

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD AUGUST 18, 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, Tim McCarthy, Jonathan Smith, and Barry VanHoozen (7). Also present were Bridgette Kabat, City Administrator, Laura Alkire, Law Director, and David Creps, Clerk of Council.

Mr. Smith stated that in the minutes of the July 28, 2020 City Council meeting, the vote on the motion to approve appointments and a re-appointment to boards and commissions should have been 5-1 with Mr. Matuszak voting to approve. Mr. Smith moved to approve the minutes of the City Council meeting held July 28, 2020 as amended and to dispense with their reading. Seconded by Mr. Matuszak. Ayes: Born, Kuhlman, Materni, Matuszak, McCarthy, and Smith (6). Nays: (0). Abstain: VanHoozen (1).

Mr. McCarthy stated that he believes the minutes of the Public Hearing held on August 10, 2020 should be amended to remove the statement of Dalyn Badenhop. He said that the following day Mr. Badenhop sent an email requesting that City Council disregard his previous email. Mr. Matuszak said that he understands Mr. McCarthy's comments, but the email was read at the meeting. Mr. Smith moved to approve the minutes of the Public Hearing held on August 10, 2020 with Mr. Badenhop's statement removed, and it noted that Mr. Badenhop requested that the statement be disregarded, and to dispense with their reading. Seconded by Mr. McCarthy. Ayes: Born, Kuhlman, Materni, McCarthy, Smith, and VanHoozen (6). Nays: Born (1).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Mackin read a proclamation in honor of Doug Dariano, City Engineer, who retired on August 2, 2020, which was signed by the Mayor and City Council members. Mayor Mackin thanked Mr. Dariano for his service and wished him a long, happy retirement.

WHEREAS, the citizens of our community have been fortunate to have been served by a number of dedicated employees over the years, and City Council and the Administration believe it is important to recognize exceptional service to the City and milestones in an employee's employment; and

WHEREAS, on January 22, 1991, Doug Dariano began his career with the City of Perrysburg serving as the Deputy Service Director for ten years and subsequently developed the City Engineering Division and became the City's first full time engineer; and

- WHEREAS,** Doug has distinguished himself as a hard-working and dedicated public servant, at all times committed to helping his community with a sense of fairness and has provided invaluable leadership and guidance on many significant projects; and
- WHEREAS,** as a well-respected engineer in the Northwest Ohio area, Doug was recognized by the Toledo Society of Professional Engineers and the American Society of Civil Engineers as Engineer of the Year in 2016; and
- WHEREAS,** Doug was instrumental in several City projects such as the Multi-Use Path system, intersection improvements on State Route 25, the Indiana-Cherry-Findlay intersection, the Elm and Cherry Street sewer separation projects, and helping ODOT with the new Maumee River Bridge crossing; and
- WHEREAS,** having spent more than twenty-nine and a half years employed by the City of Perrysburg, Doug retires from his long-standing career as the City's engineer and part of the City's leadership team where his institutional knowledge has proved invaluable time and again; and
- WHEREAS,** Doug has served with distinction and holds the rank of Captain in the United States Navy Civil Engineer Corps and served active duty in Al Anbar, Iraq, rebuilding schools and infrastructure; and
- WHEREAS,** once retired, Doug plans to spend more time with his family and traveling with his wife. His daily presence will be deeply missed by his co-workers along with his proverbial "Living the American Dream".

NOW, THEREFORE, I, Thomas G. Mackin, Mayor of the City of Perrysburg, Ohio along with Perrysburg City Council hereby recognize and honor Doug Dariano upon the occasion of his retirement. We express our sincere appreciation and gratitude for Mr. Dariano's dedication and commitment to the City of Perrysburg, and wish him the best, and continued success in his retirement and future endeavors.

Mayor Mackin recognized Fire Chief Rudy Ruiz, Deputy Chief Tom Granata, Captain Joel Whitmore, Captain Tom Samson, Captain Nathan Burtscher, Lieutenant Joel Kociancic, Lieutenant Alan Bagdonas, and Fire Marshal Aaron Harwell for receiving the designation of Fire Officer from the Center for Public Safety Excellence. Chief Ruiz explained that this is a third party organization that does a peer review and very rarely does every officer of a department receive this designation. Mayor Mackin said this is a great honor for the whole team and he thanked the families of the officers as well.

Mayor Mackin stated that the deadline for applications for the Law Director's position has passed and they are moving on in the process scheduling interviews.

City Administrator's Report

No report.

Finance Director's Report

No report.

Law Director's Report

No report.

President of Council Report

Mr. Smith reported that he has received communications from several individuals regarding Halloween. They are encouraging the Administration to allow trick or treating.

Mr. Smith introduced **ORDINANCE 7-2020 CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA IN DOWNTOWN PERRYSBURG AND ENACTING REGULATIONS** and moved to allow for its reading by number and title only. Seconded by Mr. Matuszak. Ayes: Kuhlman, Materni, Matuszak, McCarthy, Smith, and VanHoozen (6). Nays: Born (1). The Clerk read Ordinance 7-2020 by number and title only.

Mr. Smith said that he thinks it is important to have discussion regarding several different items regarding the DORA, if it should pass. Mr. Smith said that the Ordinance as prepared is for a two-year period. Ms. Born stated the application says five years. The remaining Council members said they were good with the two-year period. Mr. Matuszak and Ms. Materni said that they were good with the two-year period but would like an annual review. There was discussion regarding the importance of having a group representing the DORA. It was suggested that language be added to the ordinance requiring that a group be in place by the one-year review, but encouraging it to be implemented as soon as possible. There was discussion regarding the geographical boundaries of the DORA. Ms. Alkire stated that the staff review was based on the boundaries as submitted by the applicant. Mr. Kuhlman said that he would like to see it extended down Second Street to include TruFit. He asked that the Administration review that area prior to the next meeting. There was a discussion regarding the hours of operation for the DORA. Ms. Materni made a suggestion regarding the hours, and Mr. Kuhlman said that he would like to see it not go past 10 p.m. Mr. VanHoozen said that he would like consistent hours and suggested 12-10 p.m. Ms. Materni said she was okay with that. Ms. Kabat stated that Police Chief Pat Jones sent an email expressing concerns about the DORA during special events such as Harrison Rally Day and the holiday parade because it would be difficult to police. She suggested that the DORA would have to work with the Director of Safety to see if additional security is needed for special events. Mr. Kuhlman asked if that could be a requirement of the special event permit. Ms. Alkire said if the DORA hours are approved in the ordinance that would override the permit. Mr. Matuszak suggested it be part of the legislation. Ms. Alkire said that the application states that the applicant is willing to work with the Chief regarding additional security for special events. She said that she will add language to the ordinance that will require the applicant to work with the Director of Public Safety and the Police Chief for special events within the DORA boundaries. There was discussion regarding sanitation and safety measures for the area. Ms. Born said that bar owners should have liability insurance or the City will be liable and this is on two state routes. Mr. Smith said that the Law Director will check with our insurance company. Mr. Matuszak asked that we also check with Toledo and Sylvania regarding insurance. Ms. Materni said that she heard one business owner state that on a nice weekend the garbage containers can be full by Sunday night. Ms. Kabat said that under normal circumstances the garbage is checked on the weekend, but that is not currently being done because of Covid-19. There was discussion regarding the signage, and Mr. Smith said that he thinks it would be prudent for the applicant to get the signage approved by the Historic Landmarks Commission. Ms. Born said that the proposed 26 signs seems excessive. Mr. Kuhlman said that he would like to see a map on the cup using the railroad tracks

as a landmark. Mr. McCarthy said that he thinks Sylvania's signs are hard to find. Mayor Mackin stated that the signs cannot go on City poles.

Ms. Born said that she has a lot of concerns regarding the DORA and the quality of life changing. She said it will change the face of Perrysburg as we know it. Mr. Kuhlman said that if the amendments discussed are added, he is in favor and thinks it will be beneficial. Mr. Matuszak said that they are all interested in hearing what the public has to say. Mr. Smith said that he has read every comment he has received for and against the DORA. He said that he decided to support the DORA after reading the 2008 Comprehensive Plan economic section that talks about promoting revitalization and development in the Downtown. Ms. Materni agreed with Mr. Smith and added that all residents' opinions matter to her whether they have lived here two months or 25 years. Mr. McCarthy said that he intends to vote for it and concurs with Mr. Smith and Ms. Materni. Mr. VanHoozen said that he is going to support it with the modifications discussed. He added that he is concerned about the pressure on the police force.

Mayor Mackin stated that City Council and the Administration have received lots of comments, and the Administration will distribute the comments they receive to all of Council. He thanked City Council for the discussion and stated that it is helpful on how to proceed.

Zach McKenna, 125 E. Seventh Street, said that he has lived there almost 23 years. He said that he tried to get a copy of the DORA, but the attachments were not included on the City's website. Ms. Alkire said that she will send Mr. McKenna a copy. Mr. McKenna said that it sounds like City Council members have already made up their minds without having public comment which is offensive to him. He said that he is concerned about sanitation because there is no plan in the application. He said he walked the DORA area today and there was trash on the ground. He said there is no security plan within the DORA and that's an issue. He said that when people drink, people get hurt. He added that there is no evidence that increased foot traffic equals more sales.

Finance and Economic Development Committee:

Mr. Matuszak gave his report of the August 11, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, September 8, 2020 at 5:30 p.m.

Mr. Matuszak introduced **ORDINANCE 8-2020 AN ORDINANCE DETERMINING TO PROCEED WITH THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES AND CONTROLLING THE BLIGHT AND DISEASE OF SAME AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHTS-OF-WAY OF THE CITY OF PERRYSBURG 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: (7). Nays: (0). The Clerk read Ordinance 8-2020 by number and title only. Mr. Matuszak moved that Ordinance 8-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ms. Born said that she will be voting no because people are taxed enough and these are rough times

due to Covid. She said people don't want their trees to be bothered when they can do it themselves. Mr. Materni noted that the City is liable for the street trees. Mayor Mackin stated that because of the street tree assessment we were able to save elm trees during the emerald ash borer situation. Ayes: Kuhlman, Materni, Matuszak, McCarthy, Smith and VanHoozen (6). Nays: Born (1).

Mr. Matuszak introduced **ORDINANCE 9-2020 AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE REMOVAL AND SPECIAL TREATMENT OF SHADE TREES AND CONTROLLING THE BLIGHT AND DISEASE OF SAME AND FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS AND WITHIN PUBLIC RIGHTS-OF-WAY OF THE CITY OF PERRYSBURG 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: (7). Nays: (0). The Clerk read Ordinance 9-2020 by number and title only. Mr. Matuszak moved that Ordinance 9-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: Kuhlman, Materni, Matuszak, McCarthy, Smith and VanHoozen (6). Nays: Born (1).

Service Committee:

No report.

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

Safety Committee:

No report.

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

Recreation Committee:

No report.

Next meeting: Tuesday, September 8, 2020 at 6:30 p.m.

Planning and Zoning Committee:

No report.

Next meeting: Wednesday, September 9, 2020 at 5:30 p.m.

Personnel Committee:

Mr. Kuhlman gave his reports of the July 28, 2020 and August 10, 2020 meetings, copies of which are attached hereto and made a part of these minutes.

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

Mr. Kuhlman introduced **RESOLUTION 38-2020 ACCEPTING THE PROPOSAL AND AUTHORIZING AN AGREEMENT WITH NEOGOV IN AN AMOUNT NOT TO EXCEED THIRTY-SIX THOUSAND FIVE HUNDRED SEVENTY-EIGHT DOLLARS AND 50/100 TO PROVIDE**

ONLINE HUMAN RESOURCE SERVICES TO THE CITY OF PERRYSBURG 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 38-2020 by number and title only. Mr. Kuhlman moved that Resolution 38-2020 be passed as an emergency. Seconded by Mr. McCarthy. Mr. Smith asked if the CARES Act funds will cover the entire cost. Mr. Kuhlman said that it will be pro-rated and approximately \$8,000 will be paid for from CARES Act funds. Ms. Kabat stated that the CARES Act allows software costs through December 31. She said this contract covers two budget years so funds will also be included in the 2021 budget. Mayor Mackin said that the Administration has been trying to eliminate paper and this software will help with consistency and efficiency. Mr. Matuszak noted that City Council is approving a contract that is dependent upon a future budget. Ms. Alkire noted that we received a discount by going with a two-year agreement. Ayes: (7). Nays: (0).

Public Utilities Committee:

No report.

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

OTHER BUSINESS

Jon Orser, 125 E. Front Street, asked if there will be another public hearing regarding the DORA. Mayor Mackin stated that only a first reading was done on the legislation tonight.

ADJOURNMENT

Mr. Smith moved to adjourn the meeting at 8:21 p.m. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor