MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MARCH 15, 2011

Mayor Evans called the meeting to order at 7:00 p.m. Present were Council Members Maria Ermie, John Kevern, Joe Lawless, Tom Mackin, Tim McCarthy, and Mike Olmstead (6). Absent: Joe Rutherford (1). 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 March 1, 2011 meeting and to dispense with their reading. Mr. McCarthy seconded the motion. Ayes: (6). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans stated that the Wood County Economic Committee's annual dinner is March 23rd from 6:00 p.m. to 9:00 p.m. He said the City still has three seats available so if any Council members are interested, let Cindy know as soon as possible.

Mayor Evans called attention to an article published in the March 10th edition of the Toledo Blade. The article stated that according to the 2010 census, Perrysburg grew by 21.7% and the population is now over 20,000. He noted that we are one of the few cities in this area to grow over the last decade.

City Administrator's Report

Mr. Alexander noted that Ordinance 47-11 amending Section 266.15-2 does not need to be passed as an emergency measure.

Mr. Alexander requested that Ordinance 23-11 be removed from the agenda as it has been supplanted by Ordinance 41-11.

Mr. Alexander called attention to the five year plans that were distributed to City Council in their weekend packets. He stated that if there are any questions or comments, please let him know.

Finance Director's Report

Mr. Creps stated that the April 5th Council meeting would not have five members present, so the meeting has been cancelled.

Mr. Creps stated that he was asked to comment on the Governor's budget. Local Government Funds were cut by 25%. In the City's preliminary budget, a five percent reduction was made. However, in the first amendment of the budget, that amount was cut by twenty percent so it is right around the amount predicted. He added that there is talk that in next year's budget it will be cut by fifty percent.

Mr. Lawless asked what the dollar amount is involved with these cuts. Mr. Creps stated that it will reduce the amount received by approximately $250,000.

Director of Law

No report.

President of Council Report

Mr. Lawless introduced **ORDINANCE 35-2011 ACCEPTING THE PETITION OF MARTIN C. & CLAUDETTE R. DAVIS FOR ANNEXATION OF TERRITORY (THE "DAVIS III ANNEXATION")** 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 Mrs. Ermie. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 35-2011 by number and title only. Mr. Lawless moved that Ordinance No. 35-2011 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Lawless introduced **RESOLUTION 8-2011 AUTHORIZING THE DIRECTOR OF LAW TO PETITION THE BOARD OF COMMISSIONERS OF WOOD COUNTY, OHIO, TO CHANGE CERTAIN BOUNDARY LINES WITH RESPECT TO THE DAVIS III ANNEXATION 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 Mrs. Ermie. Ayes: (6). Nays: (0). The Clerk read Resolution No. 8-2011 by number and title only. Mr. Lawless moved that Resolution No. 8-2011 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Lawless noted that the agenda says the Davis II Annexation, but Mr. Creps clarified that the Davis III Annexation is correct.

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin gave his report of the March 8, 2011 meeting, a copy of which is attached hereto and made a part of these minutes.

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

Mr. Mackin introduced **ORDINANCE 36-2011 AUTHORIZING A SIDEWALK LEASE BETWEEN THE CITY AND BGJJJ LLC, CURRENTLY DOING BUSINESS AS "STELLA'S RESTAUARANT," FOR THE TERM OF ONE YEAR AT THE ANNUAL RATE OF TWENTY FIVE DOLLARS ($25.00) 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 Mrs. Ermie. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 36-2011 by number and title only. Mr. Mackin moved that Ordinance No. 36-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Mackin introduced **ORDINANCE 37-2011 AUTHORIZING THE RENEWAL OF A SIDEWALK LEASE BETWEEN THE CITY AND CASA BARRON RESTAURANT FOR THE TERM OF ONE YEAR AT THE ANNUAL RATE OF TWENTY FIVE DOLLARS ($25.00) 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 seond and third reading. Seconded by Mrs. Ermie. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 37-2011 by number and title only. Mr. Mackin moved that Ordinance No. 37-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Matthew Weisenburger, 605 W. Front Street, was present to discuss his request to vacate right-of-way at his residence. He stated that it was represented to him that he had exclusive rights to the property covered in the easement previously granted. He said that it was his understanding that his rights were to the exclusiveness of other individuals and the City. He requested copies of the videotapes from the Finance Committee meetings for December 2010 and January and February 2011. He added that based on this information, he was withdrawing his request to vacate the right-of-way at 605 W. Front Street.

Economic Development Committee:

Mr. Olmstead gave his report of the March 7, 2011 meeting, a copy of which is attached hereto and made a part of these minutes.

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

Mr. Olmstead introduced **ORDINANCE 38-2011 AUTHORIZING ALL ACTIONS NECESSARY TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH IS LEVIS PROPERTY, LLC, 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: Kevern, Lawless, Mackin, McCarthy, Olmstead (5). Nays: (0) Abstain: Ermie (1). The Clerk read Ordinance No. 38-2011 by number and title only. Mr. Olmstead moved that Ordinance No. 38-2011 be passed as an emergency. Seconded by Mr. Lawless. Ayes: Kevern, Lawless, Mackin, McCarthy, Olmstead (5). Nays: (0) Abstain: Ermie (1).

Service-Safety Committee:

Mr. Kevern gave his report of the March 7, 2011 meeting, a copy of which is attached hereto and made a part of these minutes. Mr. Alexander noted that the amount listed in the Committee minutes for the contract with Ohio Cat is incorrect. The correct amount is $8,385 not $88,385.

Next meeting: April 11, 2011 at 5:00 p.m. which is a change from the normal meeting date.

Mr. Kevern moved that Ordinance No. 23-11 be removed from the agenda. Mr. Mackin seconded. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 39-2011 REQUESTING THE EXTENSION OF SCHOOL ZONES WITH RESPECT TO FT. MEIGS SCHOOL, FRANK SCHOOL, TOTH SCHOOL, AND ST. ROSE SCHOOL (PID 88458) AS PART OF 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 reading. Seconded by Mr. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 39-2011 by number and title only. Mr. Kevern moved that Ordinance No. 39-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 40-2011 AUTHORIZING AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AS TO LOCAL PROJECT AUTHORITY WITH RESPECT TO WORK 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 reading. Seconded by Mr. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 40-2011 by number and title only. Mr. Kevern moved that Ordinance No. 40-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 41-2011 AUTHORIZING AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION WITH RESPECT TO WORK ON STATE ROUTE US 20 (INDIANA AVE) FROM STATE ROUTE 199 (LOUISIANA AVE) TO STATE ROUTE 795 AND STATE ROUTE 795 FROM STATE ROUTE 20 TO INTERSTATE ROUTE 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 reading. Seconded by Mr. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 41-2011 by number and title only. Mr. Kevern moved that Ordinance No. 41-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 42-2011 AUTHORIZING AN AGREEMENT WITH OHIO CAT NOT TO EXCEED EIGHT THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS ($8,385.00) FOR PREVENTATIVE MAINTENANCE ON THE CITY'S FIRE EQUIPMENT 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. 42-2011 by number and title only. Mr. Kevern moved that Ordinance No. 42-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 43-2011 AUTHORIZING THE CITY TO PURCHASE AND EQUIP A REPLACEMENT VEHICLE FOR THE CITY'S FIRE DIVISION AT A COST NOT TO EXCEED THIRTY-ONE THOUSAND FIVE HUNDRED AND SIX DOLLARS ($31,506.00) 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 43-2011 by number and title only. Mr. Kevern moved that Ordinance No. 43-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 44-2011 AUTHORIZING THE PURCHASE FROM PHILIPS MEDICAL SYSTEMS OF A HEART MONITOR AT A PRICE NOT TO EXCEED TWENTY-ONE THOUSAND FIVE HUNDRED DOLLARS ($21,500.00) 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 reading.

Seconded by Mr. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 44-2011 by number and title only. Mr. Kevern moved that Ordinance No. 44-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 45-2011 AUTHORIZING THE PURCHASE OF A HEAVY DUTY CUTTER FROM HOWELL RESCUE SYSTEMS AT A PRICE NOT TO EXCEED SIX THOUSAND TWO HUNDRED NINETY-FIVE DOLLARS ($6,295.00) 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 45-2011 by number and title only. Mr. Kevern moved that Ordinance No. 45-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 46-2011 AUTHORIZING THE PURCHASE OF A WASTE OIL BURNER FROM GINGERICH CLEAN BURN, INC. AT A PRICE NOT TO EXCEED ELEVEN THOUSAND THREE HUNDRED SEVENTY DOLLARS ($11,370.00) 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. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 46-2011 by number and title only. Mr. Kevern moved that Ordinance No. 46-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Recreation Committee:

No report.

Next meeting: March 21, 2011 at 5:30 p.m.

Planning And Zoning Committee:

No report.

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

Personnel Committee:

Mrs. Ermie gave her 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: March 22, 2011 at 5:00 p.m.

Mrs. Ermie introduced **ORDINANCE 48-2011 AUTHORIZING AN AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (COMMUNICATIONS OFFICER AND ANIMAL CONTROL OFFICER UNIT) AS TO A WAGE RE-OPENER 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 48-2011 by number and title only. Mrs. Ermie moved that Ordinance No. 48-2011 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: Ermie, Kevern, Lawless, Mackin, McCarthy (5). Nays: Olmstead (1).

Mrs. Ermie introduced **ORDINANCE 47-2011 AMENDING SECTION 266.15-2 (WAGE RANGES FOR EXECUTIVE STAFF, SENIOR ADMINISTRATIVE STAFF AND ADMINISTRATIVE STAFF) OF THE CODIFIED ORDINANCES OF PERRYSBURG** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 47-2011 by number and title only.

Health, Sanitation and Public Utilities Committee:

Mr. McCarthy 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: March 22, 2011 at 6:00 p.m.

Mr. McCarthy introduced **RESOLUTION 9-2011 DECLARING THE NECESSITY FOR THE SEPARATION OF COMBINED SEWERS WITHIN 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. 9-2011 by number and title only. Mr. McCarthy moved that Resolution No. 9-2011 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Lawless moved to adjourn. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0). The meeting adjourned at 7:35 p.m.

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