

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD JANUARY 5, 2021

Mayor Mackin called the meeting to order at 6:30 p.m. Present were Council Members Deborah Born, Cory Kuhlman, Jan Materni, Tim McCarthy, Jonathan Smith, and Barry VanHoozen (6). Also present were Bridgette Kabat, City Administrator, Kate Sandretto, Law Director, and David Creps, Clerk of Council.

Mr. Smith moved to approve the minutes of the City Council meeting held on December 15, 2020 as written and to dispense with their reading. The motion was seconded by Mr. McCarthy. Ayes: (6). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Mackin reported that Jon Eckel and Jeff Studer both retired. He wished them long and happy retirements.

Mayor Mackin recommended that Jessica Kemp and Christopher Patrick be reappointed to serve on PRAC.

City Administrator's Report

Ms. Kabat gave an update on the City employee COVID policy. She stated that although the Federal rules have expired, the Administration has extended the internal policy granting 80 hours of paid administrative leave for employees who have to isolate or quarantine through March 31. Mr. Smith said that some employees may run out of sick time, and he hopes the City will not terminate those employees. Ms. Kabat said that only one employee has required non-paid leave and they are on the mend and are due back soon. There was a brief discussion about vaccinations for fire and police employees.

Ms. Kabat reported that five applications had been received for the City Council vacancy. Mr. Smith asked that if any Council member receives one, please pass it along to all other members.

Finance Director's Report

Mr. Creps said that given there is currently no Chair of the Finance Committee, he reached out to Ms. Born and Mr. McCarthy about bringing legislation to renew the contract for preparation of the City's GAAP statement directly to Council without going through the Finance Committee. They both said that would be okay, so that legislation will be on the next City Council agenda.

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 recommended 2-0 to approve the Mayor's recommendations for reappointment. Mr. Smith moved to approve the following reappointments:

| | | | |
|---------------------|------|-------------|----------|
| Jessica Kemp | PRAC | 3 year term | 12/31/23 |
| Christopher Patrick | PRAC | 3 year term | 12/31/23 |

Seconded by Ms. Materni. Ayes: (6). Nays: (0).

Mr. Smith reported that he received an email about the 2020 Financial Disclosure Statements that are due May 17, 2021 except for candidates in the upcoming election. He added that whoever is appointed to fill the vacancy will have to file within 15 days of appointment.

Mr. Smith called attention to an email received from Dave Kienzle, owner of Shoppes at RiverPlace, regarding a sign. There was a brief discussion about the sign that is in the right of way, and the item was referred to the Planning and Zoning Committee.

Finance and Economic Development Committee:

No report.

Next meeting: Tuesday, February 9, 2021 at 5:30 p.m.

Service Committee:

No report.

Next meeting: Wednesday, January 27, 2021 at 5:30 p.m.

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.

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: (6). Nays: (0). The Clerk read Ordinance 25-2020 by number and title only. Mr. Kuhlman moved that Ordinance 25-2020 be passed. Seconded by Mr. McCarthy. Ms. Born read a prepared statement opposing the ordinance. She stated that it creates a quasi-judicial hearing and under Ohio law you have to have the right to appeal. She said it violates due process, and the accusing City Council member would be permitted to vote which would be a conflict of interest. She also objected to the time limits for speaking which she said are arbitrary. Mr. Smith asked Ms. Sandretto if she feels the ordinance would be a liability to the City. Ms. Sandretto said she did not think it would be. She said she researched whether this would be a quasi-judicial hearing and it would not be. Mr. Kuhlman asked for further explanation, and Ms. Sandretto said that because the results of the hearing are only for censure, it would not be considered quasi-judicial. Mr. McCarthy said that the ordinance as written allows for due process as it gives the accused and complaining City Council members the right to call witnesses. Mr. Kuhlman said that he and Mr. McCarthy took part in the process of drafting the ordinance, and it is not a judicial action. He said it allows City Council to disapprove of an action by a City Council member, but there is no removal. He said they are trying to promote fairness and they hope it is never used. Mr. Smith thanked the Personnel Committee for taking this on, and he agreed that he hopes it is never used. Ayes: Kuhlman, Materni, McCarthy, Smith, and VanHoozen (5). Nays: Born (1).

Public Utilities Committee:

No report.

Next meeting: Wednesday, January 27, 2021 at 6:30 p.m.

Mr. Smith introduced **RESOLUTION 1-2021 AUTHORIZING A PURCHASE AGREEMENT WITH BERGREN ASSOCIATES NOT TO EXCEED THIRTY-TWO THOUSAND ONE HUNDRED SEVENTY-SEVEN DOLLARS (\$32,177.00) FOR THE PURCHASE OF A MISSION COMMUNICATIONS TELEMETRY SYSTEM FOR THE CITY OF PERRYSBURG DEPARTMENT OF PUBLIC UTILITIES' 11 SANITARY SEWER PUMP STATIONS 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 1-2021 by number and title only. Mr. Smith moved that Resolution 1-2021 be passed as an emergency. Seconded by Ms. Materni. Ayes: (6). Nays: (0).

OTHER BUSINESS

Mr. Smith said that Mr. Matuszak's resignation leaves a vacancy on the Appointment Review Committee, and according to the Code, it needs to be filled by a Republican member of City Council. Mr. Smith made a motion to appoint Mr. VanHoozen to the Appointment Review Committee. Seconded Mr. McCarthy. Ayes: (6). Nays: (0).

Mr. Kuhlman said that he would like to see the Code changed regarding the Appointment Review Committee members. He said that City Council seats are non-partisan and it seems contradictory to him. Ms. Sandretto said that she would like to meet with Mr. Kuhlman to discuss this. Mayor Mackin said that City Council is free to change whatever they'd like, but it was set up that way to avoid partisanship with appointments to boards and commissions.

Mr. Kuhlman asked if any communication was being sent out about Christmas tree pick-up. Ms. Kabat said she will check with the PIO. Mr. Kuhlman complimented the new City website.

Ms. Born said that Mr. Eckel will be missed, and that she would like the Animal Control Officer position to be filled. Ms. Kabat said that she can relay that to Police Chief Jones, but he has researched this and found that the police officers have been responding to calls because of the Animal Control Officer's hours. She said that the City has a short term partnership with Wood County. Mayor Mackin added that Chief Jones did yeoman's work in researching this. Mr. Kuhlman asked that if Chief Jones memorialized his research that it be sent to City Council. Ms. Kabat said that she believes it was sent to Council, but she will resend it.

ADJOURNMENT

There being no objections, the meeting adjourned at 7:19 p.m.

David D. Creps, Clerk

Thomas G. Mackin, Mayor