

MINUTES OF PERRYSBURG CITY COUNCIL

MEETING HELD APRIL 6, 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, Barry VanHoozen, and Mark Weber (7). Also present were Kate Sandretto, Law Director, and David Creps, Clerk of Council.

Mr. Smith moved to approve the minutes of the City Council meeting held on March 16, 2021 as written and to dispense with their reading. The motion was seconded by Mr. Weber. Ayes: (7). Nays: (0).

SPECIAL REPORTS

None.

LETTERS, COMMUNICATIONS, AND CITIZENS' CONCERNS

None.

ADMINISTRATIVE REPORTS

Mayor's Report

Mayor Mackin recommended that Brian Thomas be appointed to the position of City Engineer. Mr. Smith moved to approve Brian Thomas as the City Engineer. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0).

Mayor Mackin recommended that Kali Sawaya be appointed to the Street Tree Commission. Mr. Smith reported that the Appointment Review Committee met prior to the Council meeting and unanimously recommended her appointment. Mr. Smith moved to appoint Kali Sawaya to the Street Tree Commission. Seconded by Ms. Materni. Ayes: (7). Nays: (0).

City Administrator's Report

No report.

Finance Director's Report

Mr. Creps reported that the Joint Meeting with the Township Trustees regarding the cemetery is normally held the 1st Tuesday in May. With no objections, the meeting was set for Tuesday, May 4, 2021 at 5:30 p.m. Mr. Creps asked that Council members start thinking about the summer schedule for meetings. He said that if they were held on July 6, July 27, and August 17 that would make them all three weeks apart.

Law Director's Report

No report.

President of Council Report

Mr. Smith stated that it has been brought to the attention of City Council that there are some issues with language in the ordinance regarding the DORA. He asked that Planning and Zoning Committee look at this language at their next meeting. Mr. McCarthy said that the next committee meeting will be on Thursday, April 15, 2021 at 6:00 p.m. and the only issue to be discussed will be the DORA unless there is something that has to be acted on. Ms. Born asked what the issues are, and Mr. Smith said it is the language regarding creating an organization to oversee the DORA.

Finance and Economic Development Committee:

No report.

Next meeting: Tuesday, April 13, 2021 at 5:30 p.m.

Safety Committee:

No report.

Next meeting: Tuesday, April 27, 2021 at 6:00 p.m.

Recreation Committee:

No report.

Next meeting: Tuesday, April 13, 2021 at 6:30 p.m.

Planning and Zoning Committee:

Mr. McCarthy gave his report of the March 24, 2021 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Thursday, April 15, 2021 at 6:00 p.m., which is a change from the regular date and time.

Mr. McCarthy introduced **ORDINANCE 27-2021 AMENDING CODIFIED ORDINANCE 1215.02(111.01) AND (111.02) METAL PANES OF THE CITY OF PERRYSBURG'S ZONING CODE** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0). The Clerk read Ordinance 27-2021 by number and title only. Mr. McCarthy moved that Ordinance 27-2021 be passed. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0).

Mr. McCarthy introduced **ORDINANCE 28-2021 AMENDING CODIFIED ORDINANCE 1250.48(a) EXTERIOR WALL MATERIALS STANDARDS BY ZONING DISTRICT OF THE CITY OF PERRYSBURG'S ZONING CODE** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0). The Clerk read Ordinance 28-2021 by number and title only. Mr. McCarthy moved that Ordinance 28-2021 be passed. Seconded by Mr. VanHoozen. Ayes: (7). Nays: (0).

Personnel Committee:

No report.

Special meeting: Thursday, April 15, 2021 at 5:30 p.m. to discuss contractual issues.

Next regular meeting: Tuesday, April 27, 2021 at 5:00 p.m.

Public Utilities Committee:

Mr. Smith stated that the Public Utilities Committee met briefly that evening and considered several sewer credits. A report of the meeting is attached hereto and made a part of these minutes. Mr. Smith moved to grant the following sewer credits:

13001 Roachton Road - \$2,120.37
1927 Hamilton Drive - \$1,359.15
576 E. Front Street - \$4,193.95

Seconded by Ms. Materni. Ayes: (7). Nays: (0).

Next meeting: Wednesday, April 28, 2021 at 6:30 p.m.

Service Committee:

Ms. Materni gave her report of the March 24, 2021 meeting, a copy of which is attached hereto and made a part of these minutes.

Next meeting: Wednesday, April 28, 2021 at 5:30 p.m.

Ms. Materni introduced **RESOLUTION 22-2021 AUTHORIZING THE CITY TO PURCHASE MOSQUITO CONTROL SUPPLIES FROM CLARKE AT A COST NOT TO EXCEED FIFTY-SIX THOUSAND TWO HUNDRED SIXTEEN DOLLARS (\$56,216.00) 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. Kuhlman. Ayes: (7). Nays: (0). The Clerk read Resolution 22-2021 by number and title only. Ms. Materni moved that Resolution 22-2021 be passed as an emergency. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 23-2021 AUTHORIZING A PURCHASE AGREEMENT WITH LEADER MACHINERY COMPANY LTD., FOR THE PURCHASE OF A DURACO DURAPATCHER MODEL P2 IN AN AMOUNT NOT TO EXCEED SIXTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$67,500) 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. Kuhlman. Ayes: (7). Nays: (0). The Clerk read Resolution 23-2021 by number and title only. Ms. Materni moved that Resolution 23-2021 be passed as an emergency. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 24-2021 AUTHORIZING AN AGREEMENT WITH MANNIK SMITH GROUP FOR THE CONSTRUCTION INSPECTION AND CONSTRUCTION ADMINISTRATION FOR THE STATE ROUTE 25 AND PRESTON PARKWAY AND FORT MEIGS BOULEVARD INTERSECTION PROJECT, (WOO-25-20.43 AND PID 111509) IN AN AMOUNT NOT TO EXCEED SIXTY-TWO THOUSAND NINE HUNDRED THIRTY-FOUR DOLLARS (\$62,934.00)** and moved to allow for its reading by number and title only and to dispense with the second and third readings. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0). The Clerk read Resolution 24-2021 by number and title only. Ms. Materni moved that Resolution 24-2021 be passed. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0).

Ms. Materni introduced **RESOLUTION 25-2021 AUTHORIZING A PURCHASE AGREEMENT WITH BEST EQUIPMENT SALES FOR THE PURCHASE OF ONE TYMCO 600 STREET SWEEPER FOR THE PERRYSBURG DEPARTMENT OF PUBLIC SERVICE IN AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY-NINE THOUSAND NINE HUNDRED ONE DOLLARS (\$259,901.00) 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. Kuhlman. Ayes: (7). Nays: (0). The Clerk read Resolution 25-2021 by number and title only. Ms. Materni moved that Resolution 25-2021 be passed as an emergency. Seconded by Mr. Kuhlman. Ayes: (7). Nays: (0).

OTHER BUSINESS

None.

ADJOURNMENT

There being no objections, the meeting adjourned at 6:58 p.m.

David D. Creps, Clerk

Thomas G. Mackin, Mayor

PLANNING & ZONING COMMITTEE

MARCH 24, 2021

The meeting was called to order at 5:32 p.m. by Chairman Tim McCarthy. Committee members present were Cory Kuhlman, Tim McCarthy and Barry VanHoozen. Also present were Bridgette Kabat, City Administrator, Kate Sandretto, Law Director, Brody Walters, Planning and Zoning Administrator, and Mark Easterling, Deputy Planning and Zoning Administrator.

APPROVAL OF COMMITTEE MINUTES

There being no objections, the minutes of the February 10, 2021 meeting were approved.

CODE AMENDMENT – METAL PANELS

Proposed amendments to Chapter 1215.02(111.01), Chapter 1215.02(111.02), and Chapter 1250.48(2) were the subject of a public hearing held on March 2, 2021. The changes would classify metal panels into two categories: metal panels and architectural metal panels. It would also create a hierarchy of metal products to allow the higher quality panels to be used in a larger percentage of building space than the lower quality versions of metal panels.

Mr. Walters stated that, at the public hearing, Council Member Jonathan Smith had asked about including the metal panels in Parks because of the energy efficiency the metal panels offer. Mr. Walters said that they are not including that in this revision because typically you do not heat or cool park buildings. He said that the topic of metal panels will probably be reevaluated in a couple of years because some Planning Commission members wanted higher percentages, but they felt this was a good starting point.

Mr. McCarthy said that he thinks the amendments look good and the City is recognizing technological improvement. Mr. Kuhlman suggested that where it reads “such as” in the legislation, it be changed to “including but not limited to.” The Committee agreed 3-0 to recommend approval of the changes to the Code.

DISCUSSION ON ARBORVITAE

Mr. McCarthy said that he reviewed the information sent to the Committee by Mr. Walters regarding the 6’ limitation for hedges and screen plantings. He said that he does not think there was a limitation prior to 2015, and he does not see any reason for the 6’ limitation. He said that he would be in favor of amending 1250.42 to separate the side yard and rear yard from any height limitations and only limit the height in the front yard.

There was discussion regarding certain species and the height they can grow to. Mr. VanHoozen questioned whether, since it is human nature to push the envelope, if the height limit should just be increased. Mr. Kuhlman said that he is more inclined to just

remove it because he feels it is easier to regulate overgrown plantings through the property maintenance ordinance. Mr. Kuhlman said that he is in favor of a front yard restriction. Mr. VanHoozen said that the nature of defining overgrown is subjective, and he is not passionate one way or another about the height limitation.

Ms. Sandretto said that she will draft something for the next Committee meeting. There was some discussion regarding having a civil Planning and Zoning Code versus a criminal code. Mr. Kuhlman said he would like to see that subject on a future agenda.

DISCUSSION ON POOLS

The Committee discussed an outstanding issue regarding a pool that was installed closer than 15' to the property line. In this case, only the stairs of the pool encroach into the 15' required setback. Mr. VanHoozen reported that he spoke with the property owners to give them information about trying to collect from the contractor. The property owners told him they have hired an attorney, and that they have no interest in moving the pool because they interred a portion of their deceased daughter's ashes in the concrete.

Ms. Sandretto said that Mr. Kuhlman asked her to draft language defining water's edge. She said that legally, if you define something more narrowly, then it is not considered to have been defined that way previously. Thus, if language were approved defining the water's edge to include stairs, it would be a solution for this house and would prevent the same issue in the future. Ms. Sandretto said that she is asking for the Committee's support for this change, because if the current situation goes to Court, a judge would not allow it to go to trial, and the City will spend more time and money and end up with the same result.

Mr. Kuhlman said that, in his opinion, it is a waste of money to dig up the pool. Mr. Walters said that he likes the proposed change because it does not complicate their job moving forward. There was discussion regarding new procedures that have been put in place during the permit process, including inspections of the pool location before concrete is poured and getting signatures from both the contractor and the homeowner. The Committee agreed to refer the language to the Planning Commission for its recommendation.

There being no further business, the meeting adjourned at 6:33 p.m.

Respectfully submitted,



Tim McCarthy, Chairman
Planning & Zoning Committee

Next meeting: Wednesday, April 14, 2021 at 5:30 p.m.

PUBLIC UTILITIES COMMITTEE

APRIL 6, 2021

The meeting was called to order at 6:15 p.m. by Chairman Jonathan Smith. Committee members present were Jan Materni, Jonathan Smith, and Barry VanHoozen. Also present were Kate Sandretto, Law Director, and Alice Godsey, Director of Public Utilities.

SEWER CREDIT APPEALS

Ms. Godsey requested approval of the following sewer credits:

13001 Roachton Road, \$2,120.37, a water line ruptured in an unoccupied building; the water did not go down the sewer

1927 Hamilton Drive, \$1,359.15, water back-up sump pump ran; a dye test confirmed that the water went to the storm sewer

576 E. Front Street, \$4,193.95, there was a broken water line between the meter pit and the garage

The Committee agreed 3-0 to recommend approval of the credits.

SEWER CREDITS TABULATION

Ms. Godsey provided the committee with the sewer credits she approved since the last committee meeting. She said that there were four credits approved for a total of \$847.93. She reported that year to date, the approved credits are \$2,810.52.

There being no further business, the meeting adjourned at 6:19 p.m.

Respectfully submitted,

Jonathan Smith, Chairman
Public Utilities Committee

Next meeting: Wednesday, April 28, 2021 at 6:30 p.m.

SERVICE COMMITTEE

MARCH 24, 2021

The meeting was called to order at 6:40 p.m. by Chairperson Jan Materni. Committee members present were Cory Kuhlman and Jan Materni. Jonathan Smith was absent. Also present were Bridgette Kabat, City Administrator and Kate Sandretto, Law Director.

APPROVAL OF MINUTES

There being no objections, the minutes from the February 24, 2021 meeting were approved.

APPOINTMENT TO STREET TREE COMMISSION

Kali Sawaya was present to be considered for appointment to the Street Tree Commission. Ms. Sawaya stated that she has an undergraduate in botany and feels this commission would be a good starting point for her. The Committee agreed 2-0 to recommend approval of the appointment and thanked Ms. Sawaya for her willingness to serve.

PURCHASE OF MOSQUITO SPRAY

Ms. Sandretto presented legislation that would approve the purchase of mosquito control supplies from Clarke in the amount of \$56,216. The chemicals are the same as previous years. Ms. Kabat added that the materials meet EPA standards. Ms. Materni asked if the supplies carry over from year to year. Ms. Kabat said that she will verify that with the Department of Public Service. Mr. Kuhlman asked that the Public Information Officer provide notice to residents through social media about the mosquito spraying. The Committee agreed 2-0 to recommend approval of the purchase.

PURCHASE OF A DURAPATCHER MACHINE

Ms. Sandretto presented legislation that would approve the purchase of a Duraco Durapatcher machine for the Department of Public Service at a cost of \$67,500. This equipment is a single machine that preps, installs a patch, and can be operated by one or two individuals. It would allow workers to make a permanent road repair that is traffic ready within minutes. This process provides the lowest cost for repairing potholes, and is more cost effective than a repeat application of cold mix. Ms. Materni said that ODOT was using this process before she retired. The Committee agreed 2-0 to recommend approval of the purchase.

INSPECTION AND CONSTRUCTION ADMINISTRATION FOR SR25 AND PRESTON PARKWAY INTERSECTION IMPROVEMENTS

Ms. Sandretto reported that the City received qualifications from four firms for the inspection and construction administration of the intersection improvements at SR25 and

Preston Parkway. Based on those qualifications, the City selected Mannik Smith for this project. Ms. Sandretto requested approval of an agreement with Mannik Smith not to exceed \$62,934. Ms. Materni asked about the City inspector, and Ms. Kabat said that he will be doing inspection on the 2021 resurfacing program. The Committee agreed 2-0 to recommend approval.

PURCHASE OF A STREET SWEEPER

Ms. Sandretto presented legislation that would approve the purchase of a new Tymco Street Sweeper from Best Equipment at a price of \$259,901 for the Department of Public Service. The current street sweeper is a 2006, and it breaks down on a regular basis and parts are becoming more difficult to get. Ms. Sandretto said that the new unit is more environmentally friendly and does not emit as many pollutants into the air. She said that this purchase is included in the 2021 budget. There was a brief discussion about maintenance of the unit, and Ms. Kabat said that the City mechanics feel that they can handle it. The Committee agreed 2-0 to recommend approval.

There being no further business, the meeting adjourned at 6:56 p.m.

Respectfully submitted,

Jan Materni, Chairperson
Service Committee

Next meeting: Wednesday, April 28, 2021 at 5:30 p.m.