MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MARCH 16, 2010

Present were Council members Tom Mackin, John Kevern, Maria Ermie, Joe Lawless, Mike Olmstead, Joe Rutherford 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 made a motion to approve the minutes from the March 2, 2010 meeting without reading. Seconded by Ms. Ermie. Ayes: (7) Nays: (0).

SPECIAL REPORTS

Diana Hersch, Perrysburg Area Arts Council, thanked the City for its continuing support for programs such as the Annual Concert Series and Home for the Holidays. The Arts Program celebrated its twentieth anniversary last year and during that time developed a five-year strategic plan which will run from 2010-2015. During this time the Arts Council will have public forums and also on-line surveys to ask residents what they would like to see in the way of arts in the community. In 2016, Perrysburg will celebrate its bicentennial and the Arts Council is looking at ways to celebrate this event in a creative way. Ms. Hersch then introduced Valerie French, new Executive Director, who stated she was continuing the work that Robin Ballmer started and is also starting new programs such as a partnership with Imagination Station which will bring creative science to the Perrysburg area with fun activities and events. Ms. French also thanked the City for its past, present and future support of the Arts.

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans recommended the appointments of Scott Francis, Todd Grayson and Jacob Fleming (Student Representative) to the Parks and Recreation Advisory Committee (PRAC).

Mr. Lawless made a motion to approve the appointments which was seconded by Mr. Mackin. Ayes: (7) Nays: (0).

City Administrator's Report

None

Finance Director's Report

None

Director of Law

Mr. Beredo wanted to make sure that all Council members had a copy of Ordinance 46-2010 as it was added onto the agenda right before the meeting.

President of Council Report

Mr. Lawless reminded Council that Public Hearings have been scheduled for April 6, 2010. The first hearing will be at 6:40 p.m. to discuss the Special Approval Use for fencing and lighting at Rivercrest Parks. The second hearing will be at 6:50 p.m. to discuss zoning code amendments in the Planning and Zoning Code of the Codified Ordinances for the City of Perrysburg, Special Approval Use: Sexually Oriented Business, Chapter 1235.04(ss) and Definitions: Sexually Oriented Business, Chapter 1215.02(173).

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin read the minutes of the March 9, 2010 meeting and these are attached and made a part of the minutes.

Mr. Mackin introduced **ORDINANCE 40-2010 AUTHORIZING A SIDEWALK LEASE BETWEEN THE CITY AND BGJJJ LLC, CURRENTLY DOING BUSINESS AS "STELLA'S RESTAURANT," FOR THE TERM OF ONE YEAR AT THE ANNUAL RATE OF TWENTY-FIBE DOLLARS ($25.00) AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Kevern. Ayes: (7) Nays: (0). The clerk read Ordinance No. 40-2010 by number and title only. Mr. Mackin moved that Ordinance No. 40-2010 be passed as an emergency. Seconded by Ms. Ermie. Ayes: (7) Nays: (0).

Mr. Lawless had some concerns about snow being plowed up against the fence that will surround the outdoor café and also the plow possibly causing damage to the fence. Service Director, Jon Eckel, stated the plows do not plow in that direction and the fence should be fine.

The next Finance Committee meeting is scheduled for April 13, 2010 at 5:00 p.m.

Economic Development:

Mr. Olmstead read the minutes of the March 15, 2010 meeting and these are attached and made a part of the minutes.

Mr. Rutherford had a concern about the impact of businesses late with tax payments on TIF funding. Mr. Creps reported that it does have an affect on total collections. The City is a pass through entity for the for these payments. It takes what is collected and distributes them to the trustee, and schools based on a set formula.

The next Economic Development meeting is schedule for April 19, 2010 at 6:30 p.m.

Service-Safety:

Mr. Kevern read the minutes of the March 3, 2010 Meeting and summarized the minutes of the March 16, 2010 Special Service-Safety Meeting and these are attached and made a part of the minutes.

Mr. Lawless stated the City had asked for contributions from the community in the past for the fireworks display and Mr. Alexander responded that Maumee has decided to focus on corporate contributions, but it would be more appropriate for the City of Perrysburg to seek general solicitations. Mr. Lawless added that there use to be a form in the Perrysburg-Messenger Journal that residents could fill out and send in for contributions. The paper would print contributors' names in a later edition.

Mr. Kevern introduced **ORDINANCE 41-2010 AUTHORIZING AN AGREEMENT WITH PROUDFOOT ASSOCIATES FOR PRELIMINARY ESTIMATES, DESIGN, ENGINEERING AND RESIDENT PROJECT REPRESENTATION FOR THE 2010 RESURFACING PROGRAM, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND ELEVEN THOUSAND DOLLARS ($111,000.00) 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. 41-2010 by number and title only. Mr. Kevern moved that Ordinance No. 41-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6) Nays: (1-Rutherford).

Mr. Rutherford felt there were other companies that were more qualified to handle the project then Proudfoot and that Proudfoot did not have the best reputation. Mr. Alexander responded that the City received six responses to the request for qualifications and Proudfoot stood out compared to the other companies.

Mr. Kevern introduced **ORDINANCE 42-2010 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 readings. Seconded by Mr. Mackin. Ayes: (7) Nays: (0). The clerk read Ordinance No. 42-2010 by number and title only. Mr. Kevern moved that Ordinance No. 42-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 43-2010 AUTHORIZING AN AGREEMENT WITH BOWERS ASPHALT, INC., IN AN AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND ONE HUDNRED FIFTY DOLLARS ($21,150.00) TO PERFORM PRELIMINARY DEMOLITION WORK WITH RESPECT TO CLOSURE OF THREE RAIL CROSSINGS 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 readings. Seconded by Mr. Mackin. Ayes: (7) Nays: (0). The clerk read Ordinance No. 43-2010 by number and title only. Mr. Kevern moved that Ordinance No. 43-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 44-2010 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 readings. Seconded by Mr. Mackin. Ayes: (7) Nays: (0). The clerk read Ordinance No. 43-2010 by number and title only. Mr. Kevern moved that Ordinance No. 43-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **ORDINANCE 46-2010 AUTHORIZING AN AGREEMENT WITH PROPHOENIX IN AN AMOUNT NOT TO EXCEED TWENTY-THREE THOUSAND EIGHT HUNDRED AND ONE DOLLARS ($23,801.00) TO PROVIDE MAINTENANCE AND TECHNICAL SUPPORT FOR THE POLICE DIVISION'S COMPUTER SYSTEMS FOR THE YEAR BEGINNING MARCH 21, 2010 AND ENDING MARCH 20, 2011 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. 46-2010 by number and title only. Mr. Kevern moved that Ordinance No. 46-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

Mr. Kevern introduced **RESOLUTION 2-2010 AUTHORIZING THE CITY TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATRUAL RESOURCES FOR THE PURPOSE OF ACQUIRING FUNDS THROUGH THE DIVISION OF FORESTRY'S URBAN FORESTRY 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 Mr. Mackin. Ayes: (7) Nays: (0). The clerk read Resolution No. 2-2010 by number and title only. Mr. Kevern moved that Resolution No. 2-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (7) Nays: (0).

The next Safety-Service meeting is scheduled for April 7, 2010 at 5:30 p.m.

Recreation Committee:

Mr. Lawless read the minutes of the March 15, 2010 meeting and these are attached and made a part of the minutes.

Mr. Mackin stated that this particular issue regarding the agreement with PABSC for managing City ball fields has been percolating for several months and why does the installation of the fencing need to be rushed through at this point. He asked Mr. Creps to look into the rationale of the 1973 Ordinance that states "no signage in City parks". Mr. Mackin was also concerned about the general public having a chance to speak on this issue. He would like to make sure the City is going through the correct procedure in order to pass this Ordinance. It has told people in the past that the process would not be changed and there were no exceptions.

Mr. McCarthy stated that since the Planning Commission cancelled last month's meeting due to not having a quorom, then it is the City's fault for pushing the Perrysburg Amateur Baseball Softball Commission (PABSC) to move quickly in order to have things done by baseball season. He also stated that this issue could be discussed at the Planning & Zoning meeting and if there is a large response at the April 6th Public Hearing it can return to be discussed further.

Mr. Eckel, Director of Public Service, stated that if the Planning Commission could have had their regularly scheduled meeting this would not be an issue. The installation of the fences is a big issue because it will lead to the addition of signage which would create a large revenue for Perrysburg baseball/softball. The Memorandum of Understanding also needs to be accepted because it will help to cut costs for the City. The Memorandum could help the City hire six less employees for the summer season who would normally pick up trash, clean restrooms and be ground maintenance for the fields. It will also eliminate weekend overtime for full-time staff. The PABSC will be responsible for these duties and will also share revenue from tournaments and concessions stands with the City.

Mr. Lawless stated he was uncomfortable with the whole process and that the upcoming Public Hearing is only over the fencing issue, not signage. The ordinance on the agenda relates to an agrement with PABSC to manage the fields, which is a separate issue from the proposed fencing and signage.

Mr. Mackin stated he had just received the memorandum at the Council meeting and has not had a chance to look over it in detail. What he has been able to look over has raised questions. Have all baseball/softball teams with Perrysburg residents that are being charged for use of the fields had an opportunity to be heard? When the City has sped up the process in the past things have been messed up. He understands that Administration has been working hard to pass the memorandum, but he is concerned because he has only seen the red-lined copy.

Ms. Ermie agreed with Mr. Mackin about making sure all t's were crossed and I's were dotted and suggested setting a special meeting for the memorandum.

Mr. Lawless stated that no one is opposed to theory of the memorandum, but everyone would like to see a corrected copy. He suggested holding the Memorandum Ordinance until the April 6, 2010 Council meeting. This would allow everyone the opportunity to review a final copy of the memorandum. This would also allow PABSC to obtain the operating agreement, through Wood County, for the concession stands and also any other paperwork that needs to be completed before the season starts.

Mr. Lawless made a motion to table Ordinance 45-2010 until April 6, 2010. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Kevin Rantanan, 117 Silver Maple Drive, stated that he received a notice about the addition of fencing and it just said fencing. There was no mention of signage. It would also be more informative to have a small paragraph explaining what is being considered. Mr. Thielen reported that the Public Hearing notices that went out stated the addition of fencing and lighting in Rivercrest Park.

Mr. Lawless would like to a Public Hearing for both fences and signage for the whole community and not just residents of the affected areas.

The next Recreation meeting is scheduled for April 19, 2010 at 5:30 p.m.

Planning And Zoning Committee:

The next Planning and Zoning meeting is scheduled for March 17, 2010 at 5:00 p.m.

Personnel Committee:

The next Personnel meeting is scheduled for March 23, 2010 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

The next Health, Sanitation, and Public Utilities meeting is March 23, 2010 at 6:00 p.m.

Other Business

No other business.

Mr. Lawless made a motion to adjourn at 8:25 p.m. Seconded by Mayor Evans.

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