

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MARCH 21, 2017

Mayor Olmstead called the meeting to order at 6:30 p.m. Present were Council Members Nelson Evans, 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. McCarthy moved to approve the minutes of the March 7, 2017 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, asked what work is being done in the right of way on Louisiana Avenue. Ms. Kabat said that the Department of Public Utilities is removing a CSO.

Dick Currie, 529 E. South Boundary Street, encouraged City Council to use funds that are in the proposed budget amendment for Hood Park towards bike lanes for bikers.

Deborah Born, 125 E. Front Street, said that she is opposed to the commercialization of Hood Park and she is opposed to bike paths within the City.

Diane Friess, 311 E. Indiana Ave., said that discussions about bike paths started in Service-Safety Committee and are now in the Recreation Committee. She asked if affected property owners were notified by letter regarding the path at Hull Prairie and Roachton. Mr. Evans stated that the path is being put in by the developer and no other properties are affected.

Rachel Alteneder, said that on behalf of her mother she is working with Ohio Disability Rights regarding restricting handicap spots at Riverside Park. She added that the grant application says the multi-use path will be within the right of way, not the street.

ADMINISTRATIVE REPORTS

Mayor's Report

No report.

City Administrator's Report

No report.

Finance Director's Report

No report.

Law Director's Report

No report.

President of Council Report

Mr. McCarthy reminded City Council about the following public hearings:

April 4, 2017 at 6:10 p.m. – Code Amendment regarding Street Trees

April 4, 2017 at 6:15 p.m. – Rezoning – Perrysburg Area Historical Museum

COMMITTEE REPORTS

Finance and Economic Development Committee:

Mr. Matuszak gave his report of the March 16, 2017 meeting, a copy of which is attached hereto and made a part of these minutes. In response to Mr. Matuszak's comments about an alleged abuse of authority, Mayor Olmstead asked the Law Director if spending under \$25,000 without Council approval is an abuse of authority. Ms. Henderson said no, that only contracts greater than \$25,000 need City Council approval.

Next meeting: Monday, April 24, 2017 at 5:00 p.m.

Mr. Matuszak introduced **ORDINANCE 26-2017 PROVIDING FOR A ONE HUNDRED EIGHTY THOUSAND DOLLAR (\$180,000.00) SPECIAL ASSESSMENT TO COVER THE EXPENSE OF LIGHTING STREETS, ALLEYS, WAYS AND OTHER PUBLIC PLACES IN 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 Ordinance 26-2017 by number and title only. Mr. Matuszak moved that Ordinance 26-2017 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **ORDINANCE 27-2017 ASSESSING FOR THE YEAR ENDING DECEMBER 31, 2017, A SPECIAL TAX TO PAY A PART OF THE COST AND EXPENSE 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 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 27-2017 by number and title only. Mr. Matuszak moved that Ordinance 27-2017 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **ORDINANCE 28-2017 AUTHORIZING THE CITY TO PURCHASE MOSQUITO CONTROL SUPPLIES FROM CLARKE AT A PRICE OF SIXTY THREE THOUSAND FIVE HUNDRED SEVENTY-TWO DOLLARS AND SEVENTY CENTS (\$63,572.70) 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 28-2017 by number and title only. Mr. Matuszak moved that Ordinance 28-2017 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **RESOLUTION 8-2017 DECLARING THE NECESSITY OF A REPLACEMENT LEVY IN EXCESS OF THE TEN MILL LIMITATION PURSUANT TO O.R.C. §5705.19(V) FOR THE PURPOSE OF PROVIDING FOR THE COLLECTION AND DISPOSAL OF TRASH 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 8-2017 by number and title only. Mr. Matuszak moved that Resolution 8-2017 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **ORDINANCE 18-2017 AMENDING ORDINANCE 100-2016 TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017 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 third reading. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read Ordinance 18-2017 by number and title only. Mr. Matuszak moved that Ordinance 18-2017 be approved as an emergency. Seconded by Mr. McCarthy.

Mr. McCarthy said that he is not opposed to Hood Park improvements, they just need to come in due course at the right time. He said there are many moving parts, including Riverside Park and the multi-use path, that need to be addressed before moving forward with Hood Park. However, he is in favor of leaving the \$435,000 for parking improvements because then the funds will be in the budget if there is a consensus to proceed. Mr. McCarthy said that with regards to the Administration's spending authority, Mr. Eckel made a good case to proceed cautiously in limiting it because when it was \$10,000 it hampered operations.

Ms. Williams said that she is inclined to also pull the \$435,000 from the budget until Riverside Park is done and there is resolution on the Boat Club and multi-use path. She said that she is aware of a donation to the Way Library Foundation that is to come from the Municipal Development Fund and she asked if there are any other planned expenditures from that line item. Ms. Kabat said there are not any that she is aware of. Ms. Williams said that with respect to the assistance with mowing at Fort Meigs, she would like to hear from the Fort Meigs Board and her concern is that Perrysburg taxpayers are already paying state taxes and now they are being asked to pay more for the maintenance of the Fort.

Mr. Rettig stated that the improvements for Riverside Park went through a long process and the plans for Hood Park have not gone through the committee process. He said that these projects are "want" projects, not "need" projects and residents expect them to move forward quickly with need projects but not want projects. He said there has been no public input on Hood Park and we need to go through that process. Mr. Evans said that he would agree to keep something in the budget to do engineering for parking and take it to the committee. He said that the biggest complaint he's heard about Riverside Park is about the lack of parking. Mr. Rettig said that he heard from the Sentinel that the \$435,000 contains a 40% contingency and we need to move cautiously. Mr. Smith said that the parking is needed. Mr.

Matuszak said that no one disagrees with the need for parking, and he thinks that some money should be kept in the budget for the design of parking, but not \$435,000. He added that if it is removed from the budget, it will still remain in the General Fund. Mr. Smith said that the Administration cannot spend it without it coming to City Council. Mr. VanHoozen said that by putting it in the budget, it just says it is a priority, it still has to be approved three or four more times before the funds are spent.

Todd Grayson, 520 Mallard, said that because of the \$25,000 contract spending limit, it will still have to come back to City Council and they are not accomplishing anything by removing it. He said that City Council needs to trust themselves and leave it in there and allow the process to move forward.

Jon Orser, 125 E. Front Street, said that during consideration of Riverside Park improvements, Brody Walters said that it is not a destination park and parking is not needed.

Ms. Williams asked if any other Council members had an opinion about the temporary labor for Fort Meigs. Mr. Smith said that he agrees with Ms. Williams' earlier comments and he called the Fort to discuss it but received no response.

Mr. Smith moved to remove the \$15,000 for temporary labor for Fort Meigs from the proposed budget amendment. Seconded by Mr. McCarthy. Ayes: Matuszak, McCarthy, Rettig, Smith and Williams (5). Nays: Evans and VanHoozen (2).

Mayor Olmstead displayed copies of several completed studies and plans. He said that they represent 25 to 30 pounds of paper regarding the riverfront. He read sections of the P3 Plan, Riverfront Charette and from minutes of previous meetings. He said that these studies involved directly, hundreds of people and indirectly, thousands of people. He stated that 95% of the people are saying do something, but 5% are saying do nothing. He said that it is the tyranny of the status quo. Ms. Williams said that no one is requesting another study, but we are spending \$1.5 million on Riverside Park right now and she wonders if Hood Park is a priority right now. Mr. Matuszak said that his comments that were read about Hood Park looking like a bomb went off were because of the building demolitions which were an abuse of authority. Mayor Olmstead said that Ordinance 108-2015 which was offered by the Administration and would have provided \$500,000 to fix the Boat Club was not entertained by City Council. He added that not one phone call or email was received saying stop, don't do this. Mayor Olmstead said that Mr. Matuszak keeps throwing around the word abuse and he feels he needs to stick up for the staff. Mr. Matuszak said that to clarify, so he does not offend the Staff, he has been kind and using the word Administration, but he means the Mayor and it is the Mayor he does not trust, his problem is not with the Staff.

Mr. Rettig made a motion to remove \$500,000 in line item 404-1637-51206 for Hood Park Deck System from the proposed budget amendment. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. Rettig made a motion to remove \$435,000 in line item 404-1637-51206 for Hood Park Parking Lot/Partial Replacement of Retaining Wall from the proposed budget amendment. Seconded by Mr. Matuszak. Ayes: Matuszak, Rettig, Williams (3). Nays: Evans, McCarthy, Smith, VanHoozen (4).

The vote on Ordinance 18-2017 as amended was Ayes: (7). Nays: (0).

Service Committee:

No report.

Next meeting: Wednesday, March 22, 2017 at 5:00 p.m.

Safety Committee:

Mr. Evans said that there are no agenda items for the March meeting, so the next meeting will be in April and they will discuss the marijuana laws and the issue is also going to the Planning and Zoning Committee.

Next meeting: Monday, April 24, 2017 at 6:00 p.m.

Recreation Committee:

No report.

Next meeting: Tuesday, April 11, 2017 at 6:00 p.m.

Planning And Zoning Committee:

No report.

Next meeting: Wednesday, April 19, 2017 at 5:30 p.m.

Personnel Committee:

No report.

Next meeting: Tuesday, March 28, 2017 at 5:00 p.m.

Health, Sanitation and Public Utilities Committee:

No report.

Next meeting: Wednesday, March 22, 2017 at 6:00 p.m.

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Smith moved to adjourn the meeting at 8:00 p.m. Seconded by Mr. Evans.
Ayes: (7). Nays: (0).

David D. Creps, Clerk

Michael J. Olmstead, Mayor