SCHOOL 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 reading. Seconded by Mr. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 73-2011 by number and title only. Mr. Kevern moved that Ordinance No. 73-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 74-2011 AUTHORIZING AN AGREEMENT WITH FIRST ENERGY SOLUTIONS TO PROVIDE ELECTRICITY AT A PRICE NOT TO EXCEED FIVE POINT SIX FIVE CENTS PER KILOWATT HOUR (5.65 CENTS/KWH) 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 74-2011 by number and title only. Mr. Kevern moved that Ordinance No. 74-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 75-2011 AUTHORIZING AN AGREEMENT WITH TRUGREEN CHEMLAWN IN AN AMOUNT NOT TO EXCEED SEVENTEEN THOUSAND DOLLARS (\$17,000.00) TO PROVIDE LAWN TREATMENTS AT VARIOUS CITY PROPERTIES 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 75-2011 by number and title only. Mr. Kevern moved that Ordinance No. 75-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 76-2011 AUTHORIZING AN AGREEMENT WITH TETRA TECH AT A COST NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000.00) TO INSPECT CITY SIGNS FOR REFLECTIVITY 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 76-2011 by number and title only. Mr. Kevern moved that Ordinance No. 76-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **RESOLUTION 15-2011 FINAL RESOLUTION REGARDING LOCAL PROJECT AUTHORITY (LPA) AS TO WORK ON STATE ROUTE 795 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Resolution No. 15-2011 by number and title only. Mr. Kevern moved that Resolution No. 15-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **RESOLUTION 16-2011 AUTHORIZING THE CITY ADMINISTRATION TO PURSUE A GRANT THROUGH THE U.S. DEPARTMENT OF JUSTICE TO PARTIALLY SUBSIDIZE THE HIRING OF ONE (1) POLICE OFFICER 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Resolution No. 16-2011 by number and title only. Mr. Kevern moved that Resolution No. 16-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Recreation Committee:

No report.

Next meeting: May 16, 2011 at 5:30 p.m.

Mr. Lawless introduced **ORDINANCE 77-2011 AUTHORIZING FUNDING IN AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000.00) WITH THE PERRYSBURG AREA ARTS COUNCIL TO SUBSIDIZE RECREATIONAL ARTS PROGRAMMING 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. Olmstead. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 77-2011 by number and title only. Mr. Lawless moved that Ordinance No. 77-2011 be passed as an emergency. Seconded by Mr. Olmstead. Ayes: (6). Nays: (0).

Planning And Zoning Committee:

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

Next meeting: June 15, 2011 at 6:00 p.m. May's meeting is cancelled due to a lack of agenda items.

Mr. McCarthy introduced **ORDINANCE 78-2011 AUTHORIZING EXTENSION OF MUNICIPAL UTILITY SERVICES TO SHEPHERD OF THE VALLEY LUTHERAN CHURCH PURSUANT TO CERTAIN CONDITIONS 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: (6). Nays: (0). The Clerk read Ordinance No. 78-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 78-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: (6). Nays: (0).

Personnel Committee:

No report.

Next meeting: Tuesday, May 24, 2011 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

Mr. McCarthy asked if there were any comments related to the Proposed Plan of Governance for NOAC Aggregation for Natural Gas. There were no comments.

Mr. McCarthy gave the report of the May 2, 2011 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, May 24, 2011 at 6:00 p.m

Mr. McCarthy introduced **ORDINANCE 79-2011 AUTHORIZING A SEWER CONSTRUCTION GRANT OF NOT MORE THAN THREE THOUSAND DOLLARS (\$3,000.00) TO MARGARET A. SCHNITTKER (927 CHERRY STREET) 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. 79-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 79-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 80-2011 AMENDING CHAPTER 1453 OF THE CODIFIED ORDINANCES TO REFLECT NEW FEDERAL EMERGENCY MANAGEMENT AGENCY REGULATIONS REGARDING FLOODPLAIN MANAGEMENT** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 80-2011 by number and title only.

Mr. McCarthy introduced **ORDINANCE 81-2011 AUTHORIZING AN AGREEMENT WITH BOWSER-MORNER, INC. TO PERFORM SOIL SAMPLING AT A COST NOT TO EXCEED TWELVE THOUSAND SEVEN HUNDRED DOLLARS (\$12,700.00) 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. 81-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 81-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 82-2011 AUTHORIZING AN AGREEMENT WITH BUCKEYE PUMPS INC. IN AN AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND THREE HUNDRED TWENTY DOLLARS (\$21,320.00) TO REHABILITATE THE CONTROL PANEL AT THE GORMAN VIEW 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 reading. Seconded by Mr. Kevern. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 82-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 82-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 83-2011 AUTHORIZING AN AGREEMENT WITH CAMPBELL INC. IN AN AMOUNT NOT TO**

EXCEED FIVE THOUSAND SEVEN HUNDRED FIVE DOLLARS (\$5,705.00) FOR HVAC SERVICES AT THE WATER DIVISION BUILDING 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. 83-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 83-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 84-2011 AUTHORIZING THE PURCHASE OF A FORD 1 ¼ TON TRUCK CAB AND CHASSIS FROM MIKE BASS FORD FOR A PRICE NOT TO EXCEED THIRTY-FIVE THOUSAND NINE HUNDRED EIGHTY-THREE DOLLARS AND FIFTY CENTS (\$35,983.50) 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. 84-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 84-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 85-2011 AUTHORIZING AN AGREEMENT WITH OHIO CAT TO REPAIR A CITY BACKHOE AT A COST NOT TO EXCEED SEVEN THOUSAND ONE HUNDRED SIXTY DOLLARS AND FOURTEEN CENTS (\$7,160.14) 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. 85-2011 by number and title only. Mr. McCarthy moved that Ordinance No. 85-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **RESOLUTION 17-2011 APPOINTING THE EQUALIZATION BOARD FOR 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 reading. Seconded by Mr. Kevern. Ayes: (6). Nays: (0). The Clerk read Resolution No. 17-2011 by number and title only. Mr. McCarthy moved that Resolution No. 17-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

OTHER BUSINESS

Mr. Lawless questioned the completion date for the sewer separation project. Mr. Eckel stated that the original date the EPA gave us was 2011. They subsequently pushed that back to 2014, and we have requested that they move it back to 2019. If they see progress to expand the Wastewater Treatment Plant they are more likely to be agreeable to extending the time to complete the sewer separation project.

ADJOURNMENT

Mr. Lawless moved to adjourn the meeting at 8:03 p.m. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).