

## MINUTES OF PERRYSBURG CITY COUNCIL

### MEETING HELD JULY 28, 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 Jonathan Smith, (6). Barry VanHoozen 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 July 7, 2020 as written and to dispense with their reading. Seconded by Mr. Matuszak. Ayes: (6). Nays: (0).

Mr. Smith moved to approve the minutes of the Committee of the Whole meeting held July 21, 2020 as written and to dispense with their reading. Seconded by Ms. Materni. Ayes: Born, Kuhlman, Materni, McCarthy, and Smith (5). Abstain: Matuszak (1).

### **SPECIAL REPORTS**

None.

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

Ms. Born stated she was contacted by Helen Barber of Chesterton, and she has a big skunk on her property. Mayor Mackin asked that Ms. Born forward him the email.

### **ADMINISTRATIVE REPORTS**

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

Mayor Mackin recommended the following re-appointment and appointments:

#### Reappointment:

<b>Name</b>	<b>Committee/Board</b>	<b>Length</b>	<b>Term Expires</b>
Quinn Baumgartner	PRAC	1 year	6/1/2021

#### Appointment:

Xavier Rabatin	Litter Prev. & Rec.	1 year	6/1/2021
Jonah Bruning	Litter Prev. & Rec.	1 year	6/1/2021
Todd France	PRAC	3 years	12/31/2022
Caleb Christen	PRAC	1 year	6/1/2021

Mr. Smith stated that the Appointment Review Committee met prior to the City Council meeting and the appointments and re-appointment were recommended 3-0 to be approved.

Mr. Smith made a motion to approve the re-appointment and appointments recommended by Mayor Mackin. Seconded by Mr. Matuszak. Ms. Born said that Quinn Baumgartner did not come before the Recreation Committee. Mayor Mackin

noted that it is a re-appointment. Ms. Born said that we need to follow the Rules of Council. Ayes: Kuhlman, Materni, McCarthy, and Smith (4). Nays: Born and Matuszak (2).

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

Ms. Kabat reported that the Administration received notification from the City Engineer that he will be retiring as of August 2, 2020.

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

Mr. Creps reported that Wood County mailed the CARES Act check on Friday, July 24, 2020 so we should be receiving it any day. Mayor Mackin added that Wood County will be offering small business grants and you can't have two sourcing agencies, so the City will not be offering them.

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

Ms. Alkire stated that she revised Resolution 37-2020 to include the 3-0 recommendation of the Service Committee. Ms. Alkire stated that she also distributed to City Council a copy of her letter of resignation. She thanked Council for the opportunity to serve, and she said she will be staying approximately two more months.

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

No report.

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

No report.

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

#### **Service Committee:**

Ms. Materni gave her report of the meeting held on July 27, 2020, a copy of which is attached hereto and made a part of these minutes.

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

Ms. Materni introduced **RESOLUTION 37-2020 ACCEPTING THE PROPOSAL AND ENTERING INTO AN AGREEMENT WITH CAMPBELL MECHANICAL SERVICES FOR THE ACQUISITION OF AN AIR PURIFICATION SYSTEM FOR MUNICIPAL HVAC SYSTEMS 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 37-2020 by number and title only. Ms. Materni moved that Resolution 37-2020 be passed as an emergency. Seconded by Mr. Smith. Mayor Mackin stated that the Administration is requesting this as an emergency measure. Ms. Kabat explained that it will take three weeks to get the equipment in once the contract is signed, and we are under time constraints because of the CARES Act funds. Ms. Born said that this is not in the budget, and Ms. Kabat said that it is being paid for with CARES Act funds. Ayes: (6). Nays: (0).

### **Safety Committee:**

Ms. Born gave the report of the meeting held on July 21, 2020, a copy of which is attached hereto and made a part of these minutes.

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

Mr. Matuszak introduced **RESOLUTION 35-2020 ACCEPTING THE PROPOSAL AND ENTERING INTO AN AGREEMENT WITH DGL CONSULTING ENGINEERS FOR AN ENGINEERING TRAFFIC STUDY TO BE COMPLETED FOR MAPLE STREET 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: Kuhlman, Materni, Matuszak, McCarthy, and Smith (5). Nays: Born (1). The Clerk read Resolution 35-2020 by number and title only. Mr. Matuszak moved that Resolution 35-2020 be passed as an emergency. Seconded by Mr. Smith. Ms. Born said she is not in favor of this proposal because it's not what the residents want. Mr. McCarthy asked about the timing of the proposal from DGL. Ms. Alkire explained that there are three parts to the proposal including two different traffic studies. After the traffic studies are received, City Council would need to pass legislation accepting the recommendations and then submit it to ODOT. Mr. McCarthy asked if the first traffic study comes back and supports the recommendation to lower the speed limit if it could be submitted to ODOT without waiting for the traffic study in the Spring. Ms. Kabat said that it could be. Mr. Matuszak asked if we have to commit to both traffic studies if we don't need the second one. Ms. Alkire said the agreement is a not to exceed amount so we would not have to do the second traffic study. Mr. Smith asked what penalties the City would receive if we lower the speed limit without the traffic study. Ms. Alkire said that the speed limit would be unenforceable. Joe Westmeyer, attorney for the residents of the 0 block of Maple Street, asked that City Council lower the speed limit. He said that he understands that the legality and enforceability are at question, but according to the Police Division's speed survey, 96% of the drivers were following the posted speed limit so there's no reason to believe they would not follow the lower speed limit if it were posted. Mr. Westmeyer said that he spoke to a representative of ODOT and he suggested the following options to avoid the traffic study: permanent radar based speed signs in both directions, and speed bumps with speed advisory signs. Mr. Westmeyer provided a picture of the type of speed bump he is recommending. If City Council chooses to proceed with the traffic study, Mr. Westmeyer asked that the concept of widening the street be removed and interviews with the residents of Maple Street be included. Ms. Kabat said that a flashing speed sign including a recording device of speeds moving north and southbound will be installed on the northbound side of Maple Street and the City has purchased 4" low profile temporary rumble strips that will be placed in the northbound and southbound lanes. She added that the rumble strips will be seasonal because the snow plows use that route. Mr. Smith asked why the 15mph signs should not be posted even if it's not enforceable. Ms. Alkire said that the law is very clear, and we don't know what the traffic study will come back at. Tim Goligoski, 8 Maple Street, said that he spoke to an ODOT traffic engineer and he said based on his years of experience, he does not believe the traffic study will come back with a recommendation lower than 25 mph. He said that they discussed traffic calming devices and the traffic engineer said that he is in favor of the radar signs but they need to be both ways. Mr. Kuhlman said that he went down to Maple Street after the last meeting and one of the things in the proposal that spoke to him is widening the street because there are no sidewalks or multi-use path down the hill.

Mr. Goligoski said that he would not argue about a multi-use path in the right of way, but he doesn't think widening the road will slow down traffic. Ms. Materni stated that the speed bump in the photo provided by Mr. Westmeyer was probably done in conjunction with a paving project, because speed bumps put in after the fact don't last long. Mr. Kuhlman said that he is in support of this proposal provided that interviews with the residents are included. Mayor Mackin said that the Administration will pass that along to DGL. Ayes: Kuhlman, Materni, Matuszak, McCarthy, and Smith (5). Nays: Born (1).

#### **Recreation Committee:**

Ms. Born gave her report of the July 14, 2020 meeting, a copy of which is attached hereto and made a part of these minutes. Mr. Matuszak asked if PABSC is complying with the requirement to provide their financial statement to the City. Ms. Alkire said that they are, and Ms. Kabat said she will send the financials to City Council.

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

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

Mr. McCarthy gave his report of the July 8, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, August 12, 2020 at 5:30 p.m.

#### **Personnel Committee:**

Mr. Kuhlman reported that the Committee met prior to the Council meeting but he will give the report at the next City Council meeting.

Next special meeting: Monday, August 10, 2020 at 5:30 p.m., at the Hilton Garden Inn

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

#### **Public Utilities Committee:**

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

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

Mr. Smith introduced **RESOLUTION 36-2020 ACCEPTING THE PROPOSAL AND ENTERING INTO AN AGREEMENT WITH PROUDFOOT ASSOCIATES FOR ENGINEERING SERVICES RELATED TO THE EAST RIVER ROAD WATER CONNECTION PROJECT 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 36-2020 by number and title only. Mr. Smith moved that Resolution 36-2020 be passed as an emergency. Seconded by Ms. Materni. Ms. Born asked what the actual cost of the project will be. Mr. Smith explained that this is an engineering study to find the cost of the project. Ms. Kabat said that preliminary estimates indicate that it will pay for itself

in less than five years so that puts it in the neighborhood of \$4 million dollars. Ayes: (6). Nays: (0).

**OTHER BUSINESS**

Ms. Born asked if there was legal notice published about the upcoming DORA meeting, and she asked if public comment will be allowed because it was not allowed at the last DORA meeting. Mr. Smith said that it was allowed at the last meeting and he referenced the minutes that contain comments from the public. Ms. Born said it wasn't listed on the agenda. Ms. Alkire stated that the public hearing was published on July 22 and July 29 in the Sentinel and Perrysburg Messenger Journal.

**ADJOURNMENT**

Mr. Smith moved to adjourn the meeting at 8:06 p.m. Seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor