

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held January 9, 2012

The meeting was called to order by Mayor Neil Mackinnon III, and was opened with the Pledge of Allegiance.

ROLL CALL: Staczek, Oberdorf, Eckel, Marquette, Ruse, Scott, and Duricek all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of December 12, 2011. Mr. Oberdorf moved and Mr. Scott seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of January 9, 2012 was presented to council. Recreation and Finance committee reports were added to the agenda. Mr. Scott moved and Mr. Duricek seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Finance & Insurance Committee report was presented by Mr. Ruse (see written report). Mr. Scott noted that the water/sewer bonds can be assumed by NWWSD so the city will be refinancing a lesser dollar amount. Recreation Committee report was presented by Mr. Oberdorf (see written report).

Mr. Oberdorf moved and Mr. Duricek seconded the motion to accept the committee reports as given. All ayes. Motion carried.

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mr. Ciecka reminded council of a seminar being presented by ODOD on January 18th on regarding the local government innovation fund program at Owens CC from 10:00am to 2:00pm. He will be attending and any invited any interested council member to attend also. He said that two staff members will be attending a Wood County Emergency Management Agency course this month.

Mayor Mackinnon informed council that the Stark building next to NRGIE was purchased at sheriff's sale by Rust & Rust and that he is excited about this based on their good track record in the city. He said he had received a letter from ODOT on the Safe Schools Route indicating that our plan had been approved and accepted. He said it will now go to the next step and hopefully this will mean more sidewalks in the city. He said that Adam Meyers will begin duties as a full-time police officer on January 17th replacing Mark Janiewicki who has resigned. He also said that he has been meeting with Penta and the Township regarding the roundabout and that they will be meeting again. Mr. Marquette asked for a copy of the Safe Schools Route report and Mr. Ruse asked if the mayor had any idea on Rust's plans for the building. Mayor Mackinnon said they had indicated to him they plan to rehab it for commercial space.

CORRESPONDENCE

Council was informed of two pieces of correspondence received by the clerk: 1) a letter from TMACOG which included the complete plan document for the 2007-2035 Transportation Plan Update 2011 and well as summaries of the plan for elected officials and 2)

ORDINANCES

#2011-58 – AN ORDINANCE TO APPROVE AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENOVELENT ASSOCIATION (OPBA) PATROL OFFICER'S UNIT AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Duricek moved and Mr. Scott seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf said council had received a copy of the side letter agreement from Mr. Heban. Mr. Heban said Mr. Murphree from his office has been working on this and that the city and Mr. Murphree have already approved the agreement but the union has not yet acted. He suggested a second reading and said that some changes had been made from the first agreement. Mr. Staczek asked if it was possible to put this issue to rest by appointing Chief Goss to a four year term and Mr. Heban said that would have to be proposed by the mayor. Mr. Oberdorf said it is more prudent to wait two weeks to allow some thought on this ordinance, Mr. Staczek's suggestion and to review the side letter agreement. Mr. Marquette said it appears the crux is language that guarantees Chief Goss his years of seniority if and when he would not be reappointed. Mr. Heban said that in regards to Mr. Staczek's suggestion the charter says that

appointments are to be made at the organizational meeting and he would like two weeks to review. Mr. Staczek said he would like to move for a four year appointment and the rescinding of Ordinance #2011-58. Motion dies for lack of a second. Mr. Scott asked Mr. Heban to outline the changes from the first agreement and Mr. Heban said the major change moves it to a one year period and if he is no longer chief for any reason but cause he could return to the regular police ranks with no loss of seniority. This was given a second reading only.

#2011-59 – AN ORDINANCE AUTHORIZING A CONTRACT WITH THE PUBLIC DEFENDERS COMMISSION OF WOOD COUNTY FOR THE REPRESENTATION OF INDIGENT DEFENDANTS IN “ORDINANCE ONLY” CASES FILED BY THE CITY OF ROSSFORD; AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Scott moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mr. Scott asked if there was any reason not to approve this now and received none. Mr. Scott moved and Mr. Ruse seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Scott moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Scott moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2012 -01 - AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE ROSSFORD MUNICIPAL CODE AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is the periodic update of the Rossford Municipal Code of those ordinances affected by changes in state law as voted by the legislature. Mr. Heban said these had been reviewed by both Mrs. Purpura and him and that they conform to the Ohio Revised Code. Mrs. Eckel moved and Mr. Oberdorf seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Mrs. Eckel moved and Mr. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2012 – 01 - A RESOLUTION TO APPROVE THE MAYOR’S RE-APPOINTMENT OF ROBERT N. SCHUMANN TO THE BOARD OF ZONING APPEALS; AND DECLARING AN EMERGENCY

Mr. Duricek moved and Mr. Scott seconded the motion to read by title only. All ayes. Motion carried. Mr. Duricek moved and Mr. Oberdorf seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Duricek moved and Mr. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Duricek moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2012 -02 - A RESOLUTION TO APPROVE THE MAYOR’S APPOINTMENT OF LARRY SHAW TO THE BOARD OF ZONING APPEALS; AND DECLARING AN EMERGENCY

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Duricek seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Oberdorf moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2012 -03 - A RESOLUTION TO APPROVE THE MAYOR’S APPOINTMENT OF THOMAS UHLER TO THE MUNICIPAL PLANNING COMMISSION; AND DECLARING AN EMERGENCY

Mr. Duricek moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mr. Duricek moved and Mr. Oberdorf seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Duricek moved and Mr. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Duricek moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

COUNCIL REMARKS

Mr. Duricek referenced an email he received from the Rossford Eagles regarding the award of \$2000 grants to both the police and fire departments.

Mr. Scott said the TARTA committee will meet on January 17th at 12:00 location to be determined and that the Economic Development and Planning committee will meet on January 18th at 4:00 in city hall. He asked Mr. Kovasevic about the security issues at the recreation center. Mr. Kovasevic said the issues are related to structured activities and an incident a couple of weeks ago involving a fight during a basketball game. The gym is now being monitored. The instigators of the fight were suspended. Mr. Scott also heard complaints about the usage of the

basketball court i.e. full court/half court. Mr. Kovasevic said they are using the divider curtain more creating 2 divided courts and also having member only nights.

Mr. Ruse said his comments were geared toward the roundabout issue as he did not get to comment at the last meeting. He realized it has been tabled and that the mayor is meeting with Penta and the township but the one thing he has noticed about the intersection is that it is hard to go back and redo something that is already done and redo negotiations that are already done. He also said he wished All Saints had put in sidewalks at the time. He suggested that this agreement be moved along and the intersection be upgraded.

Mr. Marquette asked for a list of committee chairman.

Mrs. Eckel noted that about ½ of the new lights are up and questioned why this project is not completed and what the completion date is. Mr. Ciecka said there are still some issues and Mr. Fredrickson said the completion date has been extended to the end of January.

Mr. Oberdorf commented that it is wonderful to see so many people in the audience other than the usual three without any major issues on the agenda and that he also likes that the department heads are here. He asked Chief Goss if there have been a significant amount of accidents at the Buck/Lime City intersection and the chief responded no, just close calls and that he would agree something needs to be done at the intersection.

Mr. Staczek said he had received a letter from the Franciscan Sisters about an interfaith prayer service for those in leadership positions to be held January 17th in Sylvania and said anyone interested in attending should see him. He said he has been impressed with the work of both Mrs. Eckel and Mr. Ruse on the roundabout issue and while he agrees with the roundabout concept the views of the community override his personal view. He has received a lot of negative responses and feels the cost is not being divided fairly. He is for good relationships with Penta and the township but not if we have to pay for it. If Penta wants to annex to the city then would be more favorable but he feels that future development will be south in the township and that sooner or later the township will have to come to the table. He said the city is being held hostage and that Penta needs to step up to the plate.

AUDIENCE REMARKS

Todd Michaelson, Chapter Manager of the Ohio/Michigan Electrical Contractors Association, 727 Lime City Rd. said he was here to object to the bid on the Phase II lighting project and to ask council to reverse their decision and award the bid to U.S. Utility. He then read a letter to council he had sent to Mr. Ciecka stating their formal protest with the bid process and the circumstances on Phase I. A copy of the letter was left with Mr. Ciecka. He said that U.S. Utility is a local contractor whose principals are invested in the area and again asked council to reconsider saying the problems were not U.S. Utilities but the engineer and ODOT and said they almost feel betrayed.

Jeff Appelhans, 177 Hannum Ave. said that in regard to ordinance #2011-58 he has been a dues paying union member for 35 years and has never heard of someone leaving the rank and file and writing their own protection. He thinks that Mr. Goss is qualified but objects to the writing of his own contract. He also said in response to Mr. Ruse's comments that it is unfortunate that no sidewalks are at All Saints but that they and Penta should pay for their own and if they did not have safety interest in mind at the time of construction why should the city pay for it now plus help pay for a second roundabout in front of Penta.

Joe Minarcin, 220 Jennings Rd., asked about the sign at the corner of Elm and Superior and wondered if all of them will have that same bell around the bottom and was told by Mr. Ciecka yes.

Larry Tscherne, Business Manager of IBEW 245 at 705 Lime City Rd. said he is also disappointed with the awarding of the Phase II bid to someone other than U.S. Utility. He said the Phase I project and been delayed by design problems from the start. He said the money for Phase II will be going to an out-of-town contractor and asked for council's reconsideration. Mr. Marquette explained that council does not ask where the bidder comes from or whether union or not and that council looks at who is going to do the best job for our citizens and looking at the lowest and best bid.

Lenny Schramm, 3592 Genoa Rd. Perrysburg, OH. of U.S. Utilities said he is experienced in the bid process and how bid. He then explained the delays in the Phase I lighting project and attributed them to changes and engineering problems. He said now they have a stop work order until the engineering firm comes up with a solution to the connector problem. Mr. Ruse asked what is causing the current delay and was told the cable design is too large to fit into the base of the light poles and that they only bid based on the design from the engineering company and that ODOT is who shut this job down. Mr. Scott said that Mr. Michaelson had alleged that the city had somehow violated state law in the bidding process and Mr. Heban responded that is not true and it was properly handled.

Tucker Fredrickson, the city engineer said the project cannot proceed due to the connectors at the base of the poles and the issue is with the connector kits. The solution will be a different connector kit but this will need to be approved by ODOT. He said that when he found out about the problem only four poles were up but that the contractor kept putting up twelve additional poles and that probably that work will need to be redone. Mrs. Eckel asked if the city specified a specific pole or different options. Mr. Fredrickson said the city selected three possible poles and one pole was selected by ODOT who also recommended the connectors. Mr. Scott asked if we can get a

timeline of the issues as they occurred and Mr. Fredrickson said he will generate one. He also noted that part of the problem has been that everything has to go through ODOT.

Bob Densic, Birch Dr. said the roundabout involves \$3.6m of federal funds and can be done simpler and cheaper and recommended community forum process and also noted this will impact McDonalds and Subway entrances and in the end will probably cost more than the \$5.7m projection and affect our own street budget for three years. In regards to TARTA he said we need to look at public transportation differently that the 1971 scope that created it and also recommended meetings be held other than noon. He thanked the citizens of Rossford who helped raise \$400 for charity by contributing at his Christmas light display.

Chief Goss said that his one year appointment is more a political issue than a police issue but he accepted it because he feels he can do a good job and that there have been other side agreements in the past. Mr. Staczek asked if he would accept a four year appointment and was told yes

Ken Szczesniak, 157 Windsor Dr. stated that he is a former police officer in Rossford and he too is aware of previous side agreements that were to everyone's benefit. He also said he has worked in the past with then Officer Goss and feels he is a needed shot in the arm for the police department and the city. He complimented all our department heads.

Mr. Scott moved and Mr. Duricek seconded the motion to go into executive session for purpose of discussion of labor contract with OPBA. All ayes. Motion carried.

Mr. Oberdorf moved and Mr. Staczek seconded the motion to return to regular session. All ayes. Motion carried.

Mrs. Eckel moved and Mr. Scott seconded the motion to amend agenda and add Ordinance #2012-02

#2012-02 – AN ORDINANCE TO APPROVE A SIDE LETTER AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENTS WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ROSSFORD OHIO UNIT (PATROL OFFICERS) AND OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ROSSFORD OHIO UNIT (COMMAND OFFICERS); AND DECLARING AN EMERGENCY.

Mrs. Eckel moved and Mr. Scott seconded the motion to read by title only. All ayes. Motion carried. Mrs. Eckel moved and Mr. Duricek seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Mrs. Eckel moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

Mrs. Eckel moved and Mr. Duricek seconded the motion to adjourn. All ayes. Motion carried.

Neil Mackinnon III
Mayor

Robert P. Watrol
Clerk of Council