

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MARCH 6, 2012

Mayor Evans called the meeting to order at 6:30 p.m. Present were Council Members Todd Grayson, John Kevern, Joe Lawless, Tom Mackin, Tim McCarthy and Mike Olmstead (6). Maria Ermie was absent. 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 February 21, 2012 meeting and to dispense with their reading. Mr. Grayson 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 on tonight's agenda is Resolution 5-12 which is in reference to TMACOG applying for an Innovative Fund Grant to do a study regarding the region's future water supply. He said there is no cost to the City at this time.

City Administrator's Report

No report.

Finance Director's Report

Mr. Creps reminded City Council that two members will not be present at the April 3, 2012 meeting which leaves only five remaining members. He asked that if their plans change and they will be unable to attend, please let him know as soon as possible.

Director of Law

No report.

President of Council Report

Mr. Lawless scheduled the following public hearings:

April 17, 2012	6:20 p.m.	Planned Unit Development (PUD) for 577 Foundation
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April 17, 2012	6:25 p.m.	Proposed Code Amendment – Outside Storage in Planned Business Parks
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COMMITTEE REPORTS

Finance Committee:

No report.

Next meeting: Tuesday, March 13, 2012 at 5:00 p.m.

Mr. Mackin introduced **ORDINANCE 23-2012 AMENDING ORDINANCE 201-2011 TO AUTHORIZE CERTAIN AMENDMENTS TO THE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2012 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: (6). Nays: (0). The Clerk read Ordinance 23-2012 by number and title only.

Economic Development Committee:

No report.

Next meeting: Monday, March 19, 2012 at 6:00 p.m.

Service-Safety Committee:

No report.

Next meeting: Wednesday, March 7, 2012 at 5:00 p.m.

Recreation Committee:

No report.

Next meeting: Monday, March 19, 2012 at 5:30 p.m. which is a change from the regular time.

Planning And Zoning Committee:

Mr. McCarthy gave his report of the February 22, 2012 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, March 28, 2012 at 5:00 p.m. which is a change from the regular date.

Mr. McCarthy introduced **ORDINANCE 42-2012 AMENDING CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCE 1265.03 REGARDING LEGAL NONCONFORMING USES 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: (6). Nays: (0). The Clerk read Ordinance 42-2012 by number and title only. Mr. McCarthy moved that Ordinance 42-2012 be approved as an emergency. Seconded by Mr. Lawless. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 43-2012 RESCINDING SPECIAL APPROVAL USE TO COOK MOTOR SALES AT 26420 NORTH DIXIE HIGHWAY 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: (6). Nays: (0). The Clerk read Ordinance 43-2012 by number and title only. Mr. McCarthy moved that Ordinance 43-2012 be approved as an emergency. Seconded by Mr. Lawless. Ayes: (6). Nays: (0).

Personnel Committee:

Mr. Grayson gave a report of the February 27, 2012 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, March 27, 2012 at 5:00 p.m.

Mr. Grayson introduced **ORDINANCE 32-2012 PROVIDING FOR CHAPTER 248 OF THE CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCES ESTABLISHING A CITY DEPARTMENT OF PUBLIC UTILITIES 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 32-2012 by number and title only. Mr. Grayson moved that Ordinance 32-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 33-2012 AMENDING CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCE 250.02 REGARDING THE CITY'S DEPARTMENT OF PUBLIC SERVICE 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 33-2012 by number and title only. Mr. Grayson moved that Ordinance 33-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 34-2012 AMENDING CODIFIED ORDINANCE 266.13-1 REGARDING RESIDENCY OF CERTAIN CITY EMPLOYEES 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 34-2012 by number and title only. Mr. Grayson moved that Ordinance 34-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 35-2012 AMENDING CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCE 266.10-7(A) REGARDING EMPLOYEE UNIFORMS 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 35-2012 by number and title only. Mr. Grayson moved that Ordinance 35-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 36-2012 AMENDING CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCE 266.01-3 REGARDING NOMENCLATURE IN CITY EMPLOYMENT 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 36-2012 by number and title only. Mr. Grayson moved that Ordinance 36-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 37-2012 AMENDING CODIFIED ORDINANCE 266.15-2 REGARDING ORGANIZATION OF CITY PUBLIC SERVICE DEPARTMENT AND CREATION OF A DEPARTMENT OF PUBLIC UTILITIES 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 37-2012 by number and title only. Mr. Grayson moved that Ordinance 37-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 38-2012 AMENDING CODIFIED ORDINANCE 267.01-2 REGARDING PART-TIME EMPLOYEE CLASSIFICATIONS AND WAGE RATES 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. McCarthy. Ayes: Grayson, Kevern, Lawless, McCarthy, Olmstead (5). Nays: (0). Abstain: Mackin (1). The Clerk read Ordinance 38-2012 by number and title only. Mr. Grayson moved that Ordinance 38-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: Grayson, Kevern, Lawless, McCarthy, Olmstead (5). Nays: (0). Abstain: Mackin (1). Mr. Mackin noted that he abstained because his son is an employee of the Recreation Department.

Mr. Grayson introduced **ORDINANCE 39-2012 APPROVING THE JOB DESRIPTONS FOR THE DIRECTOR OF PUBLIC UTILITIES, COMMISSIONER OF PUBLIC UTILITIES OPERATIONS, AND WASTEWATER TREATMENT PLANT MANAGER 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 39-2012 by number and title only. Mr. Grayson moved that Ordinance 39-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 40-2012 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (PATROL UNIT) 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 40-2012 by number and title only. Mr. Grayson moved that Ordinance 40-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 41-2012 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (SERGEANT'S UNIT) 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. McCarthy. Ayes: (6). Nays: (0). The Clerk read Ordinance 41-2012 by number and title only. Mr. Grayson moved that Ordinance 41-2012 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Health, Sanitation and Public Utilities Committee:

Mr. Grayson gave his report of the February 27, 2012 meeting, a copy of which is attached hereto and made a part of these minutes.

There will be a special meeting on Tuesday, March 20, 2012 at 6:00 p.m.

Next regular meeting: Tuesday, March 27, 2012 at 6:00 p.m.

Mr. Grayson introduced **ORDINANCE 44-2012 AMENDING CHAPTERS 1042, 1044, 1046, 1050 AND 1052 OF THE CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCES TO REFLECT THE CREATION OF A DEPARTMENT OF PUBLIC UTILITIES AND THE REORGANIZATION OF THE DEPARTMENT OF PUBLIC SERVICE 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: (6). Nays: (0). The Clerk read Ordinance 44-2012 by number and title only. Mr. Grayson moved that Ordinance 44-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 45-2012 AMENDING CHAPTER 1040 OF THE CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCES REGARDING SEWERS AND WASTEWATER TREATMENT 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: (6). Nays: (0). The Clerk read Ordinance 45-2012 by number and title only. Mr. Grayson moved that Ordinance 45-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 46-2012 AMENDING CHAPTER 1060 OF THE CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCES REGARDING WATER AND 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: (6). Nays: (0). The Clerk read Ordinance 46-2012 by number and title only. Mr. Grayson moved that Ordinance 46-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 47-2012 AUTHORIZING AN AGREEMENT IN AN AMOUNT NOT TO EXCEED TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00) WITH ARCADIS U.S. INC. FOR DESIGN SERVICES AND EASEMENT PREPARATION AS TO THE ROACHTON ROAD ELEVATED WATER TANK 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: (6). Nays: (0). The Clerk read Ordinance 47-2012 by number and title only. Mr. Grayson moved that Ordinance 47-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 48-2012 AUTHORIZING THE CITY ADMINISTRATION TO SOLICIT BIDS TO PERFORM WORK ON THE**

CHERRY STREET WATER MAIN 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 readings. Seconded by Mr. Lawless. Ayes: (6). Nays: (0). The Clerk read Ordinance 48-2012 by number and title only. Mr. Grayson moved that Ordinance 48-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 49-2012 AUTHORIZING AN AGREEMENT WITH ARCADIS TO PERFORM ENGINEERING AND DESIGN WORK ON THE CHERRY STREET WATER MAIN PROJECT AT A COST NOT TO EXCEED SIXTEEN THOUSAND DOLLARS (\$16,000.00) 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. Lawless. Ayes: (6). Nays: (0). The Clerk read Ordinance 49-2012 by number and title only. Mr. Grayson moved that Ordinance 49-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 50-2012 REMOVING THE TERMS OF CHAPTER 1054 FROM THE CITY'S CODIFIED ORDINANCES 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: (6). Nays: (0). The Clerk read Ordinance 50-2012 by number and title only. Mr. Grayson moved that Ordinance 50-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 51-2012 APPROVING REVISIONS TO THE CITY'S STORMWATER MANAGEMENT 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. Lawless. Ayes: (6). Nays: (0). The Clerk read Ordinance 51-2012 by number and title only. Mr. Grayson moved that Ordinance 51-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 52-2012 AUTHORIZING AN AGREEMENT WITH JONES AND HENRY IN AN AMOUNT NOT TO EXCEED NINE THOUSAND DOLLARS (\$9,000.00) TO DEVELOP AND IMPLEMENT A STORM MANAGEMENT PLAN FOR 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. Lawless. Ayes: (6). Nays: (0). The Clerk read Ordinance 52-2012 by number and title only. Mr. Grayson moved that Ordinance 52-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 53-2012 AUTHORIZING AN AGREEMENT WITH CAMPBELL INC. IN AN AMOUNT NOT TO EXCEED SEVEN THOUSAND EIGHT HUNDRED SIXTY-EIGHT DOLLARS (\$7,868.00) FOR 2012 HVAC PREVENTATIVE MAINTENANCE AND ENERGY CONSULTING SERVICES FOR THE CITY'S WASTEWATER TREATMENT PLANT 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: (6). Nays: (0). The Clerk read Ordinance 53-

2012 by number and title only. Mr. Grayson moved that Ordinance 53-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **ORDINANCE 54-2012 AUTHORIZING A SEWER CREDIT IN THE AMOUNT OF SEVEN THOUSAND ONE HUNDRED THREE DOLLARS AND ELEVEN CENTS (\$7,103.11) FOR ALEX HEARD, 333 EAST FRONT 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 readings. Seconded by Mr. Lawless. Ayes: (6). Nays: (0). The Clerk read Ordinance 54-2012 by number and title only. Mr. Grayson moved that Ordinance 54-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson introduced **RESOLUTION 5-2012 AUTHORIZING THE MAYOR TO SUBMIT APPLICATION(S) TO PARTICIPATE IN THE STATE OF OHIO, LOCAL GOVERNMENT INNOVATION FUND PROGRAM, CONCERNING A REGIONAL WATER AUTHORITY FEASIBILITY STUDY IN COLLABORATION WITH CITY OF TOLEDO, LUCAS COUNTY, AND TMACOG AND TO EXECUTE APPLICATIONS AS REQUIRED 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: (6). Nays: (0). The Clerk read Resolution 5-2012 by number and title only. Mr. Grayson moved that Resolution 5-2012 be approved as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Grayson noted that when going forward with sewer credits, we may want to consider fixed costs versus variable costs. Even though the sewage may not have been treated at the wastewater treatment plant, there should be a fixed cost for just living in town.

Mr. Grayson stated that with regards to Ordinances 51-2012 and 52-2012, these are examples of the Ohio EPA being ridiculous in making us regulate pet waste. He said there are many wild animals that produce much more fecal matter than our pets do.

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Lawless moved to adjourn the regular meeting at 7:08 p.m. Seconded by Mr. Grayson. Ayes: (6). Nays: (0).

David D. Creps, Clerk

Nelson D. Evans, Mayor