

Minutes of Perrysburg City Council

Meeting Held June 18, 2024

CALL TO ORDER - 6:30 PM

The meeting was called to order at 6:30 p.m. by Mayor Mackin.

ROLL CALL

Present were Council Members Kevin Fuller, Cory Kuhlman, Tim McCarthy, Rick Rettig, Barry VanHoozen, Mark Weber, and Kerry Wellstein (7). Also present were Joe Fawcett, City Administrator, Amber Rathburn, Clerk of Council, and Tim Effler, Law Director.

PLEDGE OF ALLEGIANCE

MINUTES OF COUNCIL MEETING OF JUNE 4, 2024

There being no objections, the minutes of the June 4, 2024 City Council meeting were approved.

MINUTES OF PUBLIC HEARINGS OF JUNE 4, 2024

There being no objections, the minutes of the public hearings held on June 4, 2024 were approved.

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS COMMUNICATIONS

Deborah Born, 125 East Front Street, spoke about the collection of hotel tax and said that if needed, the Convention and Visitors' Bureau should receive up to 100% of the tax collected.

ADMINISTRATIVE REPORTS

Mayor

Mayor Mackin stated that the fireworks display will be on July 3rd with a rain date of July 5th. He thanked all those who make it possible.

Establishing an Advisory Committee for the Zoning Code Update Project.

Mayor Mackin requested that the following individuals be appointed to the Advisory Committee for the Zoning Code Update Project: Wade Gottschalk, Andrew Lorenz, Mike Deaton, Jonathan Smith, Mike Nieswander, Aaron Schoen, Becky Williams, Lane Williamson, Steve Mitchell, Tim McCarthy, and Brooke Price. Mr. Fuller moved to

approve the appointments. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0).

City Administrator

Mr. Fawcett stated that the next day, June 19th, is a holiday and City offices will be closed but there is no refuse delay.

Finance Director

No report.

Law Director

No report.

PRESIDENT OF COUNCIL REPORT

No report.

COMMITTEE REPORTS

Finance & Economic Development

Mr. Weber gave his report of the June 11, 2024 meeting, a copy of which is attached hereto and made a part of these minutes.

The next meeting is scheduled for Tuesday, July 9, 2024 at 4:00 p.m.

Ordinance# 35-2024

Mr. Weber introduced **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**, and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read Ordinance 35-2024 by number and title only. Mr. Weber moved that Ordinance 35-2024 be approved. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Ordinance# 47-2024

Mr. Weber moved to amend Ordinance 47-2024 to state that for any revenue collected on or before September 1, 2024, 60% be submitted to the Convention and Visitors' Bureau, for any revenue collected on or after September 1, 2024, 55% be submitted to the Convention and Visitors' Bureau, and that for any revenue collected on or after January 1, 2025, 50% be submitted to the Convention and Visitors' Bureau. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Weber introduced **ORDINANCE 47-2024 AN ORDINANCE AMENDING CITY OF PERRYSBURG, OHIO, CODIFIED ORDINANCE §896.02 REGARDING HOTEL TAX as amended**, and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read

Ordinance 47-2024 by number and title only.

Ordinance# 48-2024

Mr. Weber introduced **ORDINANCE 48-2024 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**, 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 48-2024 by number and title only. Mr. Weber moved that Ordinance 48-2024 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Ordinance# 49-2024

Mr. Weber introduced **ORDINANCE 49-2024 AN ORDINANCE AMENDING CODIFIED ORDINANCE §252.05 "AUTHORITY TO ENTER INTO CONTRACTS", CODIFIED BY ORDINANCE 64-2013 AND PASSED ON MAY 21, 2013**, and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read Ordinance 49-2024 by number and title only. Ms. Rathburn said that the staff has been looking at efficiencies, and the amount for contracts has been \$25,000 since 2013. She reviewed a handout provided to City Council that showed that \$25,000 in 2013 dollars is equal to \$34,305 in today's money based on the consumer price index. She said that in 2013, the general fund budget was \$21.1 million and in 2024, it was \$32.8 million so the same ratio in 2024 would be \$38,962. She also provided results of a survey of GFOA members showing a range of \$25,000 to \$100,00 with the average being \$48,000. Mr. Rettig asked what problems they are running into with the \$25,000 limit. Mr. Fawcett said that it is timing and with items built into the budget like service contracts where the committees have reviewed the budget and City Council has approved it, it would allow staff to get them in motion as opposed to an unnecessary delay. He said that the guidance to staff is that this is not a way to bypass City Council and the committees. He said that Ms. Rathburn will still report expenditures over \$5,000 to the Finance Committee. Mayor Mackin added that if the amount is close, they would still take it to City Council. Mr. Rettig said he has a great deal of trust in the current administration. Mr. VanHoozen said that he appreciates the fact that the information will still come to them as it has been.

Resolution# 67-2024

Mr. Weber introduced **RESOLUTION 67-2024 A RESOLUTION AUTHORIZING THE PURCHASE OF INSURANCE THROUGH OHIO PLAN RISK MANAGEMENT, INC. AT A COST NOT TO EXCEED TWO HUNDRED THIRTY-ONE THOUSAND FIVE HUNDRED FORTY-SIX DOLLARS AND ZERO CENTS (\$231,546.00); AND DECLARING AN EMERGENCY**, and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read Resolution 67-2024 by number and title only. Mr. Weber moved that Resolution 67-2024 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Resolution# 68-2024

Mr. Weber introduced **RESOLUTION 68-2024 A RESOLUTION AUTHORIZING SUBMISSION OF AN ESTIMATE OF REVENUES TO THE WOOD COUNTY BUDGET COMMISSION FOR THE BUDGET YEAR BEGINNING JANUARY 1, 2025; 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 Resolution 68-2024 by number and title only. Mr. Weber moved that Resolution 68-2024 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Resolution# 69-2024

Mr. Weber introduced **RESOLUTION 69-2024 A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES IN THE AMOUNT OF TWENTY-FIVE THOUSAND FIVE HUNDRED TWENTY-TWO DOLLARS AND ZERO CENTS (\$25,522.00), AS ATTACHED IN EXHIBIT A, FOR THE CITY OF PERRYSBURG; 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 Resolution 69-2024 by number and title only. Mr. Weber moved that Resolution 69-2024 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Safety

No report.

The next meeting is scheduled for Monday, June 24, 2024 at 4:30 p.m.

Recreation

No report.

The next meeting is scheduled for Tuesday, July 9, 2024 at 5:00 p.m.

Planning & Zoning

Mayor Mackin stated that the Superintendent of the Schools called today about the continued issues with growth. Mr. McCarthy reviewed the minutes from the April 23, 2024 Planning and Zoning Committee meeting with regards to the rezoning request for Parcel Q61-400-300000005000 (0 N. Dixie Highway). Mr. Walters said that he has worked with Brian McMahon and Ben Weinerman since that committee meeting and some changes have been made. He said that the dividing line has been pushed 50' to the east for an access road, so the area to be rezoned is 50' less wide from east to west. Mr. Walters said that the applicant has also agreed to deed restrictions for ages 55 and older. He said that we have received the legal description and survey for the property. At the request of Mr. Weinerman, Mr. Walters distributed brochures from another of Pride One's developments. Mr. McMahon said that they have been at this for two years now. He said that he thought the access road was beneficial especially to

marketing the commercial property. He said that if the Pride One development is approved, he feels they will be able to successfully market the commercial property. He said some possibilities are a gas station/convenience store and a small grocery store. Mr. Weinerman said that the brochure that was distributed is from the Village at Hinckley Oaks, an age-restricted community they developed. He said that the Fair Housing Act allows them to require that 80% of the community has to be 55 and over, while the other 20% can be under 55. Mr. VanHoozen said the brochure shows three bedroom units, and he asked if they will have three bedroom units here. Mr. Weinerman said they will not. Ms. Wellstein said that even with the age restrictions, 20% of the units will still be for tenants under the age of 55 which could affect the Schools. Mr. Weinerman said that they don't try to attract families with children; he said they don't put in playgrounds. Mr. Effler asked if they have a copy of the deed restrictions. Mr. Weinerman said that they haven't done the split yet, and they are asking for approval contingent on the deed restrictions. Mr. Weber asked what assurance the City has that the access road will go in. Mr. Kuhlman said that they're showing a good faith effort by moving the line over and at this point, the property is just being rezoned, and we can't get any other assurances. Mr. McMahon said that the site plans will have to include the access road, or they can be denied. Mr. Fuller asked hypothetically about an industrial site being developed to the north or east of this property and what the tenants would think about that. Mr. Weinerman said that renters have the ultimate flexibility because they can just move. Mr. Weber asked if the Administration has a recommendation on this. Mr. Effler said that he is not necessarily comfortable with making something contingent on deed restrictions that he has not had a chance to review. He said his comfort level is not at 100%. Mr. Kuhlman said that the issues with the Schools does not mean we have to stop all responsible development. Mr. McMahon said that at the Committee meeting, Mr. Kuhlman said that he didn't want to see a large commercial development between the senior housing and the Catholic church. He said that if this project is not approved, there is 24 acres of C4, and it will attract big box retail. Mr. McCarthy said that for the record, he wants to state the representations that have been made regarding this project. The first is that deed restrictions regarding age will be included in the residential development, the 50' dividing line move is already reflected in documents we have received, and that the site plans will reflect a shared access road to take traffic out to Five Point Road.

Ordinance# 50-2024

Mr. McCarthy introduced **ORDINANCE 50-2024 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, TO REZONE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF FIVE POINT ROAD AND DIXIE HIGHWAY FROM C4 (HIGHWAY COMMERCIAL) TO RM (MULTIPLE FAMILY RESIDENTIAL)**, 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. Kuhlman. Ayes: (7). Nays: (0). The Clerk read Ordinance 50-2024 by number and title only. Mr. McCarthy moved that Ordinance 50-2024 be approved. Seconded by Mr. Kuhlman. Ms. Wellstein said that she feels like she's in a conundrum because of the echo effect Mr. Hosler spoke about, and she feels like voting in favor of this goes against what we're doing to try and help the Schools. Mr.

Weber said that a big box store would be one of the better options with C4 zoning. He said that he came in not in favor of this project, but the contingencies make a world of difference to him. Mr. Rettig asked if distribution centers are allowed under C4 zoning. Mr. Walters said that is not a zoning category, but warehousing is allowed in C4 zoning. Ayes: Fuller, Kuhlman, McCarthy, VanHoozen, and Weber (5). Nays: Rettig and Wellstein (2).

Personnel

No report.

The next meeting is scheduled for Tuesday, June 25, 2024 at 4:00 p.m.

Ordinance# 40-2024

Mr. Kuhlman introduced **ORDINANCE 40-2024 AN ORDINANCE AMENDING CODIFIED ORDINANCE §266.06-3 “BEREAVEMENT LEAVE” PREVIOUSLY ADOPTED THROUGH ORDINANCE 62-2021 ON DECEMBER 7, 2021**, and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Weber. Ayes: (7). Nays: (0). The Clerk read Ordinance 40-2024 by number and title only.

Ordinance# 41-2024

Mr. Kuhlman introduced **ORDINANCE 41-2024 AN ORDINANCE ADDING CODIFIED ORDINANCE §267.03-2 “TUITION REIMBURSEMENT” TO THE CITY OF PERRYSBURG CODIFIED ORDINANCES**, 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. Weber. Ayes: (7). Nays: (0). The Clerk read Ordinance 41-2024 by number and title only.

Ordinance# 42-2024

Mr. Kuhlman introduced **ORDINANCE 42-2024 AN ORDINANCE REPEALING CODIFIED ORDINANCES §267.03-1 “COMPENSATION FOR ADVANCED STUDY” OF THE CITY OF PERRYSBURG CODIFIED ORDINANCES PREVIOUSLY ENACTED BY ORDINANCE 196-91 AND PASSED ON NOVEMBER 5, 1991**, 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. Weber. Ayes: (7). Nays: (0). The Clerk read Ordinance 42-2024 by number and title only.

Ordinance# 43-2024

Mr. Kuhlman introduced **ORDINANCE 43-2024 AN ORDINANCE REPEALING CODIFIED ORDINANCES §267.01-3 “VOLUNTEER FIRE PERSONNEL COMPENSATION” OF THE CITY OF PERRYSBURG CODIFIED ORDINANCES PREVIOUSLY ENACTED BY ORDINANCE 7-2015 AND PASSED ON FEBRUARY 3, 2015**, and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Weber. Ayes: (7). Nays: (0). The Clerk read Ordinance 43-2024 by number and title only.

Public Utilities

No report.

The next meeting is scheduled for Wednesday, June 26, 2024 at 4:30 p.m.

Service

No report.

The next meeting is scheduled for Wednesday, June 26, 2024 at 5:30 p.m.

Ms. Wellstein said that she has to recuse herself from discussion about the Downtown Streetscape project because she owns a small business and is a property owner in the downtown. She said that she would like to speak from the podium as a citizen.

Resolution# 70-2024

Mr. Weber introduced **RESOLUTION 70-2024 A RESOLUTION AMENDING RESOLUTION 18-2024 AND AUTHORIZING AN AMENDED AGREEMENT WITH THE EDGE GROUP, INC. FOR PROFESSIONAL SERVICES TO CREATE A FINAL DESIGN OF IMPROVEMENTS FOR THE DOWNTOWN STREETSCAPE PROJECT IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED SIXTY-SEVEN THOUSAND FOUR HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$467,450.00); AND DECLARING AN EMERGENCY**, and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Fuller. Ayes: Fuller, Kuhlman, McCarthy, Rettig, VanHoozen and Weber (6). Nays: (0). Abstain: Wellstein (1). The Clerk read Resolution 70-2024 by number and title only. Kerry Wellstein, 145 West Second Street, said that she is a member of the ad hoc committee established regarding the downtown streetscape project. She said that it is important to explain the support that the 300 block is getting. She said it will bring more people downtown, and the additional parking is even a bigger asset. She said that she understands it is a big price tag, but a lot of the money is already going to be spent like on the traffic signal replacement. Mayor Mackin stated that we had a public hearing that was well attended, and the community gave us a lot of comments, and this was one of them. Mr. Rettig said that he thinks this is a good project, his reservations are the cost. He said it is going from a \$4.7 million project to a \$6.5 million project, plus we have building renovations to pay for. He said that there are quite a few things PRAC would like to do, and he has told them that finances are tight. The Mayor said there will be two readings on this resolution.

OTHER BUSINESS

Request an executive session to consider the purchase of property for public purposes.

Mr. Fuller made a motion for City Council to go into Executive Session to consider the

purchase of property. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0). City Council went into Executive Session at 7:47 p.m. Mr. McCarthy left the meeting at 7:47 p.m.

Mr. Fuller made a motion to return from Executive Session at 8:00 p.m. Seconded by Mr. Kuhlman. Ayes: (6). Nays: (0).

Mr. Kuhlman made a motion for City Council to go into Executive Session to consider compensation of a public employee. Seconded by Mr. Fuller. Ayes: (6). Nays: (0). City Council went into Executive Session at 8:01 p.m.

Mr. Kuhlman made a motion to return from Executive Session at 8:17 p.m. Seconded by Mr. Fuller. Ayes: (6). Nays: (0).

Mr. Kuhlman introduced **RESOLUTION 71-2024, A RESOLUTION AUTHORIZING WAGE INCREASES FOR THE CITY OF PERRYSBURG'S NON-BARGAINING UNIT EMPLOYEES; AND DECLARING AN EMERGENCY**, and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Weber. Ayes: (6). Nays: (0). The Clerk read Resolution 71-2024 by number and title only. Mr. Kuhlman moved that Resolution 71-2024 be approved as an emergency. Seconded by Mr. Weber. Ayes: (6). Nays: (0).

ADJOURNMENT

There being no further business, Mr. Fuller moved to adjourn the meeting at 8:19 p.m. It was seconded by Mr. Weber and was unanimously approved.

Respectfully submitted,

Amber Rathburn
Clerk of Council

Thomas G. Mackin
Mayor