

## **MINUTES OF PERRYSBURG CITY COUNCIL**

### **MEETING HELD APRIL 5, 2016**

Mayor Olmstead called the meeting to order at 6:34 p.m. Present were Council Members John Kevern, Jim Matuszak, Rick Rettig, Jonathan Smith, and Becky Williams (5). Tim McCarthy and Barry VanHoozen were absent (2). Also present were David Creps, Clerk of Council, and Karlene Henderson, Law Director.

Mr. Kevern moved to approve the minutes of the March 15, 2016 meeting and to dispense with their reading. Mr. Smith seconded. Ayes: (5). Nays (0).

#### **SPECIAL REPORTS**

None.

#### **LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS**

Alisa Smith said that she borders 521 Louisiana Avenue which was the subject of the public hearing held prior to the City Council meeting. She said that there was a Code amendment passed several years ago to allow a second legal non-conforming use and the rules have gotten more liberal which was not the intention of the Code. She said that she feels it is overkill to rezone the property for a sign. She added that spot zoning does not benefit anyone except the property owner.

Phil Caron, 801 Hickory Street, asked what the City plans to do with the property where the Beehive was recently torn down. He also said that he received a letter regarding parking a vehicle on his grass and he would like the Planning and Zoning Code to be consistently enforced including on city property.

Dr. Nicholas Nadaud said that he has already invested \$71,000 in the building at 521 Louisiana Avenue. He said he lives on Fifth Street and he plans on being in the Louisiana property for years.

Chip Pflighaar, 401 W. Front Street, said that the sewers overflowed at the river this past weekend.

#### **ADMINISTRATIVE REPORTS**

##### **Mayor's Report**

No report.

##### **City Administrator's Report**

No report.

##### **Finance Director's Report**

Mr. Creps reported that City Council and the Township Trustees are required by the Ohio Revised Code to have a joint meeting regarding the cemetery at the first City Council meeting in May. The meeting was scheduled for Tuesday, May 3, 2016 at 6:00 p.m.

##### **Law Director's Report**

No report.

**President of Council Report**

No report.

**COMMITTEE REPORTS**

**Finance and Economic Development Committee:**

Mr. Matuszak gave his report of the March 28, 2016 meeting, a copy of which is attached hereto and made a part of these minutes.

Mayor Olmstead stated that the Administration rejects the conclusions drawn by Mr. Matuszak.

Next meeting: Monday, April 25, 2016 at 5:00 p.m.

**Service Committee:**

No report.

Next meeting: Wednesday, April 27, 2016 at 5:00 p.m.

**Safety Committee:**

No report.

Next meeting: Tuesday, April 26, 2016 at 6:00 p.m.

**Recreation Committee:**

No report.

Next meeting: Wednesday, April 13, 2016 at 6:00 p.m.

**Planning And Zoning Committee:**

No report.

Next meeting: Wednesday, April 20, 2016 at 5:00 p.m.

**Personnel Committee:**

No report.

Next meeting: Tuesday, April 26, 2016 at 5:00 p.m.

**Health, Sanitation and Public Utilities Committee:**

Mr. Smith gave his report of the March 23, 2016 meeting, a copy of which is attached hereto and made a part of these minutes.

Mr. Smith said that as a follow-up to the minutes about the water sample for lead testing that was referred to in the USA Today article, Ms. Godsey checked with the

Northwest Water and Sewer District and that was a sampling error from a homeowner.

Next meeting: Wednesday, April 27, 2016 at 6:00 p.m.

Mr. Smith introduced **ORDINANCE 35-2016 AUTHORIZING AN AGREEMENT TO COMPENSATE CANTERBURY REAL ESTATE VENTURES, INC. IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-FIVE THOUSAND NINE HUNDRED AND FIFTY DOLLARS (\$175,950.00) TO CONSTRUCT AN OVERSIZE WATER LINE TO SERVE CANTERBURY SUBDIVISION IN ACCORDANCE WITH THE CITY'S WATER MASTER PLAN AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Ms. Williams. Ayes: (5). Nays: (0). The Clerk read Ordinance 35-2016 by number and title only. Mr. Smith moved that Ordinance 35-2016 be approved as an emergency. Seconded by Mr. Rettig. Mr. Matuszak asked why the city would be paying for this instead of the developer. Ms. Godsey explained that this will benefit future downstream users and they will pay as the area develops. Ayes: (5). Nays: (0).

Mr. Smith introduced **ORDINANCE 36-2016 LEVYING SPECIAL ASSESSMENTS IN THE AMOUNT OF TWO HUNDRED SIXTY-ONE THOUSAND FIFTY-FOUR DOLLARS AND SEVENTY-EIGHT CENTS (\$261,054.78) FOR THE SEPARATION OF COMBINED SEWERS WITHIN CHERRY STREET SEWER SEPARATION DISTRICT 212** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Ms. Williams. Ayes: (5). Nays: (0). The Clerk read Ordinance 36-2016 by number and title only. Mr. Smith moved that Ordinance 36-2016 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (5). Nays: (0).

Mr. Smith introduced **ORDINANCE 37-2016 AUTHORIZING THE CITY ADMINISTRATOR TO SEEK BIDS FOR THE REPLACEMENT OF THE SANITARY SEWER IN THE SHERMAN PLACE SUBDIVISION AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Ms. Williams. Ayes: (5). Nays: (0). The Clerk read Ordinance 37-2016 by number and title only. Mr. Smith moved that Ordinance 37-2016 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (5). Nays: (0).

Mr. Smith introduced **ORDINANCE 38-2016 AUTHORIZING AN AMENDMENT TO AGREEMENT WITH ARCADIS AT A PRICE NOT TO EXCEED THIRTY THOUSAND THREE HUNDRED DOLLARS (\$30,300.00) FOR ADDITIONAL PAVING WORK WITHIN CHERRY STREET SEWER SEPARATION DISTRICT 211 PHASE 1 AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Ms. Williams. Ayes: (5). Nays: (0). The Clerk read Ordinance 38-2016 by number and title only. Mr. Smith moved that Ordinance 38-2016 be approved as an emergency. Seconded by Mr. Rettig. Todd Grayson, 520 Mallard, said he has concerns about overflows on Water Street and it is hard to justify putting in a multi-use path until the overflows are addressed. He said that Arcadis did design work on the Water Street design. He said that he hopes someone is asking the question when this went in, when was it designed to not overflow. Ayes: (5). Nays: (0).

Mr. Smith introduced **RESOLUTION 4-2016 APPOINTING THE EQUALIZATION BOARD FOR CHERRY STREET SEWER SEPARATION DISTRICT 211 PHASE 1 AND DECLARING AN EMERGENCY** and moved that the rules be suspended to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Ms. Williams. Ayes: (5). Nays: (0). The Clerk read Resolution 4-2016 by number and title only. Mr. Smith moved that Resolution 4-2016 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (5). Nays: (0).

**OTHER BUSINESS**

None.

**ADJOURNMENT**

Mr. Kevern moved to adjourn the meeting at 7:13 p.m. Seconded by Mr. Rettig. Ayes: (5). Nays: (0).

David D. Creps, Clerk

Michael J. Olmstead, Mayor