

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD OCTOBER 1, 2019

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

Mr. Matuszak moved to approve the minutes of the September 16, 2019 Committee of the Whole meeting and the September 17, 2019 Committee of the Whole and City Council meetings as written and to dispense with their reading. Ms. Williams seconded. Ayes: (7). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Mackin recommended approval of the following re-appointments to boards and commissions:

Name	Committee/Board Name	Length	Term Expires
Douglas Sosko	Board of Income Tax Review	2 years	12/31/2021
Keith DeWalt	Board of Income Tax Review	2 years	12/31/2021
Christine Ardley	Street Tree Commission	3 years	12/31/2022
John Stout	Planning Commission	4 years	12/31/2023
John Wellstein	Planning Commission	4 years	12/31/2023
Nikki Decker	Board of Zoning Appeals	3 years	12/31/2022
Sue Bruning	Litter Prevention & Recycling	2 years	12/31/2021
Lindsay Buker	Citizens' Park and Recreation Advisory Committee	3 years	12/31/2022
Elizabeth Laurer	Citizens' Park and Recreation Advisory Committee	3 years	12/31/2022
Donald Boring	Civil Service	4 years	12/31/2023

Ms. Born asked why this is being done now instead of letting the new City Council vote on it after the beginning of the year. Mayor Mackin explained that these re-appointments are for terms expiring at the end of the year and these people have served the community well and have agreed to continue serving. Mr. Matuszak stated that the Appointment Review Committee met prior to the City Council

meeting and voted 3-0 to recommend approval of the re-appointments. Mr. Matuszak moved to approve the re-appointments recommended by Mayor Mackin. Seconded by Ms. Williams: Ayes: Matuszak, McCarthy, Smith, VanHoozen, Weber, and Williams (6). Abstain: Born (1).

City Administrator's Report

No report.

Finance Director's Report

No report.

Law Director's Report

No report.

President of Council Report

Mr. Matuszak stated that there will be a public hearing prior to the November 5, 2019 City Council meeting.

Mr. Matuszak introduced **ORDINANCE 41-2019 AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA FOR LEVIS COMMONS AND ENACTING REGULATIONS** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Ms. Williams. Ayes: Born, Matuszak, McCarthy, Smith, Weber, and Williams (6). Abstain: VanHoozen (1). The Clerk read Ordinance 41-2019 by number and title only. Mr. Matuszak moved that Ordinance 41-2019 be passed. Seconded by Ms. Williams. Ms. Born read a prepared statement that she believes the creation of a DORA at either Levis Commons or downtown is inappropriate and unnecessary. She said that DORAs have a negative effect on sales of neighboring retailers who do not sell liquor, and it allows inebriated people to be in close proximity to regular shoppers. There was discussion regarding security and the modifications made to the area that is proposed to be in the DORA. Allison Schroeder of Levis said that the residential areas were removed but the parking lots are still included. However, she said they will have signage saying cups are not allowed in parking lots. Mr. Matuszak stated that he has received more emails and letters about this issue than any other issue as long as he has been on City Council. He said for him this is a philosophical decision, and he feels he should lead by example and promote the common good. Mr. Smith thanked Ms. Schroeder, Rita Nelson, and Mel Ayers for sitting down and talking to him. He said that for him it comes down to where the entertainment district is. Ms. Williams said that she appreciates the changes Levis made to their application, taking into account City Council's concerns. She stated that the original idea for DORAs was to help downtown areas and this is not downtown. Mr. McCarthy agreed that Levis' representatives were very responsive to City Council's concerns. He said that there are two questions, are we going to have a DORA and if so, where. Mr. McCarthy said in his opinion, it should be in a more compact area. He said there is substantial public support that if there is going to be one, it should be downtown. He said that if done properly, he feels there would be a certain energy with a downtown DORA. Mr. Weber thanked the Levis representatives. He said that he talked to other cities and their DORAs are working well, but he feels it would be a better fit in the uptown

area. Ayes: (0). Nays: Born, Matuszak, McCarthy, Smith, Weber, and Williams (6). Abstain: VanHoozen (1).

Finance and Economic Development Committee:

Mr. Matuszak gave his report of the special meeting held prior to the City Council meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, October 8, 2019 at 5:30 p.m.

Mr. Matuszak introduced **ORDINANCE 42-2019 AN ORDINANCE PRESCRIBING THE MANNER OF SALE AND TRANSFER OF CERTAIN REAL PROPERTY LOCATED ON THIRD STREET AND MORE PARTICULARLY DESCRIBED IN EXHIBIT A, AND AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF THAT PROPERTY FROM REDEVELOPERS LTD., LLC, AND DECLARING AN EMERGENCY** and moved 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 42-2019 by number and title only. Mr. Matuszak moved that Ordinance 42-2019 be passed as an emergency. Seconded by Mr. McCarthy. Ms. Alkire said that she received word back from the seller's attorney just prior to the meeting with some minor alterations to the agreement, but they are not material. She said the improvements to the parking lot will be done prior to the City purchasing it for \$150,000. The Historic Landmarks Commission has already approved the proposed parking lot, and the Planning Commission will be considering it at an upcoming meeting. Ayes: (7). Nays: (0).

Service Committee:

Mr. VanHoozen gave his report of the September 25, 2019 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, October 23, 2019 at 5:00 p.m.

Mr. VanHoozen introduced **RESOLUTION 59-2019 A RESOLUTION AUTHORIZING AN AGREEMENT WITH CONTECH PIPE SOLUTIONS FOR THE PURCHASE OF MATERIALS RELATED TO THE FORT MEIGS ROAD CULVERT REHABILITATION PROJECT AT A COST OF SIXTY-SIX THOUSAND DOLLARS (\$66,000.00) AND DECLARING AN EMERGENCY** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Weber. Ayes: (7). Nays: (0). The Clerk read Resolution 59-2019 by number and title only. Mr. VanHoozen moved that Resolution 59-2019 be approved as an emergency. Seconded by Mr. Weber. Ayes: (7). Nays: (0).

Mr. VanHoozen introduced **RESOLUTION 60-2019 A RESOLUTION AUTHORIZING AN AGREEMENT WITH MOSSER CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE FORT MEIGS ROAD CULVERT REHABILITATION PROJECT AT A COST OF TWO HUNDRED FORTY-SEVEN THOUSAND AND TEN DOLLARS AND 40/100 (\$247,010.40) AND DECLARING AN EMERGENCY** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Weber. Ayes: (7). Nays: (0). The Clerk read Resolution 60-2019 by number and title only. Mr. VanHoozen moved that

Resolution 60-2019 be approved as an emergency. Seconded by Mr. Weber. Ayes: (7). Nays: (0).

Mr. VanHoozen introduced **RESOLUTION 61-2019 A RESOLUTION AUTHORIZING AMENDMENT TWO TO THE AGREEMENT WITH THE WOOD COUNTY COMMISSIONERS FOR THE PER CAPITA RECYCLING PROGRAM** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Weber. Ayes: (7). Nays: (0). The Clerk read Resolution 61-2019 by number and title only. Mr. VanHoozen moved that Resolution 61-2019 be approved. Seconded by Mr. Weber. Ayes: (7). Nays: (0).

Safety Committee:

Mr. Weber gave his report of the September 24, 2019 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, October 22, 2019 at 6:00 p.m.

Mr. Weber introduced **RESOLUTION 62-2019 A RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH MATHEWS FORD OREGON NOT TO EXCEED THIRTY THOUSAND EIGHT HUNDRED FORTY-THREE DOLLARS AND 77/100 (\$30,843.77) FOR THE PURCHASE OF A 2020 FORD EXPLORER FOR THE PERRYSBURG POLICE DIVISION AND DECLARING AN EMERGENCY** and moved 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 Resolution 62-2019 by number and title only. Mr. Weber moved that Resolution 62-2019 be approved as an emergency. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0).

Mr. Weber introduced **RESOLUTION 63-2019 A RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH MATHEWS FORD OREGON NOT TO EXCEED FORTY-THREE THOUSAND EIGHT HUNDRED SEVENTY-SIX DOLLARS AND 33/100 (\$43,876.33) FOR THE PURCHASE OF A 2020 FORD POLICE INTERCEPTOR UTILITY HYBRID FOR THE PERRYSBURG POLICE DIVISION AND DECLARING AN EMERGENCY** and moved 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 Resolution 63-2019 by number and title only. Mr. Weber moved that Resolution 63-2019 be approved as an emergency. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0).

Recreation Committee:

No report.

Next meeting: Tuesday, October 8, 2019 at 6:30 p.m.

Planning and Zoning Committee:

No report.

Mr. McCarthy reminded City Council that a hearing regarding an Historic Landmarks Commission appeal is scheduled for the following evening at 6:00 p.m.

Next meeting: Wednesday, October 16, 2019 at 5:30 p.m., which is a change from the regular date.

Mr. McCarthy introduced **ORDINANCE 43-2019 RENAMING SUNDERLAND DRIVE AS ORIGINALLY NAMED AS PART OF SUMMERFIELD PLAT 1 TO VALLEY HALL DRIVE** and moved 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 43-2019 by number and title only. Mr. McCarthy moved that Ordinance 43-2019 be approved as an emergency. Seconded by Ms. Williams. Ayes: (7). Nays: (0).

Personnel Committee:

No report.

Next meeting: Tuesday, October 22, 2019 at 5:00 p.m.

Public Utilities Committee:

Mr. Smith gave his report of the September 25, 2019 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, October 23, 2019 at 6:00 p.m.

Mr. Smith introduced **RESOLUTION 64-2019 A RESOLUTION AUTHORIZING AN AGREEMENT WITH CASH SERVICES, LLC IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED SIX THOUSAND FOUR HUNDRED AND ONE DOLLARS AND 61/100 (\$506,401.61) FOR THE CONSTRUCTION OF THE WATER MAIN REPLACEMENT ALONG HICKORY, LOOMIS, ORCHARD AND COLONY STREETS** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0). The Clerk read Resolution 64-2019 by number and title only. Mr. Smith moved that Resolution 64-2019 be passed. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0).

Mr. Smith introduced **RESOLUTION 65-2019 AUTHORIZING CHANGE ORDER NUMBER ONE TO THE AGREEMENT WITH R.G. ZACHRICH CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE POST-AERATION AND PRIMARY BYPASS PROJECT AT THE WASTEWATER TREATMENT PLANT FOR AN INCREASED COST OF FOUR THOUSAND FIVE HUNDRED AND SIXTY-FOUR DOLLARS AND 78/100 (\$4,564.78) AND DECLARING AN EMERGENCY** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Weber. Ayes: (7). Nays: (0). The Clerk read Resolution 65-2019 by number and title only. Mr. Smith moved that Resolution 65-2019 be passed as an emergency. Seconded by Mr. Weber. Ayes: (7). Nays: (0).

Mr. Smith introduced **RESOLUTION 66-2019 A RESOLUTION AUTHORIZING A UNIFORM WATER PURCHASE AND SUPPLY AGREEMENT WITH THE CITY OF TOLEDO AND DECLARING AN EMERGENCY** and moved to allow for its reading by number and title only. Seconded by Mr. Weber. Ayes: (7). Nays: (0). The Clerk read Resolution 66-2019 by number and title only. Chris Finkbeiner, 26514 W. River Road, said that he has a lack of confidence in Toledo. He said that they have not maintained their water treatment plant and Bowling Green has maintained their plant. He questioned the water quality, and said that we should not be forced to make a decision on Toledo's

time table without looking at all options. Mayor Mackin said that we tested samples of both Toledo and Bowling Green water. Ms. Kabat said that the results were not identical but were very similar and both fall within the acceptable parameters of the Ohio EPA. Ms. Alkire said that the City of Toledo will be providing the contracting communities with EPA notices, and the Regional Water Commission will make recommendations on what capital improvements will be done.

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Matuszak moved to adjourn the meeting at 7:40 p.m. Seconded by Mr. Smith.
Ayes: (7). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor