MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD JANUARY 20, 2009

Present were Mayor Nelson Evans, Council Members John Kevern, Mike Olmstead, Joe Rutherford, Joe Lawless, Maria Ermie, Tom Mackin and Tim McCarthy (7). Also present were 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 moved to approve the minutes from the January 6, 2009 meeting and to dispense with their reading. Mr. Olmstead seconded the motion. Ayes: (7) Nays: (0)

SPECIAL REPORTS

None

LETTERS, COMMUNICATIONS AND CITIZENS CONCERNS

None

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Evans shared with Council motor vehicle accidents for the winter season thus far. There have been 67 accidents due to poor weather conditions. The Mayor asked that, with salt being low, drivers need to be reminded to slow down and leave plenty of stopping distance.

City Administrator's Report

Mr. Alexander stated that the City is moving forward with the IT position, which is approved in the 2009 Budget. He is working with a consultant to evaluate the position and develop a professional job description which will cost the City $4,200.

Mr. Alexander also asked Mr. Eckel to explain the emergency situation that took place Friday, January 16 at the Municipal Building. Mr. Eckel stated that there was a small explosion which came from the boiler system in the basement. The metal cover placed over the top of the chimney froze shut due to the extremely cold temperatures which trapped the exhaust fumes, forcing them back down into the boiler creating an explosion. No one was injured and there was not as much damage to the heating system as suspected. Mr. Eckel is meeting with the Campbell Company who will assess the damage, redesign a new cover for the chimney and then report back with a total cost for services.

Mr. Eckel also brought the Council up-to-date with the City's salt supply. He stated that the City had a 2,000 ton allocation of salt for the season and that 1,200 tons of this allocation has been used so far. His department is looking at other options such as using distressed salt. If the distressed salt is a good alternative, the City would be able to get a couple of hundred tons at $45 per ton. Mr. Eckel also stated that the Street Crews have worked 450 hours with 30% being taken as comp time and that he has 14 employees and 7 trucks completing the work.

Finance Director's Report

Mr. Creps stated that the Codified Ordinances have been updated on the City Website and that he had hard copies of the update pages to pass out if any of the council members needed them.

He also called attention to the Financial Disclosure statements from the Ohio Ethics Commission, which were distributed to the Council members this evening.

Director of Law

No report

President of Council Report

Mr. Lawless made a motion for the Council to adjourn to an executive session at 7:15 p.m. to discuss employee labor contracts. Ms. Ermie seconded. Ayes: (7) Nays: (0).

Council reconvened at 8:15 p.m.

COMMITTEE REPORTS

Personnel Committee:

Ms. Ermie introduced **ORDINANCE 7-2009 AUTHORIZING THE CITY TO ENTER INTO AND AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (COMMUNICATION AND ANIMAL CONTROL OFFICER UNIT) 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 readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The clerk read Ordinance No. 7-2009 by number and title only. Ms. Ermie moved that Ordinance No. 7-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (3) Nays: (4). Ms. Ermie, Mr. Lawless, Mr. Olmstead and Mr. McCarthy voted nay.

Ms. Ermie introduced **ORDINANCE 8-2009 AUTHORIZING THE CITY TO ENTER INTO AND AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (PATROL UNIT)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 readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The clerk read Ordinance No. 8-2009 by number and title only. Ms. Ermie moved that Ordinance No. 8-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (3) Nays: (4). Ms. Ermie, Mr. Lawless, Mr. Olmstead and Mr. McCarthy voted nay.

Ms. Ermie introduced **ORDINANCE 9-2009 AUTHORIZING THE CITY TO ENTER INTO AND AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (SERGEANTS UNIT)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 readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The clerk read Ordinance No. 9-2009 by number and title only. Ms. Ermie moved that Ordinance No. 9-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (3) Nays: (4). Ms. Ermie, Mr. Lawless, Mr. Olmstead and Mr. McCarthy voted nay.

Several council members made statements about these ordinances. Mr. Olmstead felt that the employees in the Police Department who would be affected by the passing of the above ordinances were hard working, devoted employees, but with the uncertain economic times we are living in he could not justify approving pay increases for these employees. Mr. Lawless was uncomfortable making a three year commitment to the employees with certain pay increases set with the economic future very unstable. Ms. Ermie also felt the the employees were very good and highly committed but she could not vote to pass these ordinances due to uncertain times. Mr. McCarthy stated that the City did expect growth to slow down and tried to provide increases over the years to keep Perrysburg competitive with surrounding communities, so it is hard to talk about a three year commitment of pay increases and felt it was too much at this time. Mr. Kevern stated that the community is never sure what will happen but that we need to go on and reward good employees. Mr. Mackin felt that looking at the 2008 and 2009 Budget, Administration had done an excellent job of awarding workers and that being the Chair of the Finance Committee allowed him to be careful of how funds were spent. He also felt it was detrimental if the Ordinances did not pass. Mr. Rutherford felt both sides had negotiated in good faith and the City could end up losing more then gaining if the ordinances were not passed.

The next Personnel meeting is January 27, 2009 at 5:00 p.m.

Finance Committee:

Mr. Mackin read the minutes from the January 13, 2009 meeting and this report is attached and made a part of the minutes.

Mr. Mackin introduced **ORDINANCE 15-2009 AUTHORIZING RENEWAL OF CONTRACT WITH MUNICIPAL INCOME TAX SOLUTIONS IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND ONE HUNDRED TWENTY TWO DOLLARS AND FIFTY CENTS ($5,122.50) FOR SOFTWARE SUPPORT FOR THE CITY TAX DIVISION 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 15-2009 by number and title only. Mr. Mackin moved that Ordinance No. 15-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 16-2009 AUTHORIZING THE CITY TO ENTER INTO A LEASE AGREEMENT WITH SECOND STREET OFFICES, LTD., FOR A PARKING LOT ON WEST SIXTH STREET AT AN ANNUAL RATE OF FIFTEEN HUNDRED DOLLARS ($1,500.00) 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 readings. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 16-2009 by number and title only. Mr. Mackin moved that Ordinance No. 16-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

Mr. Mackin introduced **ORDINANCE 17-2009 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND**

REVISED CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; 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 Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 17-2009 by number and title only. Mr. Mackin moved that Ordinance No. 17-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

The next Finance Committee meeting is scheduled for February 10, 2009 at 5:00 p.m.

Economic Development:

The next Economic Development meeting is schedule for February 4, 2009 at 9:00 a.m.

Safety and Service:

Mr. Olmstead read the minutes from the January 7, 2009 meeting and this report is attached and made a part of the minutes.

Mr. Olmstead introduced **ORDINANCE NO. 10-2009 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT FOR BIDS FOR CONSTRUCTION OF ITS DEPARTMENT OF PUBLIC SERVICE BUILDING 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: (7) Nays: (0). The clerk read Ordinance No. 10-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 10-2009 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Olmstead introduced **ORDINANCE NO. 11-2009 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT IN AN AMOUNT NOT TO EXCEED SIXTY-THREE THOUSAND ONE HUNDRED SEVENTY-FOUR DOLLARS ($63,174.00) WITH RIDGESTONE BUILDERS TO INSTALL CONDUIT AND CABLE FOR A TRAFFIC SIGNAL AT SR25/PROGRESS DRIVE/HARBORTOWN PLACE 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: (7) Nays: (0). The clerk read Ordinance No. 11-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 11-2009 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Olmstead introduced **ORDINANCE NO. 12-2009 AUTHORIZING AN AGREEMENT WITH O.R. COLAN IN AN AMOUNT NOT TO EXCEED TWENTY-EIGHT THOUSAND ONE HUNDRED FIFTY DOLLARS ($28,150.00) TO SERVE AS AN APPRAISER FOR THE ACQUISITION OF RIGHT-OF-WAY ON FT. MEIGS ROAD 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: (7) Nays: (0). The clerk read Ordinance No. 12-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 12-2009 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Olmstead introduced **ORDINANCE NO. 13-2009 AMENDING THE TERMS OF ORDINANCE 99-2008 TO REFLECT CHANGES IN THE STATE PURCHASE PROGRAM THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE 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 readings. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0). The clerk read Ordinance No. 13-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 13-2009 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Olmstead introduced **ORDINANCE NO. 14-2009 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT IN AN AMOUNT NOT TO EXCEED TWENTY-EIGHT THOUSAND DOLLARS ($28,000.00) WITH MUNGER MUNGER + ASSOCIATES ARCHITECTS INC. FOR ARCHITECTURAL SERVICES RELATED TO THE POLICE DIVISION'S INDOOR FIRING RANGE 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: (7) Nays: (0). The clerk read Ordinance No. 14-2009 by number and title only. Mr. Olmstead moved that Ordinance No. 14-2009 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7) Nays: (0).

Mr. Lawless questioned whether or not Owens Community College was in a formalized agreement with the City to help finance the firing range to be constructed. Owens is not under a formal agreement with the City, but will be entitled to use the firing range for the next fifteen years for "in kind" services up to $200,000 in value, which is the amount of the State grant.. Mr. Lawless would like the police department to check and see if other area police agencies would be interested in paying fees to use the firing range to help in the financing process.

The next Safety and Service meeting is February 4, 2009 at 5:30 p.m.

Recreation Committee:

A report from St. Luke's Hospital stated that there had been several sledding accidents on the Fort Meigs property and it was asked that the City look into doing what they could to help with prevention.

Mr. Lawless stated that the next Recreation Committee meeting is schedule for President's Day and has been reschedule for February 11 at 5:30 p.m.

Planning And Zoning Committee:

The next Planning and Zoning meeting is January 21, 2009 at 5:30 p.m.

Health, Sanitation and Public Utilities Committee:

Mr. Rutherford read the minutes from the December 23, 2008 meeting and this report is attached and made a part of the minutes.

Mr. Rutherford introduced **ORDINANCE NO. 6-2009 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH JONES & HENRY IN AN AMOUNT NOT TO EXCEED SIX HUNDRED TWENTY THOUSAND DOLLARS ($620,000.00) TO DESIGN PHASE THREE OF THE CITY'S WASTEWATER TREATMENT PLANT** and moved that the rules be

suspended to allow for its reading by number and title only. Seconded by Ms. Ermie. Ayes: (7) Nays: (0). The clerk read Ordinance No. 6-2009 by number and title only. Mr. Rutherford moved that Ordinance No. 6-2009 be passed as an emergency. Seconded by Mr. Kevern. Ayes: (7) Nays: (0).

The next Health, Sanitation, and Public Utilities meeting is January 27, 2009 at 6:00 p.m.

There being no other business Council adjourned at 9:02 p.m..

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