

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD FEBRUARY 4, 2020

Mayor Mackin called the meeting to order at 6:30 p.m. Present at the meeting were Council Members Deborah Born, Cory Kuhlman, Jan Materni, Jim Matuszak, Jonathan Smith, and Barry VanHoozen (6). Tim McCarthy was absent (1). Also present were Bridgette Kabat, City Administrator, Laura Alkire, Law Director, and David Creps, Clerk of Council.

Mr. Smith moved to approve the minutes of the City Council meeting held January 21, 2020 as written and to dispense with their reading. Seconded by Mr. Matuszak. Ayes: (6). 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

Mr. Creps reminded the elected officials that their 2019 Ethics Commission report is due by May 15.

Law Director's Report

No report.

President of Council Report

No report.

Finance and Economic Development Committee:

No report.

Next meeting: Tuesday, February 11, 2020 at 5:30 p.m.

Mr. Matuszak introduced **RESOLUTION 2-2020 A RESOLUTION AUTHORIZING A LICENSE AGREEMENT FOR THE INSTALLATION AND PLACEMENT OF FIBER AND RELATED COMMUNICATION**

EQUIPMENT BETWEEN THE CITY OF PERRYSBURG, OHIO AND AMPLEX INTERNET and moved to allow for its reading by number and title only and to dispense with the third reading. Seconded by Mr. Smith. Ayes: (6). Nays: (0). The Clerk read Resolution 2-2020 by number and title only. Mr. Matuszak moved that Resolution 2-2020 be passed. Seconded by Mr. Smith. IT Manager Gary Kleinfelter and Ryan Hill, Director of Operations of Amplex, were present at the meeting to answer questions from City Council. Ms. Born asked why full City Council is voting on this, and she stated that Amplex is redundant and this is too much of an open checkbook. Mr. Kuhlman asked about the rate that was used in the ComNet agreement back in 2012. Ms. Alkire said that we did not increase the value per foot for the Amplex agreement. Mr. Matuszak asked if the rate remains static throughout the twenty year ComNet agreement. Ms. Alkire said that it does. Mayor Mackin said that he was on Council at that time and he remembers discussion about the rate fluctuating and that was built into the rate. There was discussion regarding the vulnerability of the service. Ms. Alkire said that this is a redundant service. Mr. Kleinfelter added that we currently have wireless/point to point service and if approved, the fiber would become primary and the wireless/point to point would be secondary. Mr. Matuszak said that he feels someone needs to be held accountable to monitor the fair market values because an agreement where no money changes hands leaves the door open for fraud. Ms. Alkire said that it would not be out of line to put something to that effect into the agreement and she provided some language that could be used. Mr. Matuszak made a motion to amend Section 3 of Exhibit A to add that the City Administrator and IT Manager are responsible for administering the contract and monitoring the value of services to determine the equitable relationship between the City and Amplex. Seconded by Mr. Smith. Ms. Born said that since we already have ComNet we should just build on that. Ayes: Kuhlman, Materni, Matuszak, Smith, and VanHoozen (5) Nays: Born (1). Mr. Kuhlman asked what the trigger is that would allow the contract to be amended. Ms. Alkire said that in Section 3 there is an amendment clause that reads “in equal exchange” so the services would have to be equal. Ayes: Kuhlman, Materni, Matuszak, Smith, and VanHoozen (5) Nays: Born (1).

Service Committee:

Ms. Materni gave her report of the January 22, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, February 26, 2020 at 5:30 p.m.

Ms. Materni introduced **RESOLUTION 5-2020 AMENDING RESOLUTION 31-2019 AND AUTHORIZING CHANGE ORDER NUMBER ONE TO THE AGREEMENT WITH GERKEN PAVING IN AN AMOUNT NOT TO EXCEED EIGHTY-NINE THOUSAND ONE HUNDRED FORTY-SIX DOLLARS AND THREE CENTS (\$89,146.03) FOR A TOTAL AGREEMENT AMOUNT OF ONE MILLION FOUR HUNDRED EIGHTY-EIGHT THOUSAND SEVEN HUNDRED ELEVEN DOLLARS AND TWO CENTS (\$1,488,711.02) 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. Smith. Ayes: (6). Nays: (0). The Clerk read Resolution 5-2020 by number and title only. Ms. Materni moved that Resolution 5-2020 be passed as an emergency. Seconded by Mr. Smith. Ms. Born asked what was going on with the bid process and said that the contractor should stick with the work approved in the contract. Ms. Kabat explained that the City asked that

sidewalk and curb ramps that needed to be replaced within the resurfacing project area be replaced during resurfacing. Ms. Materni added that it saved the City paying duplicate mobilization fees. Ayes: (6). Nays: (0).

Ms. Materni introduced **RESOLUTION 6-2020 AMENDING RESOLUTION 44-2019 AND AUTHORIZING CHANGE ORDER NUMBER ONE TO THE AGREEMENT WITH ZIMMERMAN PAINT CONTRACTORS IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND SIX HUNDRED FORTY-TWO DOLLARS AND TWENTY-EIGHT CENTS (\$5,642.28) FOR A TOTAL AGREEMENT AMOUNT OF ONE HUNDRED AND ONE THOUSAND ONE HUNDRED NINETY-NINE DOLLARS AND FIFTY-SEVEN CENTS (\$101,199.57) 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. Smith. Ayes: (6). Nays: (0). The Clerk read Resolution 6-2020 by number and title only. Ms. Materni moved that Resolution 6-2020 be passed as an emergency. Seconded by Mr. Smith. Ms. Born said that her comments are similar to what she said before. She said the contractors bid too low, and she will be voting yes tonight, but no next time. Ayes: (6). Nays: (0).

Ms. Materni introduced **RESOLUTION 7-2020 AUTHORIZING PARTICIPATION BY THE CITY OF PERRYSBURG IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM 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. Smith. Ayes: (6). Nays: (0). The Clerk read Resolution 7-2020 by number and title only. Ms. Materni moved that Resolution 7-2020 be passed as an emergency. Seconded by Mr. Smith. Ayes: (6). Nays: (0).

Ms. Materni introduced **ORDINANCE 1-2020 AMENDING ORDINANCE 137-2018 AND AUTHORIZING CHANGE ORDER NUMBER ONE TO THE AGREEMENT WITH CHARLES CONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED THREE THOUSAND NINE HUNDRED NINETY-THREE DOLLARS (\$3,993.00) FOR A TOTAL AGREEMENT AMOUNT OF TWO HUNDRED TWENTY-ONE THOUSAND SIX HUNDRED NINETY-THREE DOLLARS (\$221,693.00) 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. Smith. Ayes: (6). Nays: (0). The Clerk read Ordinance 1-2020 by number and title only. Ms. Materni moved that Ordinance 1-2020 be passed as an emergency. Seconded by Mr. Smith. Ayes: (6). Nays: (0).

Safety Committee:

Mr. VanHoozen gave his report of the January 28, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, February 25, 2020 at 6:00 p.m.

Mr. VanHoozen introduced **RESOLUTION 8-2020 AUTHORIZING A PURCHASE AGREEMENT WITH MATHEWS FORD OREGON NOT TO EXCEED ONE HUNDRED FORTY-NINE THOUSAND SIX HUNDRED ELEVEN DOLLARS AND 20/100 (\$149,611.20) FOR THE PURCHASE OF THREE 2020 FORD INTERCEPTOR UTILITY HYBRID VEHICLES AND ALL RELATED EQUIPMENT 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. Smith. Ayes: (6). Nays: (0). The Clerk read Resolution 8-2020 by number and title only. Mr. VanHoozen moved that Resolution 8-2020 be passed as an emergency. Seconded by Ms. Materni. Ayes: (6). Nays: (0).

Recreation Committee:

No report.

Next meeting: Tuesday, February 11, 2020 at 6:30 p.m.

Planning and Zoning Committee:

Mr. VanHoozen moved to table Resolution 3-2020 and send it back to the Planning and Zoning Committee. Seconded by Mr. Smith. Ayes: (6). Nays: (0).

Next meeting: To be determined.

Personnel Committee:

Mr. Kuhlman gave his report of the January 28, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, February 25, 2020 at 5:00 p.m.

Public Utilities Committee:

Mr. Smith gave his report of the January 22, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, February 26, 2020 at 6:30 p.m.

OTHER BUSINESS

None.

ADJOURNMENT

Mr. Smith moved to adjourn the meeting at 7:40 p.m. Seconded by Mr. Matuszak. Ayes: (6). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor