

## **MINUTES OF PERRYSBURG CITY COUNCIL**

### **MEETING HELD JUNE 7, 2016**

Mayor Olmstead called the meeting to order at 6:30 p.m. Present were Council Members John Kevern, Jim Matuszak, Tim McCarthy, Rick Rettig, Jonathan Smith, Barry VanHoozen and Becky Williams (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 May 17, 2016 meeting as written and to dispense with their reading. Ms. Williams seconded. Ayes: (7). Nays (0).

### **SPECIAL REPORTS**

None.

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

Jon Orser, 125 E. Front Street, stated that he is the subject of a campaign of harassment by the Planning and Zoning Division regarding the property maintenance ordinance. He also demanded that his neighbor's fence, which was not approved by the Historic Landmarks Commission, be removed by June 20, 2016 or City Council would regret it.

Roger Bell, 556 E. Fifth Street, said that it is disingenuous of the City to decide when to enforce property maintenance since two of the City's buildings were in disrepair and had to be torn down.

Gene Phlegar, 144 W. Fifth Street, reminded City Council that the entire budget comes from taxpayers and they are to prioritize spending it. He said that his campaign this year is going to be taking pictures of crumbling infrastructure and he added that his trees have not been touched in 45 years.

Chip Pflagher, 401 W. Front Street, stated that with regards to the lighting at Riverside Park, light pollution kills birds and mammals. He added that bats eat mosquitos and bats won't go where there are lights.

Deborah Born, 125 E. Front Street, asked why we are considering park development and not water and sewer issues.

Dick Currie, 529 E. S. Boundary Street, said that the intention with Riverside Park is to provide access to the river which is great, but this plan does not do that. He said that the lifeblood of any park is parking and he added that the multi-use path will eliminate Water Street.

John Wellstein, 145 W. Second Street, said that he is in favor of Riverside Park development and he believes it is an underutilized asset. He said that he is also in favor of the lighting for safety and a deterrent to vandalism.

Alisa Smith, 115 E. Sixth Street, said that she is opposed to food trucks on residential property. She said that a food truck was invited by the owner of the property at 521 Louisiana Avenue to be in their parking lot but the property is zoned residential.

## **ADMINISTRATIVE REPORTS**

### **Mayor's Report**

No report.

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

No report.

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

Mr. Creps announced the following summer schedule for City Council meetings:

Tuesday, July 12  
Tuesday, July 26  
Tuesday, August 16

### **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 May 23, 2016 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Monday, June 27, 2016 at 5:00 p.m.

### **Service Committee:**

Ms. Williams gave her report of the May 25, 2016 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Monday, June 20, 2016 at 4:30 p.m., which is a change from the regular date and time.

Ms. Williams introduced **ORDINANCE 56-2016 AUTHORIZING PURCHASE OF DUAL AUGER PLOW PACKAGE FROM HENDERSON TRUCK EQUIPMENT TO OUTFIT A SNOW PLOW TRUCK AT A PRICE NOT TO EXCEED SIXTY THREE THOUSAND SIX HUNDRED TWENTY NINE DOLLARS (\$63,629.00) 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. Rettig. Ayes: (7). Nays: (0). The Clerk read Ordinance 56-2016 by number and title only. Ms. Williams moved that Ordinance 56-2016 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

Ms. Williams introduced **ORDINANCE 57-2016 AUTHORIZING THE CITY ADMINISTRATOR TO SOLICIT BIDS FOR MARKING PAVEMENT**

**WITHIN THE CITY 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. Rettig. Ayes: (7). Nays: (0). The Clerk read Ordinance 57-2016 by number and title only. Ms. Williams moved that Ordinance 57-2016 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

Ms. Williams introduced **RESOLUTION 10-2016 AUTHORIZING THE CITY ADMINISTRATION TO PURSUE A GRANT THROUGH THE OHIO ENVIRONMENTAL PROTECTION AGENCY TO DEFRAY COST OF MOSQUITO CONTROL ACTIVITIES 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. Rettig. Ayes: (7). Nays: (0). The Clerk read Resolution 10-2016 by number and title only. Ms. Williams moved that Resolution 10-2016 be approved as an emergency. Seconded by Mr. Rettig. Mr. Matuszak asked the dollar amount of the grant we are requesting. Mr. Eckel said it is \$30,000. Mr. Matuszak asked how much is in the budget for mosquito control and Mr. Eckel stated that there is not a separate line item, it comes out of supplies which has \$60,000 budgeted. Mr. Matuszak said that he feels the resolution should state the amount of the grant we are requesting. Ms. Williams moved to approve Resolution 10-2016 as an emergency with an administrative change that the City Administration is authorized to apply for a \$30,000 grant. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

#### **Safety Committee:**

Mr. Kevern gave his report of the May 24, 2016 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, June 28, 2016 at 6:00 p.m.

Mr. Kevern introduced **ORDINANCE 55-2016 AUTHORIZING THE PURCHASE BY THE CITY FIRE DIVISION OF A 2016 CHEVY TAHOE FROM TAYLOR CHEVROLET THROUGH THE STATE PURCHASING PROGRAM AT A PRICE NOT TO EXCEED THIRTY-EIGHT THOUSAND FOUR HUNDRED TWENTY-THREE DOLLARS AND FIFTY CENTS (\$38,423.50) 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. Smith. Ayes: (7). Nays: (0). The Clerk read Ordinance 55-2016 by number and title only. Mr. Kevern moved that Ordinance 55-2016 be approved as an emergency. Seconded by Ms. Williams. Mr. Matuszk said that we heard concerns from a taxpayer about spending taxpayer dollars wisely and we are spending \$38,000 to replace a vehicle with only 40,000 miles on it. Ms. Kabat said that the current vehicle is out of service a lot and that particular model year has some maintenance issues. Ayes: (7). Nays: (0).

#### **Recreation Committee:**

Mr. Rettig gave his report of the June 1, 2016 meeting, a copy of which is attached hereto and made a part of these minutes. Ms. Kabat made a clarification regarding the lighting fund. She stated that there was \$252,000 in the 2016 budget and the current unencumbered balance in that fund for lighting projects is \$42,000.

Next meeting: Tuesday, June 21, 2016 at 5:00 p.m., which is a change from the regular date and time.

Mr. Rettig introduced **ORDINANCE 53-2016 AUTHORIZING AN AGREEMENT WITH MILLER DIVERSIFIED CONSTRUCTION FOR IMPROVEMENTS TO RIVERSIDE PARK TO INCLUDE ALTERNATE 1 “ELECTRICAL SERVICE” AT THE BASE BID COST OF ONE MILLION FOUR HUNDRED THIRTY-FIVE THOUSAND NINE HUNDRED DOLLARS (\$1,435,900.00) AND ALTERNATE 1 AT A COST OF THIRTY-SIX THOUSAND SIX HUNDRED SEVENTY-SEVEN DOLLARS (\$36,677.00) 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 Ordinance 53-2016 by number and title only. Mr. Rettig moved that Ordinance 53-2016 be approved as an emergency. Seconded by Mr. McCarthy.

Mr. Matuszak said that he thinks this is an irresponsible use of taxpayers’ money. He said in his opinion when City Council approved the Administration moving forward with this project by a 4-3 vote, they were approving the project itself which has gone through several iterations. Then when the Administration was authorized to go out to bid to get an actual cost for this project, it was based on the plan that was approved. That plan came in under the budgeted amount and in his opinion, the Administration is now asking to spend the leftover money. He said that Perrysburg Municipal Government is doing what is wrong with D.C., we are looking for ways to spend money. He said that this project is too big to fail and it was pushed through like the Boat Club and the other building that was demolished; it is being jammed through. He said that he feels we only got one bid because contractors were not given enough lead-time and if given more time we may have gotten more bids and a lower cost. Mr. Walters said that with regards to the timeline for bidding, there were actually two extensions. Mr. McCarthy said that he disagrees with the notion that we are looking for ways to spend money. He said that these alternates were recommended by the engineers and we thought we might want to do them so they were listed as alternates because we did not know how the bids would come in. He said that he feels we may need to address parking in the future because this park will be a success. Mr. Smith noted that City Council voted to go to bid for the base project with the alternates. Mr. Rettig said that the reason to run the electrical service to the park was for lighting. He stated that since there is money budgeted for contingencies, hopefully we won’t have to dip into the lighting fund. Mr. VanHoozen said that Riverside Park has been before City Council for the last year and a half and every Council member with the exception of Ms. Williams has at some point supported doing something at Riverside Park. He said that they were originally asked to approve \$1.5 million and although some pieces of the project have changed, this is basically the same plan. Ayes: McCarthy, Rettig, Smith, VanHoozen (4). Nays: Kevern, Matuszak, Williams (3).

Mr. Rettig introduced **ORDINANCE 54-2016 AUTHORIZING AN AGREEMENT WITH MILLER DIVERSIFIED CONSTRUCTION FOR IMPROVEMENTS TO RIVERSIDE PARK TO INCLUDE ALTERNATE 2 “STAINLESS STEEL CABLE RAILING” AT A COST OF FOURTEEN THOUSAND ONE HUNDRED EIGHTY-SIX DOLLARS (\$14,186.00) AND ALTERNATE 3 “ADDING ILLUMINATION TO RAILING” AT A COST OF TWENTY-EIGHT THOUSAND EIGHT HUNDRED FORTY-EIGHT DOLLARS (\$28,848.00) 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 Ordinance 54-2016 by number and title only. Mr. Rettig moved that Ordinance 54-2016 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: McCarthy, Rettig, Smith, VanHoozen (4). Nays: Kevern, Matuszak, Williams (3).

Mr. Rettig introduced **RESOLUTION 11-2016 AUTHORIZING THE CITY ADMINISTRATION TO PURSUE GRANTS THROUGH THE WOOD COUNTY PARK DISTRICT TO DEFRAY COST OF IMPROVEMENTS TO DAVIS OVERLOOK, RECREATION INFRASTRUCTURE AND RESTORATION OF RIVERSIDE PARK CANNONS 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: (7). Nays: (0). The Clerk read Resolution 11-2016 by number and title only. Mr. Rettig moved that Resolution 11-2016 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. Rettig introduced **RESOLUTION 12-2016 RECOMMENDATION THAT THE CITY TAKE INITIATIVE TO CREATE “CLEAN AIR, CLEAN PARKS” ORDINANCE** and moved that the rules be suspended to allow for its reading by number and title only. Seconded by Mr. Smith. Ayes: (7). Nays: (0). The Clerk read Resolution 12-2016 by number and title only.

Mr. Rettig called attention to information he distributed to Council members regarding cities with no smoking rules in parks. He said that he has been kicking this down the road as Chair of the Recreation Committee for the last three years. He said that at Rivercrest Park in a five minute walk he counted 26 cigarette butts along the path and 15 around the playground equipment. He said that originally he did not feel this was such a big issue, but his opinion has changed. He said that City Council can do three things: do nothing, limit smoking, or ban it. He stated that some people will say that we can't stop it, but what if we could deter it. He said that it is ultimately City Council's decision. Mr. Smith said that the cigarette butts that Mr. Rettig spoke of are already not allowed because it is littering. He said that his concern is with enforcement. Mr. Williams said that she is curious to see how Bowling Green is dealing with it and for her it's all or nothing. Mr. VanHoozen questioned why this is being addressed at this point. Mr. Rettig said there is never a wrong opportunity to do what is right. Mr. Kevern asked if this is the job of City Council and Mr. Rettig said that he feels it is. Mr. Matuszak asked what Mr. Rettig does not like about smoking around kids. Mr. Rettig said that he is concerned about second hand smoke and that kids imitate what they see. Mr. Matuszak said that he doesn't want City Council to take over the parenting role. Mr. McCarthy said that we can get hung up on enforcement, but he agrees that it would be a deterrent. He said that it is common to have areas where smoking is prohibited and you envision parks as an area to enjoy the environment with clean air. He said that rather than confuse the issue, just say parks are smoke free. Mr. VanHoozen said that he would agree to a smoking area; it is not all or nothing for him.

#### **Planning And Zoning Committee:**

No report.

Next meeting: Monday, June 20, 2016 at 5:00 p.m., which is a change from the regular date and time.

#### **Personnel Committee:**

No report.

Next meeting: Tuesday, June 28, 2016 at 5:00 p.m.

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

No report.

Next meeting: Wednesday, June 22, 2016 at 6:00 p.m.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

Mr. Kevern moved to adjourn the meeting at 8:10 p.m. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Michael J. Olmstead, Mayor