



**CITY OF PERRYSBURG
CITY COUNCIL
AGENDA**

May 21, 2024

1. Call to Order - 6:30 PM
2. Roll Call
3. Pledge of Allegiance
4. Minutes of Council Meeting of May 7, 2024
 - a. Minutes from Public Hearing - May 7, 2024
 - b. Minutes from Planning Commission Appeal - May 8, 2024
5. Special Reports
 - a. Chris Smalley - Wood County Parks District Grant Check Presentation
6. Letters, Communications, and Citizens Communications
7. Administrative Reports
 - a. Mayor
 - b. City Administrator
 - c. Finance Director
 - d. Law Director
8. President of Council Report
9. Committee Reports
 - a. **Finance & Economic Development**

Resolution# 63-2024

A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES IN THE AMOUNT OF TEN THOUSAND FOUR DOLLARS AND ZERO CENTS (\$10,004.00), AS ATTACHED IN EXHIBIT A, FOR THE CITY OF PERRYSBURG; AND DECLARING AN EMERGENCY

***Recommendation to Suspend the Rules,
Waive the Three Readings, and
Pass as an Emergency Measure***

Ordinance# 35-2024

AN ORDINANCE AMENDING ORDINANCE 163-2012, PREVIOUSLY AMENDED BY ORDINANCE 21-2015, AND APPROVING AN AMENDED COMMUNITY REINVESTMENT AREA AGREEMENT WITH OI LEVIS PARK STS INC

1st Reading, no vote required

Ordinance# 36-2024

AN ORDINANCE AMENDING ORDINANCE 33-2023 TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR ENDING DECEMBER 31, 2024; AND DECLARING AN EMERGENCY

***Recommendation to Suspend the Rules,
Waive the Three Readings, and
Pass as an Emergency Measure***

Ordinance# 37-2024

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES AND CONTROLLING THE BLIGHT AND DISEASE OF SAME AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHTS-OF-WAY OF THE CITY OF PERRYSBURG AND DECLARING AN EMERGENCY

***Recommendation to Suspend the Rules,
Waive the Three Readings, and
Pass as an Emergency Measure***

Ordinance# 38-2024

AN ORDINANCE DETERMINING TO PROCEED WITH THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES AND CONTROLLING THE BLIGHT AND DISEASE OF SAME AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHTS-OF-WAY OF THE CITY OF PERRYSBURG AND DECLARING AN EMERGENCY

***Recommendation to Suspend the Rules,
Waive the Three Readings, and
Pass as an Emergency Measure***

- b. Safety**
- c. Recreation**
- d. Planning & Zoning**
- e. Personnel**
- f. Public Utilities**

Resolution# 59-2024

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT WITH ARCADIS U.S., INC. FOR THE SEWER SYSTEM EVALUATION SURVEY (SSES) AT A COST NOT TO EXCEED SEVEN HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$700,000.00); AND DECLARING AN EMERGENCY

Recommendation to Suspend the Rules,

***Waive the Three Readings, and
Pass as an Emergency Measure***

Ordinance# 32-2024

AN ORDINANCE AMENDING CODIFIED ORDINANCE §1050.01 "RATE OF CHARGES FOR SEWER INSIDE AND OUTSIDE THE CITY"

2nd Reading, no vote required

Ordinance# 33-2024

AN ORDINANCE AMENDING CODIFIED ORDINANCE §1050.015 "INSIDE CITY COLLECTION RATES FOR SEWER"

2nd Reading, no vote required

Ordinance# 34-2024

AN ORDINANCE AMENDING CODIFIED ORDINANCE §1060.02 "RATE OF CHARGES FOR WATER INSIDE AND OUTSIDE THE CITY"

2nd Reading, no vote required

g. Service

10. Other Business

11. Adjournment

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Resolution 63-2024

DATE: May 15, 2024



Subject Matter/Background

The Finance Department is submitting a list of items requiring a Then & Now Certificate. Such certificate certifies that both at the time of the making of the contract or order and at the date of the execution of this certification, the amount requested was appropriated for such contract or order and is in the treasury or in the process of collection and free from any previous encumbrances. Any time a purchase is made before a purchase order is issued, a then and now situation is created.

Certificates for purchases greater than or equal to \$3,000, that were not already approved on a purchase order, are required to be approved by Council per ORC 5705.41.

Items included in this Then and Now Request include various supplies and services spanning multiple City departments.

The total for all items totals \$10,004.00

Financial Review

The accounts are listed in the Exhibit.

Legal Review

This legislation has been reviewed and is appropriately before you.

Recommendation

If City Council is in agreement, a motion to suspend the rules, waive the three readings and pass this legislation as an emergency is appropriate. An Emergency is requested to ensure proper compliance the State of Ohio Auditors rules for Then and Now.

RESOLUTION 63-2024

**A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES
IN THE AMOUNT OF TEN THOUSAND FOUR DOLLARS AND
ZERO CENTS (\$10,004.00), AS ATTACHED IN EXHIBIT A, FOR
THE CITY OF PERRYSBURG; AND DECLARING AN EMERGENCY**

WHEREAS, The Ohio Revised Code 5705.41(D)(1) provides that if prior certification of funds by the Fiscal Officer was not obtained before the contract or order involving the expenditure of money was made, then the Fiscal Officer may instead certify; and

WHEREAS, that there was at the time of making such contract or order and at the time of the execution of such certificate, a sufficient sum appropriated for the purpose of such contract and in the treasury or in process of collection to the credit of an appropriate fund, free from any encumbrances; and

WHEREAS, the Fiscal Officer is accordingly certifying that there were appropriations available and the funds in the treasury or in the process of collection at the time of the contract or order were made (then), and there are still sufficient appropriations and funds in the treasury or in the process of collection at the time the certificate is being issued (now); and

WHEREAS, the amount of the certificates exceeds \$3,000.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY
OF PERRYSBURG, WOOD COUNTY, OHIO:**

SECTION 1. It is hereby certified that both at the time of the making of the attached contract(s) or order(s) and at the date of the execution of this certificate, the amount of funds required to pay for this contract(s) or order(s) had been appropriated for the purpose of this contract or order, attached hereto, and is in the treasurer or in the process of collection to the credit of the fund free from any previous encumbrances.

SECTION 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the

citizens of the City of Perrysburg, Wood County, Ohio; and so that the certificate meets the timeliness requirements of the Ohio State Auditor; this Resolution shall be in full force and effect from and immediately after its passage and approval by the Mayor.

President of Council

Mayor

PASSED _____

ATTEST: _____

APPROVED: _____

Timothy W. Effler
LAW DIRECTOR

Then and Now Requests For					
5/14/2024					
Invoice Date	Vendor	Item	Total Cost	Department	Expense Account
2/12/2024	RecDesk	Software	5,300.00	Recreation	1110-41650-53215
3/18/2024	Blackline Safety	Monitoring	4,704.00	WWTP	5332-61815-53999
	Total		10,004.00		

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Ordinance 35-2024

DATE: May 15, 2024



Subject Matter/Background

ORC Section 3735.65 allows municipalities to create Community Reinvestment Areas for the purpose of establishing, expanding, renovating or occupying facilities in exchange for specified local tax incentives in support of economic development projects and real property improvements.

In 2012 the City established Community Reinvestment Area #4 (The CRA). The City granted OI Levis STS Park Inc., a 75% Community Reinvestment Area tax abatement for 10 years, beginning in 2015, in support of a project at 1899 N. Wilkinson Way in CRA #4 that requires mandatory school compensation agreements pursuant to Ohio Revised Code.

OI Levis STS Park Inc., has requested a five-year extension of this Community Reinvestment Area tax abatement in support of OI's research and development project.

If this request is granted, OI Levis Park STS Inc. will benefit from a full 15-year incentive period as allowable under Chapter 3735 of the Ohio Revised Code.

Financial Review

This Ordinance will have no financial impact on the City of Perrysburg.

Legal Review

This legislation has been reviewed and is appropriately before you.

Recommendation

First Reading – May 21, 2024

Second Reading – June 4, 2024

Third Reading and Vote – June 20, 2024

ORDINANCE 35-2024

AN ORDINANCE AMENDING ORDINANCE 163-2012, PREVIOUSLY AMENDED BY ORDINANCE 21-2015, AND APPROVING AN AMENDED COMMUNITY REINVESTMENT AREA AGREEMENT WITH OI LEVIS PARK STS INC.

WHEREAS, the Community Reinvestment Area Act (the “Act”) under Ohio Revised Code Section 3735.65 has authorized affected counties, municipalities and townships therein to designate areas as Community Reinvestment Areas, and to execute agreements with certain property owners in said areas for the purpose of establishing, expanding, renovating or occupying facilities; hiring new employees; and preserving jobs within the community in exchange for specified local tax incentives in support of economic development projects and real property improvements; and

WHEREAS, City Council through Ordinance No. 90-2012, adopted May 1, 2012, established Community Reinvestment Area #4 (hereinafter “CRA #4”) within the boundaries of the City of Perrysburg, Ohio, to promote the City’s economic welfare; and

WHEREAS, pursuant to Section 3735 of the Ohio Revised Code, OI Levis STS Park Inc., requested and the City of Perrysburg (the “Community”) via Ordinances 163-2012 and 21-2015 provided a 75% Community Reinvestment Area tax abatement for 10 years, beginning in 2015, in support of a project at 1899 N. Wilkinson Way in CRA #4 that requires mandatory school compensation agreements pursuant to Ohio Revised Code; and,

WHEREAS, the OI Levis STS Park Inc., has requested a five-year extension of this Community Reinvestment Area tax abatement in support of OI’s research and development project; and,

WHEREAS, the City is desirous of extending this Community Reinvestment Area tax abatement to OI Levis Park STS Inc., until 2029, so that it can benefit from a full 15-year incentive period as allowable under Chapter 3735 of the Ohio Revised Code as long as the schools remain held harmless.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF PERRYSBURG, WOOD COUNTY, OHIO:**

SECTION 1. The Mayor and Director of Finance are authorized to take all actions necessary to enter into an amended Community Reinvestment Area Agreement with OI Levis Park STS Inc., as attached hereto, including signing that

Agreement on behalf of the City and forwarding it to the Ohio Development Services Agency and the County Auditor to be finalized.

SECTION 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 3. This Ordinance shall be in full force and effect at the earliest time permitted by law.

President of Council

Mayor

PASSED _____

ATTEST: _____

APPROVED: _____

TIMOTHY W. EFFLER
DIRECTOR OF LAW

CITY OF PERRYSBURG

COMMUNITY REINVESTMENT AREA AGREEMENT

This Agreement amends Agreements approved by Ordinances 163-2012 and 21-2015 and entered by and between the City of Perrysburg, Ohio, a Municipal Corporation, with its main offices located at 201 West Indiana Avenue, Perrysburg, Ohio 43551 (hereinafter referred to as “MUNICIPALITY”), and OI Levis Park STS Inc., One Michael Owens Way, Perrysburg, Ohio 43551 (hereinafter referred to as “PROPERTY OWNER”).

WITNESSETH:

WHEREAS, the PROPERTY OWNER requested and received a 75%, 10-year Community Reinvestment Area abatement that began in 2015 in support of real property improvements and research and development project located at 1899 N Wilkinson Way (hereinafter referred to as the “PROJECT”) within the boundaries of Community Reinvestment Area #4; and

WHEREAS, the PROPERTY OWNER has requested a five-year extension (until 2029) of this Community Reinvestment Area tax abatement in support of OI’s research and development project; and,

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under Section 3735.67(B) of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. The extended period of said abatement shall begin on January 1, 2025, and end on December 31, 2029.
2. The PROPERTY OWNER continues to agree to the remaining standards and provisions set forth in the original Agreements approved via Ordinance 163-2012 and Ordinance 21-2015 by City Council.
3. The PROPERTY OWNER and MUNICIPALITY acknowledge that this Agreement must be approved in formal action of the legislative authority of MUNICIPALITY as a condition for the Agreement to take effect. This Agreement takes effect upon such approval.
5. This Agreement is not transferable or assignable without the express written approval of MUNICIPALITY.

IN WITNESS WHEREOF, the City of Perrysburg, Ohio by Tom Mackin, its Mayor, and Amber Rathburn, its Finance Director, and pursuant to Ordinance No. __-2024, have caused this instrument to be executed this ____ day of May, 2024; OI Levis Park STS Inc., by _____, its _____, has caused this instrument to be executed on this ____ day of _____, 2024, and the City of Perrysburg, by Timothy Effler, its Law Director, has caused this instrument to be executed on this ____ day of May, 2024.

CITY OF PERRYSBURG

Mr. Tom Mackin, Mayor

Ms. Amber Rathburn, Finance Director

OI Levis Park STS Inc.

Approved as to form:

Mr. Timothy Effler, Director of Law

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Ord 36-2024

DATE: May 15, 2024



Subject Matter/Background

Throughout the year, budget amendments may be necessary to move appropriations from one account to another or to request additional funding. While monitoring the budget through the beginning of January 2024 it was found that 2 modifications need to be made.

These modifications can be found in Exhibit A.

Financial Review

The accounts associated with the modifications can be found in Exhibit A.

Legal Review

This legislation has been reviewed and is appropriately before you.

Recommendation

If City Council is in agreement, a motion to suspend the rules, waive the three readings and pass this as an Emergency is appropriate. The Finance Department is requesting an emergency to ensure such appropriations, powers, and duties within the annual budget shall be in effect immediately.

ORDINANCE 36-2024

AN ORDINANCE AMENDING ORDINANCE 33-2023 TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR ENDING DECEMBER 31, 2024; AND DECLARING AN EMERGENCY

WHEREAS, to provide for current expenses and other expenditures for the fiscal year ending December 31, 2024, the City of Perrysburg, Ohio, approved the 2024 city budget pursuant to Ordinance 33-2023 and subsequently amended by Ordinance 4-2024, Ordinance 10-2024, and Ordinance 29-2024 and,

WHEREAS, it has been determined by the Mayor and Director of Finance that certain amendments should be made to the revenues, expenditures, and appropriations described in the approved 2024 budget for the City of Perrysburg, Wood County, Ohio; and,

WHEREAS, in order to reflect appropriate adjustments to the budget and otherwise provide for necessary appropriations, it is reasonable and appropriate to amend Ordinance 33-2023.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO:

SECTION 1. To provide for current expenses and other expenditures for the City of Perrysburg, Ohio, during the fiscal year ending December 31, 2024, sums are set aside and appropriated as stated in Exhibit A attached hereto.

SECTION 2. To the extent the sums set aside and appropriated as stated in Exhibit A change those stated in Ordinance 33-2023, that Ordinance is amended.

SECTION 3. The Director of Finance is authorized to draw their warrant upon the City Treasury in the amount appropriated and for the purposes stated in this Ordinance upon receiving the proper certificates and vouchers therefore, approved by the officer authorized by law to approve the same or authorized by an ordinance or resolution of Council to make the expenditure.

SECTION 4. The Mayor and Director of Finance are authorized to enter into contracts in accordance with the laws of the State of Ohio and the Charter, ordinances, and resolutions of the City of Perrysburg, Ohio.

SECTION 5. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Perrysburg, Wood County, Ohio, in order to ensure that such appropriations, powers, and duties within the annual budget shall be in effect immediately, and shall be in full force and effect from and immediately after its passage and approval by the Mayor.

President of Council

Mayor

PASSED: _____

ATTEST: _____

APPROVED: _____

Timothy W. Effler
LAW DIRECTOR

Budget Amendments - May 2024

Department	Account	Description	Amount
Pool	4403-41648-55999	Pump Replacement	\$ 20,685.00
Sewer	5402-61826-55999	SSES Flow Study Phase 2 - Additional Funds	\$ 200,000.00
Water	5401-61814-55700	State Route 25 Repair from February Water Main Break	\$ 37,374.00
Court	7510-11025-56900	Remittance	\$ (30,000.00)
Court	7510-11025-53999	Other - Services	\$ 30,000.00

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Ordinance 37-2024

DATE: May 15, 2024



Subject Matter/Background

Ordinance 37-2024 is to levy a special assessment to cover the cost and expense of the removal or special treatment of certain shade trees for the purpose of controlling the blight and disease and for planting, maintaining, trimming and removing of other shade trees in and along the streets and within the public rights-of-way of, there shall be and hereby is placed an assessment. Said assessment shall be assessed upon the lots and lands bounding and abutting upon the streets and public rights-of-way in said district; and, set opposite the description of the respective lots and lands whereas City Council does hereby determine and declare that said lots and lands are specifically benefitted in the amounts so assessed against the same.

Such special assessment shall be levied and assessed by a percentage of the tax value of the property assessed in the amount of .1 mills. The owners of said several lots and parcels of land shall pay the sum so assessed in two (2) equal installments during the period of the assessment to the Treasurer of Wood County, Ohio, at the same time and in the same manner as other taxes are paid, or be subject to penalty and interest to be paid thereon as provided by law.

Financial Review

There is no funding needed for this Ordinance.

Legal Review

This Ordinance has been reviewed and is appropriately before you.

Recommendation

If City Council is in agreement, a motion to suspend the three readings, waive the rules, and authorize this Ordinance as an Emergency is recommended.

ORDINANCE 37-2024

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES AND CONTROLLING THE BLIGHT AND DISEASE OF SAME AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHTS-OF-WAY OF THE CITY OF PERRYSBURG AND DECLARING AN EMERGENCY

WHEREAS, through Ordinance 43-86, City Council for the City of Perrysburg, Ohio, established one district for the purpose of removing or specially treating therein shade trees for the purpose of controlling the blight and disease of same and for planting, maintaining, treating and removing shade trees in and along the streets and public rights-of-way of the City during the year 1986 and the years thereafter; and,

WHEREAS, City Council has determined that the value of the properties in this district are and will be enhanced and improved by this work; and,

WHEREAS, pursuant to Ordinance 43-86, City Council provided that part of the cost and expense connected with said work in said district shall be levied and assessed by a percentage of the tax valued of the property assessed.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, with three-fourths (3/4) of all members elected in Council concurring:

SECTION 1. To pay the cost and expense of the removal or special treatment of certain shade trees for the purpose of controlling the blight and disease and for planting, maintaining, trimming and removing of other shade trees in and along the streets and within the public rights-of-way of, there shall be and hereby is placed an assessment. Said assessment shall be assessed upon the lots and lands bounding and abutting upon the streets and public rights-of-way in said district; and, set opposite the description of the respective lots and lands whereas City Council does hereby determine and declare that said lots and lands are specifically benefitted in the amounts so assessed against the same.

SECTION 2. Such special assessment shall be levied and assessed by a percentage of the tax value of the property assessed in the amount of .1 mills. The owners of said several lots and parcels of land shall pay the sum so assessed in two (2)

equal installments during the period of the assessment to the Treasurer of Wood County, Ohio, at the same time and in the same manner as other taxes are paid, or be subject to penalty and interest to be paid thereon as provided by law.

SECTION 3. The City's Director of Finance is directed to certify this special assessment to the Auditor of Wood County, Ohio, to be, by him, placed upon the grand tax duplicate of said County for the year 2024, for collection in 2025, against said lots and lands respectively to be collected at the same time and in the same manner as other taxes are collected.

SECTION 4. The Clerk of Council shall cause a notice of the passage of this ordinance to be published once in a newspaper of general circulation in this City and shall keep on file in the office of the Clerk of Council the special assessments.

SECTION 5. It is hereby found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the City of Perrysburg, Wood County, Ohio and shall be in full force and effect from and immediately after its passage and approval by the Mayor.

President of Council

Mayor

PASSED _____

ATTEST: _____

APPROVED: _____

Ord 37-2024

Timothy W. Effler
LAW DIRECTOR

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Ordinance 38-2024

DATE: May 15, 2024



Subject Matter/Background

Ordinance 38-2024 is to assess the cost of improvement of providing for the removal and special treatment of shade trees and controlling the blight and disease of same and for planting, maintaining, trimming and removing shade trees in and along the streets and within public rights-of-way of the City of Perrysburg in accordance with the Resolution 21-2023. These costs shall be assessed in the manner and pursuant to the payment schedules set forth, and on the lots and lands described in the Resolution.

The improvement shall be made in accordance with the provisions of the Resolution and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council

Financial Review

There is no funding needed for this Ordinance.

Legal Review

This Ordinance has been reviewed and is appropriately before you.

Recommendation

If City Council is in agreement, a motion to suspend the three readings, waive the rules, and authorize this Ordinance as an Emergency is recommended.

ORDINANCE 38-2024

AN ORDINANCE DETERMINING TO PROCEED WITH THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES AND CONTROLLING THE BLIGHT AND DISEASE OF SAME AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHTS-OF-WAY OF THE CITY OF PERRYSBURG AND DECLARING AN EMERGENCY

WHEREAS, the City Council has adopted Resolution 23-2024 on February 20, 2024 (the Resolution), declaring the necessity of making the improvement described in Section 1.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO:

SECTION 1. It is determined to proceed with and complete the improvement of providing for the removal and special treatment of shade trees and controlling the blight and disease of same and for planting, maintaining, trimming and removing shade trees in and along the streets and within public rights-of-way of the City of Perrysburg.

SECTION 2. The improvement shall be made in accordance with the provisions of the Resolution and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.

SECTION 3. There have been no claims for damages legally filed, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into future claims if necessary.

SECTION 4: The portion of the cost of the improvement to be assessed in accordance with the Resolution shall be assessed in the manner and pursuant to the payment schedules set forth, and on the lots and lands described in the Resolution.

SECTION 5. The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.

SECTION 6. The Clerk of council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

SECTION 7: It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 8. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the City of Perrysburg, Wood County, Ohio and shall be in full force and effect from and immediately after its passage and approval by the Mayor.

President of Council

Mayor

PASSED _____

ATTEST: _____

APPROVED: _____

Timothy W. Effler
LAW DIRECTOR

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Resolution 59-2024

DATE: April 30, 2024



Subject Matter/Background

The City of Perrysburg, in compliance with the Ohio Environmental Protection Agency's Director's Final Findings and Orders, dated December 19, 2023 (DFFO), is required to complete a Sewer System Evaluation Study (SSES) and Arcadis U.S., Inc. submitted a prequalification statement for the project and has the necessary personnel, equipment, expertise, and experience to complete the SSES.

The estimated cost for the project is Six Hundred Twenty-Six Thousand Nine Hundred Dollars and Zero Cents (\$626,900.00), with the Director of Public Utilities requesting a contingency of Seventy-Three Thousand One Hundred Dollars and Zero Cents (\$73,100.00), leaving the total cost of the project at an amount not to exceed Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00); and,

This Resolution authorizes the Mayor and Director of Finance to enter into an agreement with Arcadis U.S., Inc. to complete a Sewer System Evaluation Study (SSES), at a cost of Six Hundred Twenty-Six Thousand Nine Hundred Dollars and Zero Cents (\$626,900.00) and to approve all change orders considered necessary to this project in an amount not to exceed Seventy-Three Thousand One Hundred Dollars and Zero Cents (\$73,100.00), for a total project amount not to exceed Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00). .

Financial Review

Account: 5401-61826-55999

Legal Review

This legislation has been reviewed and is appropriately before you.

Recommendation

If City Council is in agreement, a motion to suspend the rules, waive the three readings and pass this Resolution as an emergency is recommended, in order to ensure timely completion of the project.

RESOLUTION 59-2024

**A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR
AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT
WITH ARCADIS U.S., INC. FOR THE SEWER SYSTEM
EVALUATION SURVEY (SSES) AT A COST NOT TO EXCEED
SEVEN HUNDRED THOUSAND DOLLARS AND ZERO CENTS
(\$700,000.00); AND DECLARING AND EMERGENCY**

WHEREAS, the City of Perrysburg, in compliance with the Ohio Environmental Protection Agency's Director's Final Findings and Orders, dated December 19, 2023 (DFFO), is required to complete a Sewer System Evaluation Study (SSES); and,

WHEREAS, the City's Engineer requested and received prequalification statements from several engineering firms for such work; and,

WHEREAS, Arcadis U.S., Inc. submitted a prequalification statement for the project and has the necessary personnel, equipment, expertise, and experience to complete the SSES; and,

WHEREAS, the estimated cost for the project is Six Hundred Twenty-Six Thousand Nine Hundred Dollars and Zero Cents (\$626,900.00), with the Director of Public Utilities requesting a contingency of Seventy-Three Thousand One Hundred Dollars and Zero Cents (\$73,100.00), leaving the total cost of the project at an amount not to exceed Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00); and,

WHEREAS, at its April 24, 2024 meeting the Public Utilities Committee approved advancement of this legislation to City Council; and,

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY
OF PERRYSBURG, WOOD COUNTY, OHIO:**

SECTION 1. The Mayor and Director of Finance are authorized to enter into an agreement with Arcadis U.S., Inc. to complete a Sewer System Evaluation Study (SSES), at a cost of Six Hundred Twenty-Six Thousand Nine Hundred Dollars and Zero Cents (\$626,900.00), as outlined in the proposal attached hereto and incorporated herein as Exhibit A, and the Mayor and Director of Finance are further authorized to approve all change orders considered necessary to this project in an amount not to exceed Seventy-Three Thousand One Hundred Dollars and Zero Cents

(\$73,100.00), for a total project amount not to exceed Seven Hundred Thousand Dollars and Zero Cents (\$700,000.00).

SECTION 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Perrysburg, Wood County, Ohio, in order to ensure timely completion of the project, and shall be in full force and effect from and immediately after its passage and approval by the Mayor.

President of Council

Mayor

PASSED: _____

ATTEST: _____

APPROVED: _____

Timothy W. Effler
LAW DIRECTOR

Mr. Matthew P. Choma, PE
Director of Public Utilities
City of Perrysburg
211 E. Boundary Street
Perrysburg, Ohio 43551

Arcadis U.S., Inc.
One SeaGate
Suite 700
Toledo, OH 43604
United States
Phone: 419 473 1121
www.arcadis.com

Date: February 27, 2024

Our Ref: 30022882

Subject: 2024 Perrysburg Sewer System Evaluation Survey (SSES) Proposal

Dear Mr. Choma,

At the City's request, Arcadis is submitting this proposal to the City of Perrysburg (City). This proposed scope and budget is for SSES activities in the City's sanitary sewer collection system with the intent to meet applicable portions of the Ohio Environmental Protection Agency Director's Final Findings and Orders (OEPA DFFO) requirements, limited to the SSES activities included in the DFFO issued to the City by the OEPA. We understand the City intends these investigations to identify Inflow and Infiltration (I&I) sources and determine the potential benefit of addressing such I&I sources to reduce Sanitary Sewer Overflows (SSOs) and potentially reduce the size and cost of future improvements needed to either store and/or treat wet weather flows.

We agree with the City's position that the flow monitoring study which will be completed in June of 2024 will meet the intent of the DFFO, though it was established with the understanding of treating the system as a CSO system and with the intent of updating the existing Long Term Control Plan (LTCP). While some smaller tributary areas from Northwestern Water and Sewer District (NWWSD) and smaller areas upstream of some City pump stations were not monitored directly, we feel that monitoring these would not be highly valuable and the results would have negligible impact on the outcome of SSES activities and establishment of the future SSO Elimination Plan.

The following scope should satisfy Section V paragraphs 1a and 1b of the DFFO, meeting the intent for an SSES Report which will be submitted by June 30, 2025. This includes meeting the stated requirement for physical survey of the whole system by use of smoke testing and flow isolation activities discussed in detail below. It is our professional opinion based on similar work for numerous utilities and municipalities that detailed structural condition inspections of the entire inventory sewer assets will not be cost-effective for SSO reduction and therefore does not reflect the intent of the DFFO. Such inspections may become a necessary part of the SSO Elimination Plan, particularly if I&I source reduction is a key component to the Plan. However, such inspections in the Plan would be targeted specifically on areas exhibiting greatest I&I and SSOs. Lastly, while the guidelines for SSES (attached to the DFFO in Appendix 1) mention the identification of alternatives and comparison of their costs, it is our interpretation from Section V, Paragraph 1c of the DFFO that this work is not part of the SSES Report submittal but will instead be a crucial step in the subsequent development of the SSO Elimination Plan, due to be submitted to Ohio EPA by June 30, 2026.

In conjunction with the hydraulic collection system modeling work currently in progress as well as future Phase II modeling activities, the results of the work scoped herein should provide the City with enough information to develop the future SSO Elimination Plan and select the most suitable alternative to reduce SSOs. The results of this SSES scope and the hydraulic modeling work will support the cost estimating of alternatives for consideration in the SSO Elimination plan, including such long-term solutions as: Water Pollution Control (WPC) Facility

Improvements, storage basins, in-line storage, pipe capacity upgrades, and I&I source reduction which may include sewer rehabilitation and/or private property source investigation and correction.

SCOPE OF SERVICES

Task 1 – Project Management and Support

Arcadis will conduct a kick-off workshop with City staff and key members of the Arcadis team. We view the project kick-off workshop as a critical task to lay the groundwork for a collaborative process resulting in an accurate and effective project that meets the City's objectives. The workshop will provide all stakeholders the opportunity to prioritize project work activities and ideas. Our team will lead the kick-off workshop and prepare an agenda to establish workshop goals.

Task 2 – Data Review

The first step of the project is to review the existing data to plan and prepare for the field investigations. To better understand the likely sources of I&I for each basin and subsequent sub-basin, data review and planning for basin and subbasin selection and prioritization of SSES methods will take place. Existing flow meter and model data, along with existing reports, other data including operation and maintenance records such as manhole overflows and basement backups, and previous projects, will be reviewed to analyze the I&I sources, select appropriate SSES techniques for each basin/sub-basin, and prioritize and sequence the subsequent SSES. Following this review, field investigations will be conducted for those flow meter basins exhibiting significant I&I, starting with those exhibiting the worst. Those field investigations will include smoke testing to identify inflow sources and flow isolation studies to measure infiltration rates in pipes across the areas which can be used to target future inspections and the subsequent rehabilitation work that will reduce infiltration.

For budgeting purposes, based on available data on collection system size and diameters and a cursory review of the flow data, we anticipate that I&I is significant across most of the collections system and have budgeted the SSES work, as described in Tasks 3 and 4 below, to investigate most of the sewers in the range of pipe size for which these investigation techniques are effective (approximately 6" to 15" diameter). Based on available GIS data, we estimate this to be approximately 90 miles of sewer main to be investigated as described in Tasks 3 and 4 below. While full manhole inspections are not included in the following investigation activities, manhole defects contributing to I&I or significant structural defects requiring corrective action will be noted for manholes accessed in the course of performing this work and such findings will be noted as part of our deliverables.

Task 3 – Smoke Testing

Smoke testing is a standard, cost effective method used to identify direct inflow sources, such as, cross connected storm drains, area drains, roof drains, open or broken cleanouts, and leaking manholes and manhole covers in the collection system. The process involves placing a high- capacity blower that artificially generates smoke on top of a sanitary manhole and blowing the produced non-toxic "smoke" into the sewer system. The smoke will then escape the sewer system through direct connections and if the conditions are favorable, non-direct structural defects in the system. This work is performed when the ground water conditions are low and soil conditions are at their driest. Ideally, if these conditions are optimal, testing can potentially identify structurally defective mains, laterals, and manholes. Smoke testing will not necessarily identify specific structural defects. Subsequent CCTV inspection of pipes at each smoke emission locations would be necessary to determine the specific source, defect or feature contributing to the emission. Smoke testing will not locate punctured floor drains, connected roof or area drains with P-traps, or illicit sump pump connections.

Mr. Matt Choma, PE
City of Perrysburg
February 27, 2024

The Arcadis team will develop a workplan including: standard operating procedures, pre-selected testing locations (roughly 10% to 20% of manholes will be used for a smoke blow setup), GIS mapping and data collection apps, and a health and safety plan. Smoke emission points as well as associated data and photos will be entered in the field using smartphones apps such as Fulcrum or ESRI Collector. The use of these GIS-enabled apps allows for efficient field data entry as well as simple integration of data into existing GIS databases.

Public notification is a vital component of smoke testing. Arcadis will assist City in preparing a press release as additional residential notification. A draft of the smoke testing notification letter and door hanger will be provided to the City for review and approval and once the City has reviewed and approved, notification for the upcoming smoke testing area can begin. We typically work with the City staff on communicating the upcoming work via social media and/or water and sewer bill notifications. The notification letter along with test areas can also be posted on the City's webpages. Notification door hangers will be hand delivered to affected residents and businesses 2 to 5 business days in advance of smoke testing. Daily calls and/or emails will be made to emergency services, informing them of the day's intended work area. It is assumed that the City will provide appropriate contact information for any necessary departments, agencies and stakeholders with the City so that Arcadis can discuss the upcoming work and arrange notification procedures regarding the smoke testing prior to work being performed.

The Arcadis team will use a Hurco Ripcord Smoker with LiquiSmoke, which produces a white, non-toxic smoke, for the field work. A copy of the LiquiSmoke Safety Data Sheet will be provided to the City with the draft Resident Notification Letter and field crew will have copies of the Safety Data Sheet (SDS) in the field in case it is requested by residents.

Pipes located directly in front of hospitals, urgent care centers, medical offices, schools, and childcare facilities will be avoided or the headspace in the pipe will be blocked to prevent smoke reaching these facilities. Although the smoke used is non-toxic, it may affect people that have respiratory problems. Smoke testing will not be performed when weather and ground conditions are not conducive to the work. Smoke testing also becomes ineffective as pipe size reach and exceed 24 inches in diameter. Our experience has shown it is not possible to generate the volume of smoke necessary to fill these larger volumes and with enough positive pressure to drive smoke out through the defects and connections. We will typically attempt a couple larger sewers while monitoring smoke output from vent stacks on houses and will suspend testing on those pipes when smoke production is insufficient.

We anticipate that the work will be conducted over the course of approximately 4-6 weeks, weather permitting.

Upon completion of field work, Arcadis will perform a QAQC review on all data collected for accuracy and create final maps of the study area from the data collected. Smoke testing results will be provided in PDF format maps along with the smoke testing geodatabase that aligns with City's GIS data management practices.

The field work and observations will be documented in the Draft SSES Report under Task 6, including the final field maps, excel spreadsheet of observed smoke emissions, and all photographs taken during the field investigation (in electronic format).

Task 4 – Flow Isolation and Measurement

Groundwater infiltration and rainfall derived infiltration (RDI) can be a major contributor of excess flow in the sanitary system. Flow isolation and measurement (aka nighttime weiring) is performed at night and these measurements identify which areas of the collection system do or do not leak. As the majority of residential water usage stops during the overnight period, flow measurements obtained during these hours (typically midnight AM

Mr. Matt Choma, PE
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to 5 AM) represent groundwater infiltration. When conducted during high groundwater periods (i.e., during wet springs or the day(s) after rainfall), the sewer and lateral pipe bedding is flooded with percolating rainwater and the places it leaks into the system can be measured at a resolution of approximately 2,000 linear feet rather than the 10-25 miles of pipe resolution provided by flow monitoring. Conducted during appropriate weather conditions, the rate of infiltration observed (per foot of mainline pipe) indicates how leaky the collection system is in that measured area. The measurements are accomplished by entering a manhole and measuring the instantaneous flow (for a period of approximately 5 to 10 minutes per location) using a compound notched sharp-crested weir. Weir capacities generally limit this technique to pipe diameters 15 inches or less, the basis of this proposed effort.

Arcadis will prepare a workplan and a health and safety plan, including a confined space entry plan. Weir locations for the areas to be evaluated will be selected. Field locations will be discussed with City staff when finalizing locations. All primary weir locations will be field verified during the daytime hours to:

- Locate and open the manhole.
- Confirm that all pipes are weirable (i.e., no controlled inside drops or lined pipe).
- Verify flow directions.
- Confirm manhole atmospheric conditions.
- Assess traffic.

Arcadis will assist City in preparing a press release as additional residential notification. We typically work with the City staff on communicating the upcoming work via social media and/or water and sewer bill notifications. The notification letter along with test areas can also be posted on the City's webpages. Where selected weiring locations are close to a house or in a side or rear yard, the resident will be via hand-delivered door hanger 2-4 days prior to the expected date of measurement.

Work will be performed Monday through Friday from 12:00 am to 6:00 am, with active weiring typically conducted between 12:45 am and 5:15 am. Each location will be measured twice on different days to validate data accuracy. If flow measurements are not within 10% of each other, the weir location will be measured a third time on a subsequent night. Work will not be performed if more than 0.5 inches of rain occurs within 12 hours of planned weiring, if more than 1 inch of rain has fallen within 24 hours of planned weiring, or if more than 2 inches of rain has fallen within 36 hours of planned weiring, as recent significant rainfall skews weiring results.

We anticipate that the work will be conducted over the course of approximately 4-6 weeks, weather permitting.

The weiring work will establish relative groundwater infiltration across the system at a resolution of approximately 2,000 linear feet of sewer main. Weiring will not identify specific structural defects in the mains but will identify those reaches of pipe with highest infiltration and therefore greatest likelihood of defects contributing to infiltration leakage, which includes failed pipe joint and tap connection seals as well as structural defects that could contribute to infiltration. Groundwater infiltration measurements are widely accepted as a good surrogate for rainfall-induced infiltration and the results will provide the basis for planning, estimating and prioritizing sewer rehabilitation for infiltration reduction to be considered during development of the future SSO Elimination Plan. The weiring data collected in the field will be entered into the weiring results calculator. Infiltration in gallons per day per linear foot of sewer main will be calculated for each weiring segment and the data linked to GIS-based map reports.

The field work will be documented in the Draft SSES Report under Task 6 in tabular and map form as well as provided in a GIS database.

Task 5 – Additional Investigations – As needed

Certain types of defects identified during the above activities may warrant further investigation in the near term. These activities may be required to locate specific I&I sources or confirm findings from previous activities but may not be necessary. Our price proposal includes \$84,000 for additional investigations to follow up on the above activities. This represents a smaller sample portion of these activities than may ultimately be necessary but will clarify findings and improve our understanding to aid in making better recommendations for the SSO Elimination Plan. Where deemed necessary, the Arcadis team will coordinate, conduct and support additional investigations such as:

- CCTV inspection – while extensive inspections to assess condition and rehabilitation needs for pipes and manholes would typically be performed in a subsequent phase of work, we anticipate there may be defects or conditions noted in the course of work above that will require more prompt inspection of some pipes to clarify findings or verify a potential emergency or urgent repair need. Arcadis will utilize a subcontract to perform CCTV inspections, may be present during the inspections and will review the results of the inspections to provide any recommendations for action by the City. We will incorporate the findings and actions in the report discussed in Task 6 below. This work can identify structural defects within the pipes inspected.
- Basement and Household Plumbing Inspections – Review of flow data as well as observations made during smoke testing may indicate a prevalence of illicit residential clearwater connections in the plumbing of homes in some areas. A limited number of inspections may be performed to validate such conclusions from the flow analysis and field observations. The results would be used to determine whether a more widespread inspection effort should be included as part of future plans. An illicit residential clearwater connection is one that permits storm water or groundwater to enter the sanitary sewer system via the house plumbing and include cross connected sump pumps, french drains, area drains, roof drains, and punctured floor drains.
- Dye Testing – Dye testing can confirm a direct connection of a catch basin or badly leaking adjacent storm and sanitary pipes with cross-infiltration. Dye Testing will also be conducted following basement inspections if a discharge location for a sump pump, area drain, or roof drain cannot be verified. Prior to any dye testing, the necessary regulatory agencies and residents living along the local bodies of water will be notified of the upcoming dye test. Non-toxic dye will be used and SDS sheets for the dye will be submitted to the City prior to the test and will be available in the field. This work will be conducted with support from a subcontractor with a jet-truck to supply water for the testing and a CCTV camera to observe dye entry point inside the subject pipe.
- Trunk sewer/stream walks – as noted above, the investigations above are effective on pipes up to 15 inches in diameter however some trunk and interceptor sewers located along streams, creeks and other waterways can be prone to inundation when these waterways overtop their banks during rain events. Identifying and eliminating these types of sources is critical to the success of any flow reduction project, because just one location of significant inundation can drain a huge amount of water into the collection system in a short time, potentially negating the effects of other reduction efforts. We can perform inspection walks along sewers located along waterways and in low-lying areas to assess potential for manhole inundation and flooding. We can also conduct wet-weather observations (in-person or potentially with trail cameras) to confirm suspected inundation locations.

By performing a smaller sample portion of these investigations, it will help Arcadis and the City better understand if further investment in any of these areas of investigation is warranted.

Mr. Matt Choma, PE
City of Perrysburg
February 27, 2024

Task 6 – Report and Recommendations

Following the field investigations and completed SSES, Arcadis will develop a Draft SSES Report summarizing data collected during the field activities outlined above, information, evaluations, findings, and recommendations and submit to the City for review and comment.

This report will provide: a summary of SSES methodology; a summary of SSES results and our interpretation of the results; tabular listing of SSES findings; and mapping of SSES findings. The results will include: I&I rates and estimates of potential I&I removal at the meter-basin level; identification and location of specific inflow sources (such as roof leaders, cleanout caps, area drains, etc); and a relative leakage ranking of sewers under 15" diameter based on groundwater infiltration rates at a resolution of approximately 2,000 linear feet of main. The report will include recommendations for additional investigations to clarify and refine SSES findings and/or for incorporation into the future SSO Elimination Plan. Potential investigations might include activities such as: dye testing, household plumbing inspections, trunk/stream walks, or CCTV and manhole inspections. Finally, the report will identify potential I&I source reduction alternatives or approaches to be considered when establishing the future SSO Elimination Plan. This SSES Report will not include cost estimates for I&I source reduction, nor will it identify all alternatives that might be considered for the SSO Elimination Plan, however it provides the basis for developing and estimating alternatives that include I&I source reduction. Additional alternatives for consideration in the SSO Elimination Plan besides I&I source reduction can be expected to be identified through hydraulic modeling work.

Following receipt of comments from the City and Ohio EPA, Arcadis will then finalize the report and resubmit to the City.

Mr. Matt Choma, PE
City of Perrysburg
February 27, 2024

Fee and Schedule Estimate

We propose to provide the above engineering services during the SSES phase of this project for an estimated fee of \$626,900. Our services will be performed on a time and material, cost-reimbursement multiplier fee basis plus other direct costs or reimbursable expenses in accordance with our Master Services Agreement. Recognizing the work is dynamic, we will advise if there are impacts to our current approach. Our services will be invoiced at an hourly rate on a regular basis.

An estimated breakdown of the schedule is as follows:

Task / Deliverable	Estimated Performance / Completion
Task 1 – Project Management	Spring 2024 - Summer 2025
Task 2 – Data Review	Spring 2024
Task 3 – Smoke Testing	Summer 2024
Task 4 – Flow Isolation and Measurement	Spring 2025
Task 5 – Additional Investigations	Fall 2024 - Spring 2025
Task 6 – Report and Recommendations	Fall 2024 – Spring (June) 2025

We appreciate the opportunity to submit our proposal and look forward to working with the City on this project.

Sincerely,
Arcadis U.S., Inc.



Scott L. Lumbrezer, PE
Client Program Manager
Email: scott.lumbrezer@arcadis.com



Paul Batman
National Technical Manager
Email: paul.batman@arcadis.com

Attachment: OEPA DFFO

This proposal and its contents shall not be duplicated, used or disclosed — in whole or in part — for any purpose other than to evaluate the proposal. This proposal is not intended to be binding or form the terms of a contract. The scope and price of this proposal will be superseded by the contract. If this proposal is accepted and a contract is awarded to Arcadis as a result of — or in connection with — the submission of this proposal, Arcadis and/or the client shall have the right to make appropriate revisions of its terms, including scope and price, for purposes of the contract. Further, client shall have the right to duplicate, use or disclose the data contained in this proposal only to the extent provided in the resulting contract.

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Ordinance 32-2024 and 33-2024

DATE: April 30, 2024



Subject Matter/Background

Ordinances updating the Codified Ordinances to reflect the sewer rates for this year through 2026. These rates have been determined based on a study done jointly by the City and NewGen Strategies and Solutions.

These Ordinances will also remove historical information such as previous years' rates

Financial Review

This legislation will have no financial impact on the City.

Legal Review

This legislation has been reviewed and is appropriately before you.

Recommendation

First Reading – 5/7/2024

Second Reading – 5/21/2024

Third Reading and Vote – 6/4/2024

ORDINANCE 32-2024

AN ORDINANCE AMENDING CODIFIED ORDINANCE §1050.01 “RATE OF CHARGES FOR SEWER INSIDE AND OUTSIDE THE CITY”

WHEREAS, City Council for the City of Perrysburg, Ohio, has determined that the sewer rates need to be adjusted to reflect additional service costs and revenue needs; and,

WHEREAS, the City engaged NewGen Strategies & Solutions to conduct a water and sewer rate study to set the applicable rates, and

WHEREAS, the water and sewer rate study suggested changing the rates applicable inside and outside the City, as stated more specifically below; and,

WHEREAS, the Public Utilities Committee considered this legislation at its meeting on April 24, 2024 and unanimously recommended advancement to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO:

SECTION 1. Codified Ordinance §1050.01, which currently reads as:

1050.01 RATE OF CHARGES FOR SEWER INSIDE AND OUTSIDE THE CITY.

To provide necessary funds for the operation and maintenance of the City's sanitary sewer system, the following sewer rental and other charges per billing month are established and levied on affected real property located inside and outside the City, based on the volume of water supplied by the City, or otherwise, to the real property during each billing month for water service, subject to the provisions of this Chapter:

- (a) This Section shall have no application to industrial wastes controlled by Chapter [1052](#), except to the extent that this Section is referred to in Section [1052.05](#).
- (b) Commercial wastes are subject to pretreatment and/or charges as required by the Environmental Protection Agency or the City. Septic truck haulers, who discharge waste either from tanks, trucks or directly into a manhole from septic tanks, shall be charged a fee at existing outside rates.
- (c) Effective for bills with billing dates on or after February 1, 2022.
 - (1) From 0 to 300 cubic feet: \$20.86 (inside the City) and \$26.07 (outside the

- City), which shall be a minimum charge per billing month.
- (2) Over 300 cubic feet: an additional charge at the rate of \$69.51 (inside the City) and \$86.89 (outside the City) per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$29.80 (inside the City) and \$37.24 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$99.31 (inside the City) and \$124.14 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.
- (d) Effective for bills with billing dates on or after January 1, 2023.
- (1) From 0 to 300 cubic feet: \$21.28 (inside the City) and \$26.59 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$70.90 (inside the City) and \$88.63 (outside the City) per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$30.39 (inside the City) and \$37.99 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$101.30 (inside the City) and \$126.63 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.
- (e) Effective for bills with billing dates on or after January 1, 2024.
- (1) From 0 to 300 cubic feet: \$21.70 (inside the City) and \$27.12 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$72.32 (inside the City) and \$90.40 (outside the City) per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$31.00 (inside the City) and \$38.75 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$103.33 (inside the City) and \$129.16 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.
- (f) Effective for bills with billing dates on or after January 1, 2025.
- (1) From 0 to 300 cubic feet: \$22.14 (inside the City) and \$27.67 (outside the

- City), which shall be a minimum charge per billing month.
- (2) Over 300 cubic feet: an additional charge at the rate of \$73.77 (inside the City) and \$92.22 (outside the City) per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$31.62 (inside the City) and \$39.53 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$105.40 (inside the City) and \$131.75 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.
- (g) A credit of \$2.30 per 1000 cubic feet, or part thereof, will be given to inside City customers who also incur charges from the Northwestern Water and Sewer District.

(Ord. 71-2021. Passed 12-7-21.)

is hereby amended and revised to read:

1050.01 RATE OF CHARGES FOR SEWER INSIDE AND OUTSIDE THE CITY.

To provide necessary funds for the operation and maintenance of the City's sanitary sewer system, the following sewer rental and other charges per billing month are established and levied on affected real property located inside and outside the City, based on the volume of water supplied by the City, or otherwise, to the real property during each billing month for water service, subject to the provisions of this Chapter:

- (a) This Section shall have no application to industrial wastes controlled by Chapter 1052, except to the extent that this Section is referred to in Section 1052.05.
- (b) Commercial wastes are subject to pretreatment and/or charges as required by the Environmental Protection Agency or the City. Septic truck haulers, who discharge waste either from tanks, trucks or directly into a manhole from septic tanks, shall be charged a fee at existing outside rates.
- (c) Effective for bills with billing dates on or after January 1, 2024.
 - (1) From 0 to 300 cubic feet: \$21.70 (inside the City) and \$27.12 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$72.32 (inside the City) and \$90.40 (outside the City) per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used

exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$31.00 (inside the City) and \$38.75 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$103.33 (inside the City) and \$129.16 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(d) Effective for bills with billing dates on or after August 1, 2024.

(1) From 0 to 300 cubic feet: \$23.01 (inside the City) and \$28.75 (outside the City), which shall be a minimum charge per billing month.

(2) Over 300 cubic feet: an additional charge at the rate of \$76.66 (inside the City) and \$95.83 (outside the City) per 1000 cubic feet, or part thereof.

(3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$32.86 (inside the City) and \$41.08 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$109.53 (inside the City) and \$136.92 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(e) Effective for bills with billing dates on or after January 1, 2025.

(1) From 0 to 300 cubic feet: \$24.39 (inside the City) and \$30.48 (outside the City), which shall be a minimum charge per billing month.

(2) Over 300 cubic feet: an additional charge at the rate of \$81.26 (inside the City) and \$101.58 (outside the City) per 1000 cubic feet, or part thereof.

(3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$34.83 (inside the City) and \$43.54 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$116.10 (inside the City) and \$145.13 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(f) Effective for bills with billing dates on or after January 1, 2026.

(1) From 0 to 300 cubic feet: \$25.85 (inside the City) and \$32.31 (outside the City), which shall be a minimum charge per billing month.

(2) Over 300 cubic feet: an additional charge at the rate of \$86.14 (inside the City) and \$107.68 (outside the City) per 1000 cubic feet, or part thereof.

(3) In cases where two water meters are installed, one of which is used

exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$36.92 (inside the City) and \$46.15 (outside the City) and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$123.07 (inside the City) and \$153.84 (outside the City). No sewer rental charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

- (g) A credit of \$2.58 per 1000 cubic feet, or part thereof, will be given to inside City customers who also incur charges from the Northwestern Water and Sewer District.

SECTION 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 3. This Ordinance shall be in full force and effect at the earliest time permitted by law.

President of Council

Mayor

PASSED: _____

ATTEST: _____

APPROVED: _____

Timothy W. Effler
LAW DIRECTOR

ORDINANCE 33-2024

AN ORDINANCE AMENDING CODIFIED ORDINANCE §1050.015 “INSIDE CITY COLLECTION RATES FOR SEWER”

WHEREAS, City Council for the City of Perrysburg, Ohio, has determined that the sewer rates need to be adjusted to reflect additional service costs and revenue needs; and,

WHEREAS, the City engaged NewGen Strategies & Solutions to conduct a water and sewer rate study to set the applicable rates, and

WHEREAS, the water and sewer rate study suggested changing the rates applicable inside and outside the City, as stated more specifically below; and,

WHEREAS, the Public Utilities Committee considered this legislation at its meeting on April 24, 2024 and unanimously recommended advancement to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO:

SECTION 1. Codified Ordinance §1050.01, which currently reads as:

1050.015 INSIDE CITY COLLECTION RATES FOR SEWER.

To provide necessary funds for the operation and maintenance of the City's sanitary sewer system where the City provides no treatment, the following charges per billing month are established and levied on affected real property inside the City, subject to the provisions of this Chapter. The charges are based on the volume of water supplied by the City of Perrysburg as follows:

- (a) Effective for bills with billing dates on or after February 1, 2022.
 - (1) From 0 to 300 cubic feet: \$4.75, which shall be a minimum charge per billing month;
 - (2) Over 300 cubic feet: an additional charge at the rate of \$15.83 per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$6.78 and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$22.61. No

collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(b) Effective for bills with billing dates on or after January 1, 2023.

- (1) From 0 to 300 cubic feet: \$4.85, which shall be a minimum charge per billing month;
- (2) Over 300 cubic feet: an additional charge at the rate of \$16.15 per 1000 cubic feet, or part thereof.
- (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$6.92 and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$23.07. No collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(c) Effective for bills with billing dates on or after January 1, 2024.

- (1) From 0 to 300 cubic feet: \$4.95, which shall be a minimum charge per billing month;
- (2) Over 300 cubic feet: an additional charge at the rate of \$16.47 per 1000 cubic feet, or part thereof.
- (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$7.06 and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$23.53. No collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(d) Effective for bills with billing dates on or after January 1, 2025.

- (1) From 0 to 300 cubic feet: \$5.04, which shall be a minimum charge per billing month;
- (2) Over 300 cubic feet: an additional charge at the rate of \$16.80 per 1000 cubic feet, or part thereof.
- (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$7.20 and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$24.00. No collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(Ord. 71-2021. Passed 12-7-21.)

is hereby amended and revised to read:

1050.015 INSIDE CITY COLLECTION RATES FOR SEWER WITH NO CITY TREATMENT.

To provide necessary funds for the operation and maintenance of the City's sanitary sewer system where the City provides no treatment, the following charges per billing month are established and levied on affected real property inside the City, subject to the provisions of this Chapter. The charges are based on the volume of water supplied by the City of Perrysburg as follows:

- (a) Effective for bills with billing dates on or after January 1, 2024.
 - (1) From 0 to 300 cubic feet: \$4.95, which shall be a minimum charge per billing month;
 - (2) Over 300 cubic feet: an additional charge at the rate of \$16.47 per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$7.06 and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$23.53. No collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.
- (b) Effective for bills with billing dates on or after August 1, 2024.
 - (1) From 0 to 300 cubic feet: \$5.24, which shall be a minimum charge per billing month;
 - (2) Over 300 cubic feet: an additional charge at the rate of \$17.46 per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$7.48 and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$24.94. No collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.
- (c) Effective for bills with billing dates on or after January 1, 2025.
 - (1) From 0 to 300 cubic feet: \$5.56, which shall be a minimum charge per billing month;
 - (2) Over 300 cubic feet: an additional charge at the rate of \$18.51 per 1000 cubic feet, or part thereof.
 - (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$7.93 and the rate per 1,000

cubic feet in excess of the first 300 cubic feet shall be \$26.44. No collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

(d) Effective for bills with billing dates on or after January 1, 2026.

- (1) From 0 to 300 cubic feet: \$5.89, which shall be a minimum charge per billing month;
- (2) Over 300 cubic feet: an additional charge at the rate of \$19.62 per 1000 cubic feet, or part thereof.
- (3) In cases where two water meters are installed, one of which is used exclusively to measure water used in lawn sprinkling systems and/or for filling swimming pools, which water is not discharged into the sanitary sewer system, the minimum charge shall be \$8.41 and the rate per 1,000 cubic feet in excess of the first 300 cubic feet shall be \$28.03. No collection charge shall be assessed for water service used in the sprinkler system or in filling swimming pools.

SECTION 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 3. This Ordinance shall be in full force and effect at the earliest time permitted by law.

President of Council

Mayor

PASSED: _____

ATTEST: _____

APPROVED: _____

Timothy W. Effler
LAW DIRECTOR

TO: Mayor Mackin
President Fuller
Members of City Council

FROM: Timothy W. Effler, Law Director

RE: Ordinance 34-2024

DATE: April 30, 2024



Subject Matter/Background

An Ordinance updating the Codified ordinance 1060.02 to reflect the water rates for this year through 2026. These rates have been determined based on a study done jointly by the City and NewGen Strategies and Solutions.

Additionally, this Ordinance will remove historical information such as previous years' rates.

Financial Review

This legislation will have no financial impact on the City.

Legal Review

This legislation has been reviewed and is appropriately before you.

Recommendation

First Reading – 5/7/2024

Second Reading – 5/21/2024

Third Reading and Vote – 6/4/2024

ORDINANCE 34-2024

AN ORDINANCE AMENDING CODIFIED ORDINANCE §1060.02 “RATE OF CHARGES FOR WATER INSIDE AND OUTSIDE THE CITY”

WHEREAS, City Council for the City of Perrysburg, Ohio, has determined that the water rates need to be adjusted for the next four years to reflect additional service costs and revenue needs; and,

WHEREAS, the City engaged NewGen Strategies & Solutions to conduct a water and sewer rate study to set the applicable rates, and

WHEREAS, the water and sewer rate study suggested changing the rates applicable inside and outside the City, as stated more specifically below; and,

WHEREAS, the Public Utilities Committee considered this legislation at its meeting on April 24, 2024 and unanimously recommended advancement to City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO:

SECTION 1. Codified Ordinance §1060.02, which currently reads as:

1060.02 RATE OF CHARGES FOR WATER INSIDE AND OUTSIDE THE CITY.

To provide funds necessary for the operation and maintenance of the city water system, the following charges per billing month are established and levied on affected real property in the City, subject to the provisions of this Chapter.

- (a) Effective for bills with billing dates on or after February 1, 2022.
 - (1) From 0 to 300 cubic feet: \$21.88 (inside the City) and \$25.16 (outside the City), which shall be a minimum charge per billing month;
 - (2) Over 300 cubic feet: an additional charge at the rate of \$72.93 (inside the City) and \$83.87 (outside the City) per 1000 cubic feet, or part thereof.
- (b) Effective for bills with billing dates on or after January 1, 2023.
 - (1) From 0 to 300 cubic feet: \$23.63 (inside the City) and \$27.17 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$78.76 (inside the City) and \$90.57 (outside the City) per 1000 cubic feet, or part thereof.

- (c) Effective for bills with billing dates on or after January 1, 2024.
 - (1) From 0 to 300 cubic feet: \$24.34 (inside the City) and \$27.99 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$81.12 (inside the City) and \$93.29 (outside the City) per 1000 cubic feet, or part thereof.
- (d) Effective for bills with billing dates on or after January 1, 2025.
 - (1) From 0 to 300 cubic feet: \$25.07 (inside the City) and \$28.83 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$83.55 (inside the City) and \$96.08 (outside the City) per 1000 cubic feet, or part thereof.

(Ord. 70-2021. Passed 12-7-21.)

is hereby amended and revised to read:

1060.02 RATE OF CHARGES FOR WATER INSIDE AND OUTSIDE THE CITY.

To provide funds necessary for the operation and maintenance of the city water system, the following charges per billing month are established and levied on affected real property in the City, subject to the provisions of this Chapter.

- (a) Effective for bills with billing dates on or after January 1, 2024.
 - (1) From 0 to 300 cubic feet: \$24.34 (inside the City) and \$27.99 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$81.12 (inside the City) and \$93.29 (outside the City) per 1000 cubic feet, or part thereof.
- (b) Effective for bills with billing dates on or after August 1, 2024.
 - (1) From 0 to 300 cubic feet: \$26.77 (inside the City) and \$30.79 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$89.23 (inside the City) and \$102.62 (outside the City) per 1000 cubic feet, or part thereof.
- (c) Effective for bills with billing dates on or after January 1, 2025.
 - (1) From 0 to 300 cubic feet: \$29.45 (inside the City) and \$33.87 (outside the City), which shall be a minimum charge per billing month.
 - (2) Over 300 cubic feet: an additional charge at the rate of \$98.15 (inside the City) and \$112.87 (outside the City) per 1000 cubic feet, or part thereof.
- (d) Effective for bills with billing dates on or after January 1, 2026.
 - (1) From 0 to 300 cubic feet: \$32.40 (inside the City) and \$37.25 (outside

the City), which shall be a minimum charge per billing month.
(2) Over 300 cubic feet: an additional charge at the rate of \$107.97 (inside the City) and \$124.17 (outside the City) per 1000 cubic feet, or part thereof.

SECTION 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the City of Perrysburg and the State of Ohio.

SECTION 3. This Ordinance shall be in full force and effect at the earliest time permitted by law.

President of Council

Mayor

PASSED: _____

ATTEST: _____

APPROVED: _____

Timothy W. Effler
LAW DIRECTOR