

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD MAY 2, 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 Karlene Henderson, Law Director, and David Creps, Clerk of Council.

Mr. McCarthy moved to approve the minutes of the April 18, 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

Jerry Abair of the Boat Club said that they had a very productive session a couple of weeks ago with the City and they are requesting that the appeals hearing scheduled for May 23, 2017 be postponed.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Olmstead reported that the Walleye Fest came off splendidly despite the weather. He said that unfortunately we fell short in the tug of war against the City of Maumee. He thanked the committee for all their work. He also reported that Riverside Park improvements should be done by the end of the month.

City Administrator's Report

No report.

Finance Director's Report

Mr. Creps reminded City Council of the May 15 deadline to get their financial disclosure forms to the Ethics Committee.

Law Director's Report

No report.

President of Council Report

Mr. McCarthy reported that the following public hearings have been scheduled prior to the City Council meeting on June 6, 2017.

6:05 p.m.	Code Amendment regarding Medical Marijuana
6:10 p.m.	Assignment of Permanent Zoning – Heminger Annexation
6:15 p.m.	Rezoning of 28001 W. River Rd. (R2 to INS)
6:20 p.m.	Rezoning of property on Roachton Rd. immediately west of the CSX tracks (R4 to I1)

COMMITTEE REPORTS

Finance and Economic Development Committee:

Mr. Matuszak gave his report of the April 24, 2017 meeting, a copy of which is attached hereto and made a part of these minutes.

The next meeting is a special meeting on Tuesday, May 16, 2017 at 6:00 p.m. to consider legislation regarding food trucks.

Next regular meeting: Monday, May 22, 2017 at 5:00 p.m.

Mr. Matuszak introduced **ORDINANCE 40-2017 AUTHORIZING A JOB CREATION GRANT FOR MERCY HEALTH-NORTH 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 40-2017 by number and title only. Mr. Matuszak moved that Ordinance 40-2017 be presented and considered for passing as an emergency. Seconded by Mr. Rettig. Mr. Matuszak explained that he abstained from the vote at the Committee meeting because his wife is an employee of St. Luke's Hospital, but he has been advised by the Law Director that he did not need to. He said that he felt it was important to get it out in the open because he is a steward of the taxpayers. He stated that the expansion at Mercy is going to happen with or without this jobs grant and we don't need to give away \$447,000 because they've made a decision to be here. He said we should not spend money we don't have to. He added that he has nothing against Mercy. Mr. McCarthy said that he gets part of what Mr. Matuszak is saying because ED incentives used to entice projects to come to town and now they are more of a given. However, the abatement is only for five years and after that the City will enjoy the full benefits so he is prepared to support the grant. Mr. Matuszak said that it is not an inducement, it is after the fact and he does not feel it is a wise decision. Ayes: Evans, McCarthy, Rettig, Smith, VanHoozen, Williams (6). Nays: Matuszak (1).

Mr. Matuszak introduced **ORDINANCE 41-2017 AUTHORIZING ALL ACTIONS NECESSARY TO ESTABLISH A SPECIAL PROJECTS FUND FOR MUNICIPAL COURT 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 41-2017 by number and title only. Mr. Matuszak moved that Ordinance 41-2017 be approved as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **RESOLUTION 10-2017 PLACING A REPLACEMENT LEVY IN EXCESS OF THE TEN MILL LIMITATION PURSUANT TO O.R.C. §5705.19(V) ON THE NOVEMBER 7, 2017 GENERAL ELECTION BALLOT 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 Ms. Williams. Ayes: (7). Nays: (0). The Clerk read Resolution 10-2017 by number and title only. Mr. Matuszak moved that Resolution 10-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Service Committee:

Ms. Williams gave her report of the April 26, 2017 meeting, a copy of which is attached hereto and made a part of these minutes. Mr. Evans asked if rerouting truck traffic down Indiana Avenue is a requirement of the CMAG Grant Application. Ms. Williams said that she does not believe so, but the question was not asked. Mr. Rettig said that currently at that intersection there are problems with trucks turning. He said that he and Ms. Williams share his concerns.

Next meeting: Wednesday, May 24, 2017 at 5:00 p.m.

Ms. Williams introduced **ORDINANCE 42-2017 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 42-2017 by number and title only. Ms. Williams moved that Ordinance 42-2017 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

Ms. Williams introduced **ORDINANCE 43-2017 AUTHORIZING AN AGREEMENT WITH BOWERS ASPHALT AND PAVING, INC. IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED FIFTY EIGHT THOUSAND TWO HUNDRED SEVENTY-SEVEN DOLLARS AND FORTY CENTS (\$758,277.40) 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 43-2017 by number and title only. Ms. Williams moved that Ordinance 43-2017 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

Ms. Williams introduced **ORDINANCE 44-2017 AUTHORIZING THE CITY TO SOLICIT BIDS FOR PROPOSED IMPROVEMENTS TO THE INTERSECTION OF STATE ROUTE 199/ECKEL JUNCTION ROAD NORTH OF I-75 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 44-2017 by number and title only. Ms. Williams moved that Ordinance 44-2017 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

Ms. Williams introduced **RESOLUTION 11-2017 A RESOLUTION ENACTED BY THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA) REGARDING STATE ROUTE 25/INDIANA AVE GRANT APPLICATION 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 11-2017 by number and title only. Ms. Williams moved that Resolution 11-2017 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

Ms. Williams introduced **RESOLUTION 12-2017 A RESOLUTION ENACTED BY THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY**

(LPA) REGARDING STATE ROUTE 25/PRESTON PARKWAY IMPROVEMENT GRANT APPLICATION 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 11-2017 by number and title only. Ms. Williams moved that Resolution 11-2017 be approved as an emergency. Seconded by Mr. Rettig. Ayes: (7). Nays: (0).

Safety Committee:

Mr. Evans gave his report of the April 24, 2017 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Monday, May 22, 2017 at 6:00 p.m.

Mr. Evans introduced **ORDINANCE 45-2017 AUTHORIZING THE PURCHASE AND INSTALLATION OF A BI-DIRECTIONAL AMPLIFIER FOR THE FIRE DIVISION FROM BENDER COMMUNICATIONS AT A PRICE NOT TO EXCEED FORTY-SIX THOUSAND SEVEN HUNDRED TWENTY-FOUR DOLLARS AND THIRTY CENTS (\$46,724.30) 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 Ordinance 45-2017 by number and title only. Mr. Evans moved that Ordinance 45-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. Evans introduced **ORDINANCE 46-2017 AUTHORIZING AN AGREEMENT WITH THE RIGHT STUFF IN AN AMOUNT NOT TO EXCEED THIRTY TWO THOUSAND DOLLARS (\$32,000.00) TO PROVIDE THE POLICE AND FIRE DIVISIONS SCHEDULING AND PAYROLL SOFTWARE 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 Ordinance 46-2017 by number and title only. Mr. Evans moved that Ordinance 46-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Recreation Committee:

Mr. Rettig said that the committee has not met since the last City Council meeting, but he does have an ordinance to introduce. Brody Walters, Planning and Zoning Administrator, stated that Michigan Pavers will be completed with their work at Riverside Park on May 15, 2017. They have submitted a proposal to work on the retaining wall at Hood Park beginning the following day. The cost of the project is \$48,120 and will take about a week to complete, weather permitting. If they leave the area and have to come back at a later date, it will cost \$2,000 more and it could be in conflict with the timing of the multi-use path project which will begin on June 7. Mr. Walters said that there is \$50,000 in the budget for this project. Mr. Matuszak clarified that we were going to do the work anyway. Mr. Walters stated that this is not a new project, it is to replace approximately 110' of retaining wall which is leaning.

Mr. Rettig introduced **ORDINANCE 51-2017 AUTHORIZING AN AGREEMENT WITH MICHIGAN PAVERS & WALLS TO REMOVE AND REPLACE THE RETAINING WALL AT HOOD PARK AT A COST NOT**

TO EXCEED FORTY-EIGHT THOUSAND ONE HUNDRED TWENTY DOLLARS (\$48,120.00) 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. Matuszak. Ayes: (7). Nays: (0). The Clerk read Ordinance 51-2017 by number and title only. Mr. Rettig moved that Ordinance 51-2017 be approved as an emergency. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

Mr. Rettig stated that there are no agenda items for the May meeting, so the next meeting date will be: Tuesday, June 13, 2017 at 6:00 p.m.

Planning And Zoning Committee:

Mr. McCarthy gave his report of the April 19, 2017 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Monday, May 15, 2017 at 5:30 p.m., which is a change from the regular date.

Mr. McCarthy introduced **ORDINANCE 47-2017 AMENDING SECTIONS OF CODIFIED ORDINANCES 1250 AND 1295 REGARDING STREET TREES 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 Ordinance 47-2017 by number and title only. Mr. McCarthy moved that Ordinance 47-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 48-2017 AMENDING THE ZONING MAP OF THE CITY OF PERRYSBURG, WOOD COUNTY, OHIO, TO REZONE A 0.2 ACRE PARCEL OWNED BY PERRYSBURG AREA HISTORICAL MUSEUM, INC. FROM R2 (SINGLE FAMILY RESIDENTIAL) TO INS (INSTITUTIONAL USES) 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 Ordinance 48-2017 by number and title only. Mr. McCarthy moved that Ordinance 48-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **RESOLUTION 13-2017 A RESOLUTION IMPOSING A TEMPORARY MORATORIUM ON MEDICAL MARIJUANA CULTIVATION, PROCESSING, AND RETAIL DISPENSARY FACILITIES WITHIN THE CITY OF PERRYSBURG, OHIO 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 13-2017 by number and title only. Mr. McCarthy moved that Resolution 13-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Personnel Committee:

No report.

Next meeting: Tuesday, May 23, 2017 at 5:00 p.m.

Public Utilities Committee:

Mr. Smith gave his report of the April 26, 2017 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, May 24, 2017 at 6:00 p.m.

Mr. Smith made a motion to approve the following sewer credits:

Janet Hulbert, 1427 South Redhawk Drive, \$2,287.01
Nancy Burhans, 649 South Ridge Drive, \$1,407.88

The motion was seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. Smith introduced **ORDINANCE 49-2017 AUTHORIZIING MISCELLANEOUS FEE UPDATES TO CHAPTER 1060.04(C) 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 Ordinance 49-2017 by number and title only. Mr. Smith moved that Ordinance 49-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. Smith introduced **ORDINANCE 50-2017 AUTHORIZIING THE CITY ADMINISTRATOR TO SOLICIT BIDS TO PROCEED WITH PUBLIC IMPROVEMENTS FOR SEWER REHABILITATION PROJECT 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 Ordinance 50-2017 by number and title only. Mr. Smith moved that Ordinance 50-2017 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

OTHER BUSINESS

None.

ADJOURNMENT

Mr. McCarthy moved to adjourn the meeting at 7:35 p.m. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Michael J. Olmstead, Mayor