MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MARCH 2, 2010

Present were Council members Tom Mackin, John Kevern, Maria Ermie, Joe Lawless, Mike Olmstead, and Joe Rutherford (6). Also present were Mayor Nelson Evans; John Alexander, City Administrator; David Creps, Clerk of Council and Mathew Beredo, Law Director. Council member Tim McCarthy was absent from the meeting.

Mayor Evans called the meeting to order at 7:00 p.m.

Mr. Lawless made a motion to approve the minutes from the February 16, 2010 meeting without reading. Seconded by Ms. Ermie. Ayes: (6) Nays: (0).

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans reported he was in Washington, D.C. last week to meet with our legislative Representatives to talk about the potential for Perrysburg to receive Federal funding for several City projects. He stated he was in line with many other people.

The new city map is out and ready for distribution.

The 2010 Transportation Summit is scheduled for March 13 from 9 to 4:30 p.m.

City Administrator's Report

None

Finance Director's Report

None – please delete the First Reading only phrase after Ordinance No. 32-10.

Director of Law

Mr. Beredo reported that the 6th District Court of Appeals reversed the lower court's decision in the appeal and a check was sent to D & M Painting.

The litigation regarding the collapse of Five Point Road and the failure of the sewer line was resolved favorably for the City.

The City has entered into a non-binding Memorandum of Understanding with Perrysburg Township regarding some planning and zoning issues which have been the source of on-going litigation. All parties have agreed to dismiss their claims in the matter.

President of Council Report

City Council needs to schedule two Public Hearings for April 6, 2010. The first hearing will be at 6:40 p.m. and the topic will be fencing and lighting at Municipal and Rivercrest Parks. The second hearing will be at 6:50 p.m. and the topic will be amendments to the definition of sexually oriented businesses.

COMMITTEE REPORTS

Finance Committee:

Mr. Mackin reviewed the minutes of the February 16, 2010 meeting and these are attached and made a part of the minutes.

Mr. Mackin introduced **ORDINANCE 32-2010 AMENDING ORDINANCE 207-2009 TO AUTHORIZE CERTAIN AMENDMENTS TO THE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010 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 No. 32-2010 by number and title only. Mr. Mackin moved that Ordinance No. 32-2010 be passed as an emergency. Seconded by Ms. Ermie.

Mr. Lawless asked if full funding for Safety Town would fall on the City with Perrysburg Schools stepping down. How much would total funding be and what other options are there? Mayor Evans responded that, in the past, the City was responsible for paying officers and painting the playground. The school paid the teachers. Mr. Alexander stated that the short-term solution would be an account outside of the general fund. Another consideration would be to increase the charge per student. Ms. Ermie did not want the City to be fully responsible for financing of Safety Town and brought up the option of volunteers.

Ms. Ermie stated that new technology has come forward recently and timing is such that it would be wise not to put any expenses towards the design of the Waste Water Treatment Plant Phase III until this technology can be researched. The technology if appropriate for Perrysburg could save the City a considerable amount of money.

Mr. Alexander stated Administration diligently pursued information from J-Tech about the new technology, but the information was very limited. Capital equipment and design are already under way for WWTP Phase III. The other municipalities such as New Castle, IN that are using this technology were looked at by Administration. An agreement has been signed with Henry & Jones for the design of Phase III and if it is halted there will be consequences. Also, if the agreement is suspended at this time the City could loose the window of opportunity for Federal investment. The Administration has decided to continue with Henry & Jones and also continue to research the new technology further for future use.

Jon Eckel, Director of Public Service, stated that the technology is so new there is not a lot of information to research. Bill Barber had an appointment to go view the new system at New Castle, IN, but it was cancelled due to the system not working correctly at the time.

Ms. Ermie stated that for one month she had names of the inventor and person at New Castle, IN and she wonders if the City is really interested in the technology. The City is going to spend a half million dollars on the current system when the new technology is up, running and could save millions of dollars.

Mr. Mackin stated that all the Council is doing this evening is passing the budget in order to move forward with other projects. The passing of the budget is not giving the green light for the City to go ahead with the design of Phase III. Before the money is actually spent HSPU will get a chance to look at this issue in greater detail and to decide whether or not it is satisfied with Administration's opinion.

Gary Haydel, WPC Superintendent, stated he talked to the inventor, Randy Hamilton, and got some information, but he could not view the new system until it was back on line. Henry & Jones is very willing to review the system.

Mr. Lawless asked if the City was currently under contract for $445,000 and was told that this was an outstanding purchase order in 2009 which was carried over to 2010.

Mr. Rutherford stated the City was up against a deadline set by the EPA. Ms. Ermie asked if the City could go to the EPA and ask for a three to six month extension to research the new technology and take advantage of it if it fits the City's needs.

Mr. Creps stated that he could not take a purchase order out of the budget. The purchase order could be closed in 2010, but could not be cut out of the Budget, as this is reflected in the beginning balance. This is a monetary issue not a budget issue.

Ayes: (5) Nays: (1-Ermie). Ms. Ermie stated she voted this way based on principle.

The next Finance Committee meeting is scheduled for March 9, 2010 at 5:00 p.m.

Economic Development:

The next Economic Development meeting is schedule for March 15, 2010 at 6:30 p.m.

Safety and Service:

Mr. Kevern reviewed the minutes of the Special Safety-Service Meeting for March 2, 2010 and these are attached and made a part of the minutes.

Mr. Kevern introduced **ORDINANCE 37-2010 AUTHORIZING AN AGREEMENT WITH BOWSER MORNER IN AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS ($10,000.00) FOR ENGINEERING SERVICES WITH RESPECT TO THE PINE STREET GRASSY CREEK DITCH BANK IMPROVEMENTS 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. Olmstead. Ayes: (6) Nays: (0). The clerk read Ordinance No. 37-2010 by number and title only. Mr. Kevern moved that Ordinance No. 37-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6) Nays: (0).

Mr. Kevern introduced **ORDINANCE 38-2010 AUTHORIZING AN AGREEMENT WITH ANDERZACK PITZEN CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED SEVENTY-THREE THOUSAND DOLLARS ($73,000.00) FOR THE CONSTRUCTION OF A RETAINING WALL ALONG GRASSY CREEK NEXT TO PINE 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. Olmstead. Ayes: (6) Nays: (0). The clerk read Ordinance No. 38-2010 by number and title only. Mr. Kevern moved that Ordinance No. 38-2010 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6) Nays: (0).

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

Recreation Committee:

The next Recreation meeting is scheduled for March 15, 2010 at 5:00 p.m.

Planning And Zoning Committee:

The next Planning and Zoning meeting is scheduled for March 17, 2010 at 5:30 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:

Mr. Rutherford reviewed minutes from the Special HSPU Meeting on March 2, 2010 and these are attached and made a part of the minutes.

Mr. Rutherford introduced **ORDINANCE 39-2010 AUTHORIZING THE PURCHASE OF A NEW REFUSE VEHICLE FROM BELL EQUIPMENT AT A FINAL PURCHASE PRICE OF NOT MORE THAN ONE HUNDRED THIRTY THOUSAND FOUR HUNDRED DOLLARS ($130,400.00) 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. Kevern. Ayes: (6) Nays: (0). The clerk read Ordinance No. 39-2010 by number and title only. Mr. Rutherford moved that Ordinance No. 39-2010 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6) Nays: (0).

Mr. Rutherford stated he had read the minutes from the February 4, 2010 TARTA Board Meeting and TARTA understands the concerns of Perrysburg. The Board desires to move forward with the regional sales tax and Perrysburg will only support the tax if TARTA becomes more permissive with allowing municipalities to opt out of their membership. Perrysburg could become an obstacle in passing sales tax in Lucas County. Perrysburg would like to work with TARTA to help them change their by-laws. Mr. Alexander stated the City recognizes that transportation is important to citizens and it is also important to provide adequate options to taxpayers. Mr. Olmstead added that on the sales tax issue , TARTA should focus on providing a service that people believe is worth paying for, but TARTA sees the answer as not to reduce labor costs, but to reduce routes and add a sales tax, which forces us to tax people more and eliminates any incentive to become more efficient.

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

Other Business

Rick Ruffner suggested opening the Safety Town program to all residents of Wood County to help with budgeting issues.

Mr. Lawless made a motion to adjourn at 8:00 p.m. Seconded by Mayor Evans.

David D. Creps, Clerk of Council

Nelson D. Evans, Mayor