

## **MINUTES OF PERRYSBURG CITY COUNCIL**

### **MEETING HELD JULY 31, 2018**

Acting Mayor Jim Matuszak called the meeting to order at 6:30 p.m. Present were Council Members Deborah Born, Haraz N. Ghanbari, Jim Matuszak, Tim McCarthy, Jonathan Smith, Barry VanHoozen, and Becky Williams (7). Also present were Bridgette Kabat, City Administrator, and David Creps, Clerk of Council.

Ms. Williams nominated Mr. McCarthy as President of Council pro tem. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

Mr. McCarthy moved to approve the minutes of the July 10, 2018 meeting as written and to dispense with their reading. Ms. Williams seconded. Ayes: (7). Nays: (0).

Ms. Williams moved to approve the minutes of the July 23, 2018 Committee of the Whole meeting as written and to dispense with their reading. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

#### **SPECIAL REPORTS**

None.

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

None.

#### **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 reported that City Council held a Committee of the Whole meeting on July 23, 2018 to consider the recommendations of the Charter Review Commission. He said that the Charter Review Commission spent hours formulating the recommendations, and City Council considered them at length. He said that the issues will be on the ballot in November for the voters to decide.

Mr. McCarthy introduced **ORDINANCE 87-2018 PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF PERRYSBURG, OHIO CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF PERRYSBURG, OHIO AND TO DECLARE 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 87-2018 by number and title only. Mr. McCarthy moved that Ordinance 87-2018 be approved as an emergency. Seconded by Ms. Williams. Mr. Smith made a motion to remove the language for Article IV Section 3 from this ordinance because the correct language is in Ordinance 88-2018. Seconded by Ms. Williams. Ayes: (7). Nays: (0). Mr. Ghanbari said that he appreciates the Charter Review Commission's intention to extend the amount of time for Council members on military leave, but most deployments last 90-180 days. He said he contacted the Department of Defense and there is language regarding this issue, and he questioned whether it would supersede the Charter language. Mr. McCarthy made a suggestion about language that could be added to address this. Mr. Ghanbari moved that the language "unless applicable Federal or State law provides otherwise" be added to the Ordinance under Article XV, Section 3.0. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0). Mr. McCarthy moved that Ordinance 87-2018 as amended be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Ayes: (0).

Mr. McCarthy introduced **ORDINANCE 88-2018 PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF PERRYSBURG, OHIO CERTAIN AMENDMENTS TO THE CITY CHARTER INCLUDING A CHANGE TO THE CITY'S PRIMARY ELECTION DATE 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: Ghanbari, Matuszak, McCarthy, Smith, VanHoozen, and Williams (6). Nays: Born (1). The Clerk read Ordinance 88-2018 by number and title only. Mr. McCarthy moved that Ordinance 88-2018 be approved as an emergency. Seconded by Ms. Williams. Ayes: Ghanbari, Matuszak, Smith, VanHoozen, and Williams (5). Nays: Born and McCarthy (2).

Mr. McCarthy introduced **ORDINANCE 89-2018 PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF PERRYSBURG, OHIO AMENDMENTS TO THE CHARTER REGARDING REFERENDUM AND INITIATIVE OF 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 Ordinance 89-2018 by number and title only. Mr. McCarthy moved that Ordinance 89-2018 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

## **COMMITTEE REPORTS**

### **Finance and Economic Development Committee:**

No report.

Next meeting: Tuesday, August 14, 2018 at 5:30 p.m.

### **Service Committee:**

Mr. VanHoozen gave his report of the July 25, 2018 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, August 22, 2018 at 5:00 p.m.

Mr. VanHoozen introduced **ORDINANCE 90-2018 AUTHORIZING AN AGREEMENT WITH SHELLY COMPANY IN AN AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED FIFTEEN THOUSAND SEVEN HUNDRED EIGHTY-TWO DOLLARS AND SEVENTY-FIVE CENTS (\$1,315,782.75) 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 Ms. Williams. Ayes: (7). Nays: (0). The Clerk read Ordinance 90-2018 by number and title only. Mr. VanHoozen moved that Ordinance 90-2018 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. VanHoozen introduced **ORDINANCE 91-2018 AUTHORIZING AN AGREEMENT WITH ZIMMERMAN PAINT CONTRACTORS FOR NINETY-ONE THOUSAND THREE HUNDRED TWENTY-THREE DOLLARS AND SIXTEEN CENTS (\$91,323.16) 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 91-2018 by number and title only. Mr. VanHoozen moved that Ordinance 91-2018 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. VanHoozen introduced **ORDINANCE 92-2018 AUTHORIZING AN AGREEMENT WITH KOESTER'S SEALCOATING TO PERFORM TRAIL AND MULTI-USE PATH REPAIR, SEALING AND COATING AT A PRICE NOT TO EXCEED THIRTY-FIVE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$35,750.00) 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 Ms. Williams. Ayes: (7). Nays: (0). The Clerk read Ordinance 92-2018 by number and title only. Mr. VanHoozen moved that Ordinance 92-2018 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Mr. VanHoozen introduced **ORDINANCE 93-2018 AUTHORIZING AN AGREEMENT WITH KCS CONTRACTING IN AN AMOUNT NOT TO EXCEED FORTY-NINE THOUSAND FIVE HUNDRED DOLLARS (\$49,500.00) TO PAINT THE MUNICIPAL POOL** 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 93-2018 by number and title only. Mr. VanHoozen moved that Ordinance 93-2018 be approved. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

Mr. VanHoozen introduced **ORDINANCE 94-2018 AUTHORIZING THE CITY ADMINISTRATOR TO SEEK BIDS FOR PROJECTS AT THE MUNICIPAL COURTHOUSE BUILDING** 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 94-2018 by number and title only. Mr. VanHoozen moved that Ordinance 94-2018 be approved. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

### **Safety Committee:**

Mr. Ghanbari gave his report of the July 24, 2018 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, August 28, 2018 at 6:00 p.m.

Mr. Ghanbari introduced **ORDINANCE 95-2018 AUTHORIZING THE PURCHASE AND INSTALLATION OF A BACK-UP EMERGENCY COMMUNICATIONS CENTER AT THE FORT MEIGS FIRE STATION FROM BENDER COMMUNICATIONS AT A PRICE NOT TO EXCEED ONE HUNDRED SIXTY THOUSAND DOLLARS (\$160,000.00) 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 95-2018 by number and title only. Mr. Ghanbari moved that Ordinance 95-2018 be approved as an emergency. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0).

Mr. Ghanbari introduced **ORDINANCE 96-2018 AUTHORIZING THE PURCHASE OF A REPLACEMENT POLICE PATROL VEHICLE FROM TIM LALLY CHEVROLET AT A COST NOT TO EXCEED THIRTY-TWO THOUSAND SEVEN HUNDRED NINETY-ONE DOLLARS AND FORTY CENTS (\$32,791.40)** 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 96-2018 by number and title only. Mr. Ghanbari moved that Ordinance 96-2018 be approved. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0).

### **Recreation Committee:**

Ms. Born gave her report of the July 25, 2018 meeting, a copy of which is attached hereto and made a part of these minutes. There was discussion regarding the lower retaining wall at Hood Park. Ms. Williams asked that Ms. Born provide the pictures and video showing the Redi-Rock crumbling. Mr. Smith asked that he also get a copy of the guidelines that show Redi-Rock is not an approved material for the Historic District. Ms. Born said she would bring it to the next committee meeting, and Mr. Smith asked for it before the meeting.

Next meeting: Tuesday, August 14, 2018 at 6:30 p.m.

Ms. Born introduced **ORDINANCE 97-2018 RENEWING THE MEMORANDUM OF UNDERSTANDING WITH THE PERRYSBURG AMATEUR BASEBALL SOFTBALL COMMISSION (PABSC) REGARDING USE OF CITY ATHLETIC FIELDS DURING 2018 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 97-2018 by number and title only. Ms. Born moved that Ordinance 97-2018 be approved as an emergency. Seconded by Mr. Matuszak. Mr. Matuszak said that in the past he has been critical of the lack of record keeping by PABSC. He said that they provided far more information than City Council has seen before. Ms. Born thanked Erica Parrish of PABSC. Ayes: (7). Nays: (0).

### **Planning and Zoning Committee:**

Mr. McCarthy gave his report of the July 11, 2018 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, August 8, 2018 at 5:30 p.m.

Mr. McCarthy introduced **ORDINANCE 98-2018 RENAMING BAY SHORE DRIVE AS ORIGINALLY NAMED AS PART OF BAY SHORE VILLAGE PLAT 1 TO SUMMERFIELD BOULEVARD** 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 98-2018 by number and title only. Mr. McCarthy moved that Ordinance 98-2018 be approved. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

A hearing to consider an appeal of a decision by the Historic Landmarks Commission regarding the property at 120 West Second Street was scheduled for Thursday, August 23, 2018 at 5:30 p.m.

### **Personnel Committee:**

Ms. Williams gave her report of the July 24, 2018 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, August 28, 2018 at 5:00 p.m.

Ms. Williams moved to go into Executive Session to discuss collective bargaining. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). City Council went into Executive Session at 7:39 p.m.

Ms. Williams moved to return from Executive Session at 8:04 p.m. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

Ms. Williams introduced **ORDINANCE 99-2018 AUTHORIZING THE CITY OF PERRYSBURG TO APPROVE THE IAFF LOCAL 3331 FACT-FINDER'S REPORT 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 99-2018 by number and title only. Ms. Williams moved that Ordinance 99-2018 be approved as an emergency. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

### **Public Utilities Committee:**

Mr. Smith gave his report of the July 25, 2018 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, August 22, 2018 at 6:00 p.m.

Mr. Smith moved to grant a sewer credit in the amount of \$1,911.13 to Drew McIntyre, 1843 Lexington Drive. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

Mr. Smith moved to grant a sewer credit in the amount of \$1,744.08 to Benjamin Sweetser, 681 Streamview Drive. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

Mr. Smith introduced **ORDINANCE 100-2018 AUTHORIZING AN AGREEMENT WITH RIDE RIGHT LLC TO PROVIDE TRANSPORTATION SERVICES** 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 100-2018 by number and title only. Mr. Smith moved that Ordinance 100-2018 be approved. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

Mr. Smith introduced **RESOLUTION 18-2018 AUTHORIZING THE CITY TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM; SPECIFICALLY, BY AUTHORIZING THE MAYOR TO TAKE ALL ACTIONS LEGALLY NECESSARY TO PREPARE AND SUBMIT AN APPLICATION FOR THE PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED** 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 18-2018 by number and title only. Mr. Smith moved that Resolution 18-2018 be approved. Seconded by Mr. Ghanbari. Ayes: (7). Nays: (0).

#### **OTHER BUSINESS**

None.

#### **ADJOURNMENT**

Mr. Matuszak moved to adjourn the meeting at 8:15 p.m. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor