

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD AUGUST 18, 2015

Mayor Olmstead called the meeting to order at 6:30 p.m. Present were Council Members Todd Grayson, John Kevern, Tom Mackin, Jim Matuszak, Tim McCarthy, Rick Rettig and Barry VanHoozen (7). Also present were Bridgette Kabat, City Administrator, David Creps, Clerk of Council, and Karlene Henderson, Law Director.

Mr. Kevern moved to approve the minutes of the July 28, 2015 meeting and to dispense with their reading. Mr. Grayson seconded, and the minutes were unanimously approved.

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Olmstead called attention to Jack Robertson, Star Scout, who was present to earn his communications badge.

Mayor Olmstead introduced Richard Baranowski, local historian at the Way Library, who completed a book entitled Perrysburg Village Voices: Hometown Stories of the Past. Mr. Baranowski said that the book contains 50 stories and 175 photographs. Sales of the book will begin at Harrison Rally Day on September 12th. Mr. Baranowski presented Mayor Olmstead with a copy of the book.

City Administrator's Report

No report.

Finance Director's Report

No report.

President of Council Report

No report.

COMMITTEE REPORTS

Finance Committee:

No report.

Next meeting: Tuesday, September 8, 2015 at 5:00 p.m.

Economic Development Committee:

No report.

Next meeting: Wednesday, August 19, 2015 at 5:00 p.m.

Service-Safety Committee:

No report.

Next meeting: Monday, August 24, 2015 at 5:00 p.m.

Recreation Committee:

No report.

Next meeting: Tuesday, September 8, 2015 at 6:00 p.m.

Deborah Born, E. Front Street, said that Riverside Park has had its name since 1915 so it does not need to be changed.

Planning And Zoning Committee:

Mr. McCarthy moved to go into Executive Session to confer with legal counsel regarding pending litigation and regarding collective bargaining. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0). City Council went into Executive Session at 6:38 p.m.

City Council returned from Executive Session at 7:26 p.m.

Next meeting: Wednesday, September 16, 2015 at 5:30 p.m.

Mr. Grayson introduced **ORDINANCE 96-2015 AUTHORIZING SETTLEMENT AGREEMENT OF PENDING APPEAL AND LITIGATION INVOLVING NON-CONFORMING USE** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kevern. Ayes: Grayson, Kevern, Matuszak, McCarthy, Rettig, VanHoozen (6). Nays: Mackin (1). The Clerk read Ordinance 96-2015 by number and title only. Mr. Grayson moved that Ordinance 96-2015 be approved as an emergency. Seconded by Mr. Kevern.

Mr. McCarthy gave the history on this appeal from G Made, Inc. regarding the billboard on SR25 at the site of a proposed Taco Bell. He stated that both the Planning Commission and the Board of Zoning Appeals ruled that the billboard needs to be removed. This ordinance reflects a potential settlement agreement that excuses them from the requirement to fulfill the Planning and Zoning Code for a period of six to seven years. Mr. McCarthy said that he feels we need to enforce the Planning and Zoning Code to maintain the quality of development in the City. He said that annexed areas cause most of these problems but we need to be vigilant even in those situations and he is concerned that over the long term we are compromising our ability to effectively enforce our Code. Mr. Grayson said the contract provides complete compliance with the Code at the end of the pre-existing contract. He said it is fair for business while still respecting the Code. Mr. Kevern said that he wouldn't normally vote to waive the condition, but we need the jobs and we need development in this area. Mr. Mackin said that we've done very good by enforcing our Code in a fair and equitable manner which has resulted in a

community that has continued to grow and prosper. He said that he also has concerns about the procedural process of how we got here. He said the property owner was told about the restriction and still proceeded to buy the property and this would allow the business to avoid direct enforcement at the present in exchange for compliance at some future date. He said that he is concerned that it weakens our ability to enforce the Code with future development and future growth and with existing businesses who want to make changes. Mr. Mackin said that another part of the process is that the Planning Commission did not approve of the billboard and the Board of Zoning Appeals denied the appeal. These bodies are community residents volunteering their time and effort and they have said this is not how we want to proceed and we should give them some credit. Mr. Matuszak recalled a recent recommendation from the Planning Commission that was almost unanimous against something and City Council voted unanimously to approve it. Becky Williams, 421 E. Sixth Street, said that the purchaser knew about our Code requirements before he purchased the property and this agreement seems to indicate that if you put money in escrow you don't have to follow the Code.

Ayes: Grayson, Kevern, Matuszak, VanHoozen (4). Nays: Mackin, McCarthy, Rettig (3).

Personnel Committee:

No report.

Next meeting: Tuesday, August 25, 2015 at 5:00 p.m.

Mr. VanHoozen introduced **ORDINANCE 95-2015 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH PERRYSBURG MUNICIPAL EMPLOYEES ASSOCIATION 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. Grayson. Ayes: (7). Nays: (0). The Clerk read Ordinance 95-2015 by number and title only. Mr. VanHoozen moved that Ordinance 95-2015 be approved as an emergency. Seconded by Mr. Grayson. Ayes: (7). Nays: (0).

Health, Sanitation and Public Utilities Committee:

Mr. Grayson gave his report of the July 28, 2015 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, August 25, 2015 at 6:00 p.m.

Mr. Grayson introduced **RESOLUTION 59-2015 A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY ADMINISTRATION TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM FOR SANITARY SEWER REHABILITATION PROJECT 2016 AND TO EXECUTE CONTRACTS AS REQUIRED 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 59-2015 by number and title only. Mr. Grayson moved that Resolution 59-2015 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Grayson introduced **RESOLUTION 60-2015 A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY ADMINISTRATION TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM FOR CONSTRUCTION OF CHERRY STREET SEWER SEPARATION DISTRICT 211 PHASE 2 AND TO EXECUTE CONTRACTS AS REQUIRED 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 60-2015 by number and title only. Mr. Grayson moved that Resolution 60-2015 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Kevern moved to adjourn the meeting at 7:45 p.m. Seconded by Mr. Grayson. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Michael J. Olmstead, Mayor