

## **MINUTES OF PERRYSBURG CITY COUNCIL**

### **MEETING HELD MARCH 3, 2020**

Mayor Mackin called the meeting to order at 6:31 p.m. Present at the meeting were Council Members Deborah Born, Cory Kuhlman, Jan Materni, Jim Matuszak, Tim McCarthy, and Barry VanHoozen (6). Jonathan Smith was absent (1). Also present were Bridgette Kabat, City Administrator, Laura Alkire, Law Director, and Amber Rathburn, Deputy Director of Finance.

Mr. McCarthy nominated Mr. Matuszak to be the President of Council Pro Tem. Seconded by Ms. Born. Ayes: (6). Nays: (0).

Mr. Matuszak moved to approve the minutes of the City Council meeting held February 18, 2020 as written and to dispense with their reading. Seconded by Ms. Born. Ayes: (6). Nays: (0).

#### **SPECIAL REPORTS**

None.

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

Denny Barrett, 25400 Fort Meigs Road, Apt. 39, said that although the last City Council meeting was short, it was not the shortest one ever held and he provided details.

#### **ADMINISTRATIVE REPORTS**

##### **Mayor's Report**

Mayor Mackin reported that with regards to COVID 19, the Administration is reviewing operating procedures, planning for employee shortages, and has been in contact with the Wood County EMA and Health Department, and the State of Ohio.

##### **City Administrator's Report**

No report.

##### **Finance Director's Report**

No report.

##### **Law Director's Report**

No report.

##### **President of Council Report**

No report.

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

No report.

Next meeting: Tuesday, March 10, 2020 at 5:30 p.m.

Mr. Matuszak introduced **ORDINANCE 3-2020 AMENDING ORDINANCE 47-2019 TO AMEND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020 AND DECLARING AN EMERGENCY** and moved to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0). Mr. Matuszak called attention to an email received by City Council regarding Rotary Park and the amended budget, and he said it should go to the Recreation Committee.

**Service Committee:**

Ms. Materni gave her report of the February 26, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, March 25, 2020 at 5:30 p.m.

Ms. Materni introduced **RESOLUTION 9-2020 AUTHORIZING THE AWARD OF THE BID AND AGREEMENT TO THE SHELLY COMPANY FOR THE PROVISION OF CONSTRUCTION SERVICES FOR THE STATE ROUTE 25 & U.S. ROUTE 20 URBAN PAVING PROJECT, ODOT PID NO. 109516 IN AN AMOUNT OF NINE HUNDRED EIGHTY-NINE THOUSAND NINETY-ONE DOLLARS AND 50/100 (\$989,091.50)** 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: (6). Nays: (0). The Clerk read Resolution 9-2020 by number and title only. Ms. Materni moved that Resolution 9-2020 be passed. Seconded by Mr. Kuhlman. There was discussion regarding the 15% contingency included in the contract. Ms. Born said that she is not in favor of it, and Mr. Matuszak said that he sees the opportunity for things to take place that you don't want to have take place. Ms. Alkire explained that the contract would still be for the bid price, and the contractor would be held to the unit price contained in the bid. Ayes: Kuhlman, Materni, Matuszk, McCarthy, and VanHoozen (5). Nays: Born (1).

Ms. Materni introduced **RESOLUTION 10-2020 AUTHORIZING AN AGREEMENT WITH URETEK USA, INC. FOR THE PROVISION OF CONSTRUCTION SERVICES AND MATERIALS NECESSARY FOR COMPLETION OF THE MAUMEE WESTERN RESERVE BRIDGE REPAIR PROJECT IN AN AMOUNT OF ONE HUNDRED TWENTY-EIGHT THOUSAND FOUR HUNDRED FIFTY DOLLARS AND NO/100 (\$128,450.00)** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0). The Clerk read Resolution 10-2020 by number and title only. Ms. Materni moved that Resolution 10-2020 be passed. Seconded by Mr. McCarthy. Ms. Born repeated her opposition to the contingency included in the legislation. Ayes: Kuhlman, Materni, Matuszk, McCarthy, and VanHoozen (5). Nays: Born (1).

Ms. Materni introduced **RESOLUTION 11-2020 AUTHORIZING AN AGREEMENT WITH COMTE CONSTRUCTION COMPANY FOR THE LABOR AND MATERIALS NECESSARY FOR THE CITY OF PERRYSBURG FIRE STATION 38 STRUCTURAL REPAIRS IN AN AMOUNT OF TWENTY-ONE THOUSAND ONE HUNDRED DOLLARS AND NO/100 (\$21,100.00) 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. McCarthy. Ayes: Kuhlman, Materni, Matuszak, McCarthy, and VanHoozen (5). Nays: Born (1). The Clerk read Resolution 11-2020 by number and title only. Ms. Materni moved that Resolution 11-2020 be passed as an emergency. Seconded by Mr. Kuhlman. Ms. Born said she feels the contingency is an attempt to go around City Council without getting approval. Ms. Alkire explained that the Mayor could execute this contract without City Council approval because it is under the \$25,000 threshold that would require Council approval. However, the proposals came back in different formats and DGL was asked to put them in an apples to apples comparison. None of the bidders included a contingency, that was DGL's idea because they feel once the concrete floor is removed, we may find a broken pipe that is causing this problem. Ayes: Kuhlman, Materni, Matuszak, McCarthy, and VanHoozen (5). Nays: Born (1).

#### **Safety Committee:**

Mr. VanHoozen gave his report of the February 25, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, March 24, 2020 at 6:00 p.m.

Mr. VanHoozen introduced **RESOLUTION 12-2020 AUTHORIZING RENEWAL OF THE AGREEMENT WITH PRO-PHOENIX IN AN AMOUNT NOT TO EXCEED THIRTY TWO THOUSAND NINE HUNDRED FORTY-TWO DOLLARS AND FORTY CENTS (\$32,942.40) TO PROVIDE MAINTENANCE AND TECHNICAL SUPPORT FOR POLICE DIVISION COMPUTER SYSTEMS FOR THE YEAR BEGINNING MARCH 21, 2020 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: (6). Nays: (0). The Clerk read Resolution 12-2020 by number and title only. Mr. VanHoozen moved that Resolution 12-2020 be passed as an emergency. Seconded by Mr. Matuszak. Ayes: (6). Nays: (0).

Mr. VanHoozen introduced **RESOLUTION 13-2020 DECLARING ONE 2013 CHEVROLET TAHOE CURRENTLY USED BY THE POLICE DIVISION NO LONGER NEEDED FOR PUBLIC USE OR UNFIT FOR PUBLIC SERVICE** 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: (6). Nays: (0). The Clerk read Resolution 13-2020 by number and title only. Mr. VanHoozen moved that Resolution 13-2020 be passed. Seconded by Mr. Matuszak. Ayes: (6). Nays: (0).

Mr. VanHoozen introduced **RESOLUTION 14-2020 A RESOLUTION TO ACCEPT THE ONE OHIO MEMORANDUM OF UNDERSTANDING 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: (6). Nays: (0). The Clerk read Resolution 14-2020 by number and title only. Mr. VanHoozen moved that Resolution 14-2020 be passed as an emergency. Seconded by Ms. Materni. Ms. Born said that she is not comfortable with this, and it should be tabled to allow time to get more information. Mr. Matuszak said that he is uncomfortable with it because of how late we received it and because he is not a judge and one of the Whereas clauses states that the pharmaceutical companies have committed misfeasance, nonfeasance and malfeasance. Ms. Materni said that she agrees with Mr. Matuszak to a certain extent because the pharmaceutical companies are not the only ones to blame. Mr.

VanHoozen said that his concern is the short turnaround time which did not give enough time to understand the full scope. Ayes: Kuhlman and McCarthy (2). Nays: Born, Materni, Matuszak, and VanHoozen (4).

**Recreation Committee:**

No report.

Next meeting: Tuesday, March 10, 2020 at 6:30 p.m.

**Planning and Zoning Committee:**

Mr. McCarthy gave his report of the March 2, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: To be determined.

Mr. McCarthy made a motion to untable Resolution 3-2020. Seconded by Mr. VanHoozen. Ayes: (6). Nays: (0).

Mr. McCarthy introduced **RESOLUTION 3-2020 A RESOLUTION ACCEPTING THE PROPOSAL AND ENTERING INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PURPOSES OF UPDATING THE LAND USE PLAN FOR THE CITY OF PERRYSBURG, OHIO AT A COST NOT TO EXCEED EIGHTY THOUSAND DOLLARS AND NO/100 (\$80,000.00) 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. VanHoozen. Ayes: (6). Nays: (0). The Clerk read Resolution 3-2020 by number and title only. Mr. McCarthy moved that Resolution 3-2020 be passed as an emergency. Seconded by Mr. VanHoozen. Ms. Born said that she would like a couple more meetings for public input. Mr. Kuhlman explained that the community input will occur after this contract is approved. Ayes: (6). Nays: (0).

Mr. McCarthy stated that Ms. Born raised concerns at the last meeting regarding the house construction on East Second Street and the alley being blocked. He said that it is still an issue because the crews unload from the alley and then park there. Ms. Kabat said that she will contact the homeowner.

**Personnel Committee:**

No report.

Next meeting: Tuesday, March 24, 2020 at 5:00 p.m.

**Public Utilities Committee:**

Mr. VanHoozen gave the report of the February 26, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, March 25, 2020 at 6:30 p.m.

Mr. VanHoozen introduced **RESOLUTION 15-2020 AUTHORIZING AN AGREEMENT WITH CT CONSULTANTS FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR THE FORT MEIGS DITCH IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED**

**SIXTY SEVEN THOUSAND FIVE HUNDRED AND NINETY DOLLARS AND NO/100 (\$67,590.00) 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. Matuszak. Ayes: (6). Nays: (0). The Clerk read Resolution 15-2020 by number and title only. Mr. VanHoozen moved that Resolution 15-2020 be passed as an emergency. Seconded by Ms. Materni. Mr. Matuszak asked if the ditch is going to be cleaned this year. Ms. Kabat said that it will depend if any vegetation has to be removed, and it could happen after October 31<sup>st</sup>. Ayes: (6). Nays: (0).

Mr. VanHoozen introduced **RESOLUTION 16-2020 AUTHORIZING CHANGE ORDER NUMBER ONE TO THE AGREEMENT WITH JONES AND HENRY FOR THE PROFESSIONAL DESIGN SERVICES FOR DEWATERING IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT AND INCREASING THE AGREEMENT AMOUNT TO AN AMOUNT NOT TO EXCEED NINETY FIVE THOUSAND TWO HUNDRED AND SIXTY-THREE DOLLARS AND NO/100 (\$95,263.00) 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 Ms. Materni. Ayes: (6). Nays: (0). The Clerk read Resolution 16-2020 by number and title only. Mr. VanHoozen moved that Resolution 16-2020 be passed as an emergency. Seconded by Ms. Materni. Ayes: (6). Nays: (0).

Mr. VanHoozen introduced **RESOLUTION 17-2020 DECLARING ONE 2010 FORD CROWN VICTORIA CURRENTLY USED BY THE DEPARTMENT OF PUBLIC UTILITIES NO LONGER NEEDED FOR PUBLIC USE OR UNFIT FOR PUBLIC SERVICE** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0). The Clerk read Resolution 17-2020 by number and title only. Mr. VanHoozen moved that Resolution 17-2020 be passed. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. VanHoozen introduced **RESOLUTION 18-2020 DECLARING ONE 2009 FORD F250 CURRENTLY USED BY THE DEPARTMENT OF PUBLIC UTILITIES NO LONGER NEEDED FOR PUBLIC USE OR UNFIT FOR PUBLIC SERVICE** 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: (6). Nays: (0). The Clerk read Resolution 18-2020 by number and title only. Mr. VanHoozen moved that Resolution 18-2020 be passed. Seconded by Mr. Matuszak. Ayes: (6). Nays: (0).

### **OTHER BUSINESS**

None.

### **ADJOURNMENT**

Mr. Matuszak moved to adjourn the meeting at 8:03 p.m. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor