

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD SEPTEMBER 15, 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 moved to approve the minutes of the City Council meeting held September 1, 2020 as written and to dispense with their reading. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Mackin recommended that City Council appoint Kathryn Sandretto as Director of Law. Mr. Smith said that he will address this in his report.

City Administrator's Report

No report.

Finance Director's Report

No report.

Law Director's Report

No report.

President of Council Report

Mr. Smith announced that there are public hearings scheduled at 6:15 p.m. and 6:25 p.m. on October 6, 2020 regarding proposed Code Amendments.

Mr. Smith stated that a Committee of the Whole meeting was held prior to the City Council meeting and he moved to approve the appointment of Kathryn Sandretto as Director of Law. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0).

Mr. Smith read the following statement:

As I have had many individuals in our community reach out, I wanted to take a moment to comment on the events that took place at the Recreation Committee

meeting on September 8th. As President of Council, I would like to first offer an apology to Ryan Wichman, Wood County Plays, and the members of our community that had to experience and witness the events of that evening. I would also be remiss to point out that the actions of one council member are not a representation of the rest of council.

It is due to the behavior of that night that I am going to task our Personnel Committee to hold discussions and bring forth a Professional Code of Conduct for City Council and Appointed Committees, with a goal of passing legislation by the end of this year. I will be emailing to all of Council this evening a couple examples that I have found in different communities around the nation to utilize as a starting point. It is unfortunate that we are at this point where we need to have a discussion on how to be professionals. I hope that once we can create a code, that we never have to point to it again.

Finance and Economic Development Committee:

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

Next meeting: Tuesday, October 13, 2020 at 5:30 p.m.

Mr. Matuszak introduced **ORDINANCE 13-2020 AN ORDINANCE AMENDING ORDINANCE 10-2020 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 and to dispense with the second and third readings. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read Ordinance 13-2020 by number and title only. Mr. Matuszak moved that Ordinance 13-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ayes (7). Nays: (0).

Mr. Matuszak introduced **RESOLUTION 45-2020 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF INTENT FOR THE POTENTIAL PURCHASE OF SOLAR GENERATED ENERGY THROUGH THE NORTHWEST OHIO AGGREGATION COALITION** 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 Resolution 45-2020 by number and title only. Mr. Matuszak moved that Resolution 45-2020 be passed. Seconded by Mr. McCarthy. Mr. Matuszak noted that this is not binding. Ms. Alkire stated that the Letter of Intent is significant for the suppliers. Mark Frye of Palmer Energy was present and stated that 45 different counties and communities have signed a letter of intent and he is expecting five or ten more to sign. He discussed the size of the solar array that could be needed and he said that they are recommending that communities get 25% of their consumption from solar. Ms. Born asked about a location for the array, and Mr. Frye said that will be driven by the developer. He said that the timetable for construction will be dependent on the developer. If they have already started the process it could be mid-2022, if not it will probably be 2023. Ayes (7). Nays: (0).

Mr. Matuszak introduced **RESOLUTION 46-2020 A RESOLUTION AUTHORIZING A JOB CREATION GRANT FOR SATELYTICS, INC.**

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 Resolution 46-2020 by number and title only. Mr. Matuszak moved that Resolution 46-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ayes (7). Nays: (0).

Service Committee:

Ms. Materni gave her report of the special meeting held on September 10, 2020, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, September 23, 2020 at 5:30 p.m.

Ms. Materni introduced **RESOLUTION 47-2020 A RESOLUTION AUTHORIZING THE AWARD OF THE BID AND AGREEMENT TO CRESTLINE PAVING AND EXCAVATION CO. FOR THE PROVISION OF CONSTRUCTION SERVICES FOR PHASE FOUR OF THE MAUMEE RIVER MULTI-USE PATH, ODOT PID NO. 101863 IN AN AMOUNT OF TWO HUNDRED NINETY-EIGHT THOUSAND THREE HUNDRED NINETY-ONE DOLLARS AND 19/100 (\$298,391.19) 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: (7). Nays: (0). The Clerk read Resolution 47-2020 by number and title only. Ms. Materni moved that Resolution 47-2020 be passed as an emergency. Seconded by Mr. Smith. Ms. Born said that she will be voting no. She stated that in 2002 crosstown bike paths were voted down 60% to 40%. Mayor Mackin clarified that the ballot measure was to have a bike path down Indiana Avenue. Ms. Born said that petroleum from the multi-use path will go into the river. Mr. Matuszak asked about the contingency, and Mr. Smith requested that the Administration report any change orders to the Committee. Ayes: Kuhlman, Materni, Matuszak, McCarthy, Smith, and VanHoozen (6). Nays: Born (1).

Ms. Materni introduced **RESOLUTION 48-2020 A RESOLUTION AUTHORIZING AN LPA AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF STATE ROUTE 25 IMPROVEMENTS INCLUDING THE ADDITION OF LEFT TURN LANES ON STATE ROUTE 25, UPGRADING OF PRESTON PARKWAY AND FORT MEIGS ROAD APPROACHES AND THE INSTALLATION OF SIGNALS AND WALKWAYS, ODOT PID 111509 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: (7). Nays: (0). The Clerk read Resolution 48-2020 by number and title only. Ms. Materni moved that Resolution 48-2020 be passed as an emergency. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 49-2020 A RESOLUTION AUTHORIZING AN LPA AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF STATE ROUTE 25 AND ROACHTON IMPROVEMENTS INCLUDING THE UPGRADING OF PAVEMENT MARKINGS, SIGNAGE AND SIGNALIZATION, ODOT PID 104493 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: (7).

Nays: (0). The Clerk read Resolution 49-2020 by number and title only. Ms. Materni moved that Resolution 49-2020 be passed as an emergency. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 50-2020 A RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH RUSH TRUCK CENTERS NOT TO EXCEED EIGHTY-FOUR THOUSAND TWO HUNDRED SIXTEEN DOLLARS AND 14/100 (\$84,216.14) FOR THE PURCHASE OF A 2021 INTERNATIONAL HV507 CAB AND CHASSIS SNOW PLOW FOR THE PERRYSBURG DEPARTMENT OF PUBLIC SERVICE 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: (7). Nays: (0). The Clerk read Resolution 50-2020 by number and title only. Ms. Materni moved that Resolution 50-2020 be passed as an emergency. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 51-2020 A RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH HENDERSON PRODUCTS INCORPORATED NOT TO EXCEED NINETY EIGHT THOUSAND ONE HUNDRED EIGHTY-ONE DOLLARS AND NO/100 (\$98,181.00) FOR THE EQUIPMENT AND OUTFITTING NECESSARY FOR THE ACQUISITION OF A SNOW PLOW FOR THE PERRYSBURG DEPARTMENT OF PUBLIC SERVICE 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: (7). Nays: (0). The Clerk read Resolution 51-2020 by number and title only. Ms. Materni moved that Resolution 51-2020 be passed as an emergency. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

Diana Friess, 311 West Indiana Avenue, asked why bike paths are being discussed at Service Committee and not in Recreation Committee. She said that she disagrees with the Mayor's comment about the ballot language and it was about bike paths, but not just on Indiana Avenue. She said that there is a creek that runs Indiana Avenue and there will be an archaeological problem because of the old cemetery that exists. She added that if there is any discussion regarding bike paths on Indiana residents should be notified. Mayor Mackin said that was a fair point.

Safety Committee:

No report.

Next meeting: Tuesday, September 22, 2020 at 6:00 p.m.

Recreation Committee:

Ms. Born gave her report of the September 8, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Tuesday, October 13, 2020 at 6:30 p.m.

Ms. Born introduced **ORDINANCE 14-2020 AN ORDINANCE AMENDING CODIFIED ORDINANCE 1090.071 REGARDING COMMERCIAL ADVERTISING IN CITY PARKS PREVIOUSLY ENACTED IN**

ORDINANCE 65-2010 ON APRIL 6, 2010 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: (7). Nays: (0). The Clerk read Ordinance 14-2020 by number and title only. Ms. Born moved that Ordinance 14-2020 be passed. Seconded by Mr. Smith. Ms. Born said that there were some inaccuracies in the ordinance because it referred to a meeting that didn't take place. Mr. Smith replied that the Ordinance that is being voted on refers to the meeting on September 8, 2020. Mr. Kuhlman asked Mr. Wichman to show renderings of the iron fence. Mr. Kuhlman stated that the inclusive playground project exemplifies everything Perrysburg stands for. He apologized that Mr. Wichman felt this project was being discriminated against. Mr. McCarthy joined in Mr. Smith and Mr. Kuhlman's apologies. He said that he watched a recording of the meeting and Ms. Born's actions that night were inexcusable; a real embarrassment to the City. He commented on Ms. Born's questioning of Mr. Wichman and her comments to fellow Committee members. He said that at one point she gave control of the meeting over to someone who is not a committee member and is not even a member of Council. Mr. Matuszak thanked Mr. Wichman and asked if the signs will be facing inward. Mr. Wichman said that they will be. Mr. VanHoozen asked if Mr. Wichman anticipates going all the way around the fence. Mr. Wichman said no, that it won't take up an exceptionally large section. Ms. Born said that she is a supporter of the inclusive playground, but the ordinance would allow any and all advertising at the park. She said the permission would allow three employees to make the decision and that is not allowed by the Charter. She added that the ordinance does not mention Wood County Plays. Mr. Matuszak said that this is the same language that is used for Rivercrest Park and looking at the past practice of the Administration, there has been no abuse at Rivercrest Park. Mayor Mackin noted that bricks are being sold for the walkway at Rotary Park. Ms. Alkire stated that an ordinance cannot be written to limit it for one project because it is unconstitutional. Mr. Kuhlman clarified that passage of this legislation tonight does not give blanket permission for signage. Ms. Alkire said that is correct. Mr. Kuhlman asked that Mr. Wichman review the minutes from the Recreation Committee meeting and let him know if there is anything he feels is written unfairly. Ayes: Kuhlman, Materni, Matuszak, McCarthy, Smith, and VanHoozen (6). Nays: Born (1).

Planning and Zoning Committee:

Mr. McCarthy gave his report of the September 10, 2020 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, October 14, 2020 at 5:30 p.m.

Personnel Committee:

No report.

Next regular meeting: Tuesday, September 22, 2020 at 5:00 p.m.

Mr. Kuhlman introduced **ORDINANCE 15-2020 AN ORDINANCE AMENDING CODIFIED ORDINANCE 266.12-1 PROGRAM FOR SUBSTANCE ABUSE PREVIOUSLY ENACTED IN ORDINANCE 105-91 ON NOVEMBER 5, 1991 AND SUBSEQUENTLY AMENDED THROUGH ORDINANCE 103-2003 ON JUNE 17, 2003 AND ORDINANCE 179-2006 ON AUGUST 1, 2006** 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 Ordinance 15-2020 by number and title only. Mr. Kuhlman moved that Ordinance 15-2020 be passed. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0).

Public Utilities Committee:

No report.

Next meeting: Wednesday, September 23, 2020 at 6:30 p.m.

OTHER BUSINESS

Ms. Born stated that she is in support of Wood County Plays and she did not care for Mr. McCarthy's disparaging comments.

ADJOURNMENT

Mr. Smith moved to adjourn the meeting at 8:03 p.m. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

David D. Creps, Clerk

Thomas G. Mackin, Mayor