

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD DECEMBER 15, 2020

Mayor Mackin called the meeting to order at 6:30 p.m. Present 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, Kate Sandretto, Law Director, and Amber Rathburn, Deputy Finance Director.

Mr. Smith moved to approve the minutes of the City Council meeting held on December 1, 2020 as written and to dispense with their reading. The motion was seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Mackin stated that Jon Eckel will be retiring at the end of the year, and he wanted to recognize Mr. Eckel's contributions to the City over the years.

Mayor Mackin recommended that Becky Williams be appointed to the Planning Commission and that Susan Rowland Miller be appointed to the Street Tree Commission.

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 the Appointment Review Committee met prior to the City Council meeting and unanimously recommended to approve the Mayor's recommended appointments. Mr. Smith moved to approve the following appointments:

| | | | |
|----------------------|---------------------|----------------|----------|
| Becky Williams | Planning Commission | unexpired term | 12/31/23 |
| Susan Rowland Miller | Street Tree Comm. | 3 year term | 12/31/23 |

Mr. Smith stated that there was a fire on Aspen Drive the previous week and the residents had great things to say about the professionalism of the Fire Department staff.

Mr. McCarthy requested that the special meeting to consider the Council vacancy that was scheduled for January 20, 2021 be rescheduled due to the Presidential inauguration. The meeting was rescheduled for Monday, January 25, 2021 at 5:30 p.m.

Finance and Economic Development Committee:

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

Next meeting: Tuesday, January 12, 2021 at 5:30 p.m.

Mr. Matuszak introduced **ORDINANCE 32-2020 AMENDING ORDINANCE 3-2020 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 32-2020 by number and title only. Mr. Matuszak moved that Ordinance 32-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **ORDINANCE 33-2020 AUTHORIZING CITY HEALTH INSURANCE COVERAGE AND ADMINISTRATION AGREEMENTS THROUGH UNITED HEALTHCARE BENEFIT AND ADMINISTRATORS AND RELATED ENTITIES 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 33-2020 by number and title only. Mr. Matuszak moved that Ordinance 33-2020 be passed as an emergency. Seconded by Mr. McCarthy. Mr. Smith asked about the clinic since we will be switching companies. Mr. Creps said that we will be able to stay with the clinic because that is a separate agreement. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **ORDINANCE 34-2020 AMENDING THE CITY BUDGET ORDINANCE TO REVISE THE ESTIMATED REVENUES FOR THE YEAR 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 34-2020 by number and title only. Mr. Matuszak moved that Ordinance 34-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **ORDINANCE 35-2020 AMENDING CITY BUDGET ORDINANCE BY AUTHORIZING CERTAIN ADDITIONS TO APPROPRIATIONS FOR THE YEAR 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 35-2020 by number and title only. Mr. Matuszak moved that Ordinance 35-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mr. Matuszak introduced **ORDINANCE 36-2020 AUTHORIZING CERTAIN CASH TRANSFERS WITHIN THE CITY'S BUDGETS 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 36-2020 by number and title only. Mr. Matuszak moved that Ordinance 36-2020 be passed as an emergency. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0).

Mayor Mackin thanked Mr. Matuszak for his service and wished him well. Mr. McCarthy said that he has served on the Finance Committee with Mr. Matuszak, and Mr. Matuszak has done an exemplary job keeping his eye on the taxpayers' dollars.

Service Committee:

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

Next meeting: Wednesday, January 27, 2020 at 5:30 p.m.

Ms. Materni introduced **RESOLUTION 60-2020 AUTHORIZING AN AGREEMENT WITH NORTH BRANCH NURSERY, INC. NOT TO EXCEED SIXTY-FIVE THOUSAND NINETY-ONE DOLLARS (\$65,091.00) FOR THE 2020 FALL TREE PLANTING 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 60-2020 by number and title only. Ms. Materni moved that Resolution 60-2020 be passed as an emergency. Seconded by Mr. Smith. Ms. Born asked for a copy of the second bid, and she asked why it needed to be an emergency. Ms. Sandretto stated that there is still a small window of time to plant this year. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 61-2020 AUTHORIZING AN AGREEMENT WITH G6 INFRASTRUCTURE, LLC NOT TO EXCEED SEVENTY-FOUR THOUSAND NINE HUNDRED SIXTY DOLLARS (\$74,960.00) FOR BANK STABILIZATION AND EROSION CONTROL AT THREE MEADOWS LARGE POND** 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 61-2020 by number and title only. Ms. Materni moved that Resolution 61-2020 be passed. Seconded by Mr. Smith. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 62-2020 AUTHORIZING AN AGREEMENT WITH MUNGER MUNGER & ASSOCIATES INC. NOT TO EXCEED 12% OF THE TOTAL COST OF CONSTRUCTION FOR CONSTRUCTION DOCUMENTS FOR STATION RENOVATIONS AT FIRE STATION 38 LOCATED AT 140 W. INDIANA AVE. 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 62-2020 by number and title only. Ms. Materni moved that Resolution 62-2020 be passed as an emergency. Seconded by Mr. Smith. Ms. Born asked who the reviewers were, and she asked to see the bid from Bergmann. Ms. Kabat said the reviewers were the Service Director, the Deputy Public Utilities Director, the Planning & Zoning Administrator, and Mr. Eckel. She also said that she would provide the requested bid to City Council. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 63-2020 AUTHORIZING AN AGREEMENT WITH TETRA TECH FOR CONSTRUCTION ENGINEERING AND ADMINISTRATION AND RPR SERVICES FOR THE STATE ROUTE 25 AND WEST SOUTH BOUNDARY INTERSECTION IMPROVEMENTS, ODOT PID NO. 104496, PROJECT NUMBER WOO-25-21.31 IN AN AMOUNT NOT TO EXCEED FORTY-NINE THOUSAND NINE HUNDRED DOLLARS (\$49,900.00)** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Smith. Ayes: (7). Nays: (0). The Clerk read Resolution 63-2020 by number and title only. Ms. Materni moved that Resolution 63-2020 be passed. Seconded by Mr. Smith. Ms. Born asked where the bids are and what is the pre-qualified engineers list. Ms. Sandretto explained that the City has a list of pre-qualified engineers and if the fee is less than \$50,000, the City can choose from that list. Ms. Born said that she would like to see the list. Ms. Materni asked if it's the ODOT list. Ms. Kabat said that the City does their own list every two years, but if there is ODOT grant funding involved in a project, we have to use their list. Ayes: (7). Nays: (0).

Safety Committee:

No report.

Next meeting: Tuesday, January 26, 2021 at 6:00 p.m.

Recreation Committee:

No report.

Next meeting: Tuesday, January 12, 2021 at 6:30 p.m.

Planning and Zoning Committee:

No report.

Next meeting: Wednesday, January 13, 2021 at 5:30 p.m.

Mr. McCarthy introduced **ORDINANCE 23-2020 AMENDING CODIFIED ZONING ORDINANCE 1215.02(180) OF THE CITY OF PERRYSBURG'S ZONING CODE TO ALLOW FOR THE KEEPING OF HENS WITHIN THE CITY OF PERRYSBURG** and moved to allow for its reading by number and title only. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0). The Clerk read Ordinance 23-2020 by number and title only. Mr. McCarthy moved that Ordinance 23-2020 be passed. Seconded by Mr. VanHoozen. Mr. Smith said that previously chickens were permitted in agriculture and were a special approval use in R1. He

asked if there was a reason the special approval use process was not included, and how complaints would be handled. Mr. McCarthy said that concerns from neighbors would be handled like other zoning concerns. He said that the Committee felt comfortable with the minimum lot size and that there were minimal issues during the trial run. Mr. Kuhlman said that in the case of the one resident that came to the Committee meeting and talked about his negative experience with his neighbors' chickens, they had more than six chickens. Ms. Born said that she feels this is great for sustainability and is a step forward in being a progressive community. Ms. Born thanked Krista Kiessling for her work on this. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 24-2020 AMENDING CODIFIED ZONING ORDINANCE 1225.08 OF THE CITY OF PERRYSBURG'S ZONING CODE TO ALLOW FOR THE KEEPING OF HENS WITHIN THE CITY OF PERRYSBURG** and moved to allow for its reading by number and title only. Seconded by Mr. Matuszak. Ayes: (7). Nays: (0). The Clerk read Ordinance 24-2020 by number and title only. Mr. McCarthy moved that Ordinance 24-2020 be passed. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0).

Personnel Committee:

No report.

Next regular meeting: Thursday, January 7, 2021 at 5:30 p.m. which is a change from the regular date and time.

Mr. Kuhlman introduced **ORDINANCE 25-2020 AMENDING THE CITY'S ADMINISTRATIVE CODE TITLE IV CHAPTER 20 BY ADDING RULE VIII TO SUBSECTION 220.05 CREATING A CODE OF CONDUCT FOR CITY COUNCIL** and moved to allow for its reading by number and title only. Seconded by Mr. McCarthy. Ayes: (7). Nays: (0). The Clerk read Ordinance 25-2020 by number and title only.

Public Utilities Committee:

Mr. Smith gave his report of the December 10, 2020 meeting, a copy of which is attached hereto and made a part of these minutes. Mr. Smith reported that the legislation for the telemetry equipment was being pulled from the agenda. He added that since the meeting he received comments from residents that live near the Fort Meigs ditch and he forwarded those emails to Ms. Godsey for a response.

Next meeting: Wednesday, January 27, 2021 at 6:00 p.m.

Mr. Smith introduced **ORDINANCE 37-2020 AMENDING RULE 65 OF CODIFIED ORDINANCES 1060.06(b) OF THE CITY OF PERRYSBURG'S STREETS, UTILITIES AND PUBLIC SERVICES CODE SECTION PREVIOUSLY ENACTED BY ORDINANCE 46-2012 AND PASSED ON MARCH 6, 2012** 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: (7). Nays: (0). The Clerk read Ordinance 37-2020 by number and title only. Mr. Smith moved that Ordinance 37-2020 be passed. Seconded by Ms. Materni. Ayes: (7). Nays: (0).

Mr. Smith introduced **ORDINANCE 38-2020 AMENDING ORDINANCE 64-2018 AND ORDINANCE 121-93 WHICH ESTABLISHED A GRANT PROGRAM TO ASSIST HOMEOWNERS IN REMOVING CLEAN WATER CONNECTIONS FROM THE SANITARY SEWER SYSTEM** 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: (7). Nays: (0). The Clerk read Ordinance 38-2020 by number and title only. Mr. Smith moved that Ordinance 38-2020 be passed. Seconded by Ms. Materni. Mr. McCarthy asked about the program being voluntary. Mr. Smith explained that although the clean water connections to the sanitary sewer are not permitted, it would be very difficult for the City to enforce and they want to encourage voluntary compliance. Ms. Born asked why the amount is doubling, and Ms. Sandretto said to encourage participation. Ms. Born asked how it is being publicized and said that she believes there should be three readings. Ayes: Kuhlman, Materni, Matuszak, McCarthy, Smith, and VanHoozen (6). Nays: Born (1).

There was discussion regarding the Fort Meigs ditch and options regarding a sidewalk or multi-use path. Ms. Kabat said that they did not hear back from the consultants on the questions posed to ensure the safety of residents and guests.

OTHER BUSINESS

None.

ADJOURNMENT

There being no objections, the meeting adjourned at 7:43 p.m.

David D. Creps, Clerk

Thomas G. Mackin, Mayor