

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD FEBRUARY 15, 2011

Mayor Evans called the meeting to order at 7:01 p.m. Present were Council Members John Kevern, Joe Lawless, Tom Mackin, Tim McCarthy, Mike Olmstead and Joe Rutherford (6). Absent: Maria Ermie (1). Also present were John Alexander, City Administrator, David Creps, Clerk of Council, and Mathew Beredo, Director of Law.

Mayor Evans stated that Cub Scout Pack 209, Den #6 was in attendance for a presentation of colors.

Mr. Lawless moved to approve the minutes from the February 1, 2011 meeting and to dispense with their reading. Mr. Rutherford seconded the motion. Ayes: (6). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS AND CITIZENS' CONCERNS

Judy Justus of the Perrysburg Area Historical Museum referenced a letter that was sent to City Council requesting that the City assist them in applying for a Certified Local Government Grant from the Ohio Historical Society. Ms. Justus stated that they are not requesting any funds from the City, but the grant application has to be from a certified local entity. Mr. Alexander stated that Mr. Thielen and Mr. Beredo looked into any possible exposure to the City. Ms. Justus apologized for the late notice, but a grant writer was just hired and the application is due March 1st. Mr. Lawless stated that he would present the resolution during the President of Council's report.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans stated that the City's annual report for 2010 is now on the City's website.

Mayor Evans requested that the Finance Committee withdraw Ordinance 5-2011 regarding a contract with Bridge Consulting.

City Administrator's Report

No report.

Finance Director's Report

Mr. Creps called attention to an error in the Finance Committee report that had already been distributed. On page 3, it refers to penalty and interest payments on notes but should read principal and interest payments.

Director of Law

Mr. Beredo reported that in regards to Ordinance 23-2011, he received a different form from ODOT than the one used to prepare the legislation on the agenda. He stated that there are no substantive changes, but he spoke to Mr. Dariano and there is no rush to get this signed so it is up to City Council if they would like it to go back to Service-Safety Committee. Mr. Kevern asked what Mr. Beredo advised, and Mr. Beredo stated that he would recommend waiting to pass the legislation.

President of Council Report

Mr. Lawless introduced **ORDINANCE 20-2011 ACCEPTING THE PETITION OF DR. GERALD AND DEBORAH BIHN FOR ANNEXATION OF TERRITORY** 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. Rutherford. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 20-2011 by number and title only. Mr. Lawless moved that Ordinance No. 20-2011 be passed as an emergency. Seconded by Mr. Rutherford. Ayes: (6). Nays: (0).

Mr. Lawless introduced **RESOLUTION 4-2011 AUTHORIZING THE DIRECTOR OF LAW TO PETITION THE BOARD OF COMMISSIONERS OF WOOD COUNTY, OHIO, TO CHANGE CERTAIN BOUNDARY LINES WITH RESPECT TO THE BIHN 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 Mr. Rutherford. Ayes: (6). Nays: (0). The Clerk read Resolution No. 4-2011 by number and title only. Mr. Lawless moved that Resolution No. 4-2011 be passed as an emergency. Seconded by Mr. Rutherford. Ayes: (6). Nays: (0).

Mr. Lawless introduced **RESOLUTION 6-2011 AUTHORIZING APPLICATION THROUGH THE OHIO HISTORICAL SOCIETY FOR A CERTIFIED LOCAL GOVERNMENT GRANT REGARDING THE SPAFFORD HOUSE DEVELOPMENT 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. Rutherford. Ayes: (6). Nays: (0). The Clerk read Resolution No. 6-2011 by number and title only. Mr. Lawless moved that Resolution No. 6-2011 be passed as an emergency. Seconded by Mr. Rutherford. Ayes: (6). Nays: (0).

COMMITTEE REPORTS

Finance Committee:

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

Sarah Weisenburger, 605 W. Front St., was in attendance but stated that her husband was not there because they weren't sure that their request for the City to vacate right-of-way was on the agenda. Mrs. Weisenburger distributed copies of the 1992 ordinance granting the easement. She stated that she does not see the issue in vacating the right-of-way since it would make clear who is responsible for this property and because right-of-way was vacated at her neighbor's property. Mr. Mackin asked if she would like this issue to be carried forward to the next

meeting so her husband could be present. She said that she would prefer that it be carried forward.

Mr. Mackin moved that Ordinance 5-2011 be withdrawn. Mr. Kevern seconded and it was unanimously approved.

Next meeting: March 8, 2011 at 5:00 p.m.

Mr. Mackin introduced **ORDINANCE 28-2011 AUTHORIZING THE GRANT TO MS CHRISTINA INC. AND MSKAR 5 INC. OF A DRIVEWAY EASEMENT OVER THE THIRD STREET RIGHT OF WAY 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. 28-2011 by number and title only. Mr. Mackin moved that Ordinance No. 28-2011 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (6). Nays: (0).

Mr. Mackin introduced **ORDINANCE 21-2011 AUTHORIZING RENEWAL OF A LEASE AGREEMENT WITH THE PERRYSBURG BOAT CLUB AT A PRICE NOT LESS THAN TWO HUNDRED FIFTY (\$250.00) PER MONTH REGARDING PROPERTY AT THE FOOT OF LOUISIANA AVENUE AND TO DECLARE 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. 21-2011 by number and title only.

Mr. Mackin introduced **ORDINANCE 22-2011 AMENDING ORDINANCE 182-2010 TO AUTHORIZE CERTAIN AMENDMENTS TO THE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR BEGINNING JANUARY 1, 2011 AND ENDING DECEMBER 31, 2011 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. 22-2011 by number and title only.

Economic Development Committee:

No report.

Next meeting: March 7, 2011 at 6:00 p.m. which is a change from the regular meeting date.

Service-Safety Committee:

Mr. Kevern gave his report of the February 7, 2011 meeting, a copy of which is attached hereto and made a part of these minutes. He noted that the first item of business discussed at the meeting was the agreement with ODOT regarding resurfacing and that item is being sent back to the committee per Mr. Beredo's earlier comments.

Mr. Lawless questioned the contract with ProPhoenix for maintenance of the Police Division software. He asked if there was any type of limit on increases stated in the contract. Mr. Alexander stated he was not aware of any.

Next meeting: March 7, 2011 at 5:00 p.m.

Mr. Kevern introduced **ORDINANCE 24-2011 AUTHORIZING AN AGREEMENT WITH PROPHOENIX IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND TWO HUNDRED TWENTY-NINE DOLLARS (\$25,229.00) TO PROVIDE MAINTENANCE AND TECHNICAL SUPPORT FOR THE POLICE DIVISION'S COMPUTER SYSTEMS FOR THE YEAR BEGINNING MARCH 21, 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 reading. Seconded by Mr. Mackin. Ayes: (6). Nays: (0). The Clerk read Ordinance No. 24-2011 by number and title only. Mr. Kevern moved that Ordinance No. 24-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 25-2011 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH REGULATORY COMPLIANCE CONSULTANTS, IN AN AMOUNT NOT TO EXCEED THIRTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$32,500.00) FOR THE SERVICE DIVISION'S 2011 SAFETY PROGRAM AND TO DECLARE 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. 25-2011 by number and title only. Mr. Kevern moved that Ordinance No. 25-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **ORDINANCE 26-2011 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH CAMPBELL INC. IN AN AMOUNT NOT TO EXCEED TWENTY-ONE THOUSAND EIGHTY-FOUR DOLLARS (\$21,084.00) FOR 2011 HVAC PREVENTATIVE MAINTENANCE AND ENERGY CONSULTING SERVICES FOR THE CITY'S MUNICIPAL COMPLEX 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. 26-2011 by number and title only. Mr. Kevern moved that Ordinance No. 26-2011 be passed as an emergency. Seconded by Mr. Mackin. Ayes: (6). Nays: (0).

Mr. Kevern introduced **RESOLUTION 5-2011 AUTHORIZING THE CITY ADMINISTRATION TO PURSUE GRANTS THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY'S DIVISION OF EMERGENCY MEDICAL SERVICES 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. 5-2011 by number and title only. Mr. Kevern moved that Resolution No. 5-2011 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.

Mr. Lawless introduced **ORDINANCE 6-2011 RENEWING THE MEMORANDUM OF UNDERSTANDING WITH THE PERRYSBURG**

AMATEUR BASEBALL SOFTBALL COMMISSION REGARDING USE OF CITY ATHLETIC FIELDS 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. 6-2011 by number and title only. Mr. Lawless moved that Ordinance No. 6-2011 be passed as an emergency. Seconded by Mr. Olmstead. Ayes: (6). Nays: (0).

Planning And Zoning Committee:

No report.

Next meeting: February 16, 2011 at 5:00 p.m.

Mr. McCarthy asked Mr. Beredo and Mr. Thielen to find out how long there has been a building on the property at 605 W. Front Street. He questioned the language of the easement granted in 1992 and stated that with regard to Mr. Beredo's memo, he wonders if the purpose of the easement is stated adequately enough. Mrs. Weisenburger stated that she tried to find out when the house was built and the best the Auditor's office could come up with was 1957. Ms. Justus stated that she has this information and would forward it to City Council.

Personnel Committee:

No report.

Mr. Alexander stated that the Fact Finder's report has not been received so Ordinances 17-2011, 18-2011 and 19-2011 would have to be deferred.

Next meeting: February 22, 2011 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

No report.

Next meeting: February 22, 2011 at 6:00 p.m.

OTHER BUSINESS

Mr. Rutherford stated that he has been appointed to the position of Deputy District Director for ODOT District 5 which is east of Columbus. He is still residing in Perrysburg and will continue to travel back and forth. He stated that if there comes a time when he feels he can no longer meet his responsibilities and can no longer provide adequate representation, he would resign. He announced he will not be seeking re-election.

ADJOURNMENT

Mr. Lawless moved to adjourn. Seconded by Mr. Rutherford. Ayes: (6). Nays: (0). The meeting adjourned at 7:51 p.m.

David D. Creps, Clerk

Nelson D. Evans, Mayor

