

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held February 8, 2010

The meeting was called to order by Mayor William Verbosky Jr. and was opened with the Pledge of Allegiance.

ROLL CALL: Richards, Oberdorf, Marquette, Hermes, Scott, and Duricek all present. Mr. Oberdorf moved and Mr. Richards seconded the motion to excuse Mrs. Eckel due to a medical emergency. All ayes. Motion carried.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of January 25, 2010. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF SPECIAL MEETING MINUTES: Approval of special council meeting minutes of February 2, 2010. Mr. Oberdorf moved and Mr. Richards seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of February 8, 2010 was presented to council. Budget and Public Safety committee reports were added to the agenda. Mr. Oberdorf moved and Mr. Richards seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Budget committee reports of January 25 and January 30, 2010 were presented by Mr. Hermes (see written report). Mr. Richards said that the Public Safety committee had recommended the purchase of a used ladder truck. He said it had been suggested that the needed funds for purchase be borrowed internally from the general fund and questioned how these funds would be paid back. Mr. Hermes said that as fire levy funds are collected the unused funds would be paid back to the general fund. Mr. Marquette recommended that a 3.5 mill renewal levy be placed on the ballot with an additional smaller levy to cover the additional funds that would be generated by a replacement levy. Mr. Hermes said it is too late to do that now as we only asked the auditor for renewal and replacement values.

Public Safety committee report from January 25, 2010 was presented by Mr. Richards (see written report). Mr. Richards had given a verbal report at the last regular council meeting. Mr. Oberdorf asked if the \$255,000 cost of the used fire truck takes into account the estimated \$20,000 in repairs and Mr. Richards said that seems to be the case and that the \$275,000 used in his verbal report was because at the time was unsure of the trade-in value of our existing truck and other costs.

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

Mayor Verbosky said that Resolution #2010-07 will reappoint Don Montague to the Recreation Board who has been a member for number of years and expressed interest in remaining on the board. He said the planning committee will meet Wednesday, February 10 in the municipal office. Mayor Verbosky then said he felt it was necessary that he respond to an email sent to him this afternoon with a number of questions. He prefaced these comments by saying he will not belittle anyone who sent this email and would comment now so as not to be accused of cutting anyone off in audience remarks. He stated that the email was from Mr. Bauer. He said he has received emails from Mr. Bauer and furnished some to him as part of a public records request. He said that none of these emails involve Rossford but relate to Penn National and the City of Toledo. He stated that he did not refuse the assistance of Bill Carroll but that he called Mr. Carroll and asked for his advice which both agreed would be confidential. He is willing to take advice from anyone to concerning Penn National and that all along he has said he has had a several one on one meetings with Penn. He has also said he has had no meetings or emails with the City of Toledo concerning the casino issue. He has had informal meetings with Penn at which Mr. Ciecka and Mr. Oberdorf were included. He does not believe the window of opportunity to negotiate with Penn has closed. It is early in the process and in conversations with Penn has been under the impression they want to be a good neighbor. He said that discussions with Toledo were hindered by Mayor Finkbeiner's lame duck status and his relation with his council and he felt the city would be better off waiting for direction and comment from the new administration. He had no direct

conversations with anyone in Toledo concerning the casino. Regarding the water agreement it was felt it was better to negotiate with the new administration after Mayor Finkbeiner threatened to turn our water off and left a scheduled face to face meeting. A two page letter was sent to Mr. Reinbolt in Toledo and the response was a two paragraph response that our rate was being raised. Meetings with the City of Toledo did not take place because we were basically told nothing would change. He has in fact received a call from Mayor Bell that he is looking to have our water rate reduced to our prior contract rate while further discussion take place. The question was asked whether his (Mayor Verbosky) judgment should be trusted in view of the confidentiality and leadership shown in the Bass Pro project. Mayor Verbosky said that anyone who wants to question that can start by talking to Congressman Latta, State Rep. Gardner, Tom Blaha from the Wood County Economic Development Commission, Jim Carter of the Wood County Commissioner, and Jim Hagle, the president of Bass Pro. He will continue to be as forthright as he can with everyone and work as a team on all issues like the casino. We will work united not divided. His style may be different but should not be perceived as not caring or looking out for Rossford. He said Rossford did pass a resolution in May asking for input on the development agreement that Toledo had signed with the developer and that we were not a signer on that agreement. We were not consulted but that was under the old administration in Toledo and he is comfortable that the new administration will work with us. He is in constant contact with the Penn people who just reiterated this afternoon that they want to be a good neighbor. He responded to this email now so as not to be accused of stifling conversation later.

Mr. Ciecka said he received notice just prior to this meeting that the trademark of the city seal had been approved. He told council that Chief Verbosky had made a trip to Clayton, MO. to see the used ladder truck and introduced the chief to make a report. Chief Verbosky said that five years ago the citizens entrusted the fire department with a 1 mill levy that has been used to replace a lot of outdated equipment such as hoses, defibrillators, pagers, and an ambulance. These citizens then turned down an additional 1 mill levy for a new ladder truck to replace our ladder truck which is a complex piece of equipment that was put in service in 1978 and its time has come and gone. At councils urging the department then looked for another way to replace and so went to Clayton, MO. to look at a used 1995 ladder truck. Our mechanic went along and did a complete diagnostic and mechanical inspection. All records were reviewed and the truck was driven and thoroughly inspected. At this time the fire department thinks this a good opportunity to take care of the needs of the fire department for the next twenty years. We would receive a 1995 100 foot ladder truck with reupholstered interior, new paint job, new lettering, upgrade emergency lighting, and replace rear springs. The city of Clayton would also give us all the hoses and nozzles for this truck valued at an estimated \$7-10,000. The truck has several oil leaks and needs a transmission seal, and new muffler which he would like repaired before put in service. The purchase price is \$255,000 including our old truck in trade plus an additional \$20,000 estimate for additional repairs. He is ready for council to approve and move forward with a purchase agreement. There are two other fire departments going to look at this truck. He needs a \$9000 deposit to take it off the market. Mr. Marquette asked if the mechanic feels safe driving the truck from Clayton, MO. to Columbus, OH. with the oil leaks. Chief Verbosky said yes but it would probably be flat bedded. Mr. Richards said it is important to recognize that during the ladder truck discussion the chief has taken a lot of heat, the voters turned down the levy for purchase of a new one, and that the chief has done a good job in researching other possibilities. He is satisfied that the chief's proposal is a good one and he will support. Mr. Duricek said this is being purchased as is and asked what current standards it does not meet. Chief Verbosky responded that to his knowledge it does meet all standards but he will call and get clarification. Mr. Hermes said originally the offer was at \$250,000 and he would also like a breakdown of the \$20,000 in repair cost. He also asked if there was room to negotiate on the price and whether a two tone paint job was necessary. The chief said he did not believe the price was negotiable and that a two tone paint job is not necessary. Mr. Hermes also wondered if we could do better than the \$5000 trade-in credit by selling our old truck on our own. Mr. Duricek said that a repainted truck for \$250,000 is a good deal as the paint job alone is probably \$20,000, that the rear springs replacement would be \$8-10,000 alone, that lighting replacements are expensive, and that a two tone paint job is not much more expensive than a single color since red is the most expensive color. He would also like to see a breakdown of the repair cost. Mr. Richards said he agrees with Mr. Hermes comments and also agrees that we should at least look at trying to get more for our old truck ourselves. Mayor Verbosky questions whether we would do any better on the open market than the trade-in value. Mr. Scott thinks we would have more latitude in looking at the repair cost and trying to get the seller to share in those. Mr. Oberdorf suggested using the safety committee to facilitate further negotiations. Mr. Richards said the safety committee will have a discussion with the seller on the price. Mayor Verbosky suggested preparing legislation for the next council meeting with a not to exceed price. Mr. Marquette thinks that council is in favor of the purchase. Mr. Ciecka said he will have the proper legislation prepared for the next regular council meeting.

Mr. Ciecka then introduced Mr. Michaels, City Treasurer, who presented a treasurers report for January (see written report). Mr. Oberdorf commended Mr. Michaels for preparing the report. Mr. Hermes made the point that Star Ohio is a quasi governmental unit and would only collapse if the State of Ohio collapsed and that any local banks have to pledge assets to securitize government funds and are subject also to FDIC limits. Mr. Michaels noted that Star Ohio is AAA rated but not covered under FDIC. Mr. Richards said that council should seriously consider Mr. Michaels recommendations. Mayor Verbosky thanked Mr. Michaels for the report.

CORRESPONDENCE

None

ORDINANCES

#2010-06 – AN ORDINANCE APPROVING AN AGREEMENT OF COOPERATION BETWEEN THE CITY OF ROSSFORD, OHIO AND THE TOLEDO METROPOLITIAN AREA COUNCIL OF GOVERNMENTS FOR CONTINUING AND COOPERATIVE REGIONAL STORMWATER MANAGEMENT PLANNING; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. This was given a second reading only.

RESOLUTIONS

#2010-05 – A RESOLUTION DECLARING THAT THE AMOUNT OF TAXES THAT MAY BE RAISED BY A LEVY AT THE MAXIMUM RATE AUTHORIZED BY LAW WITHOUT A VOTE OF THE ELECTORS IS INSUFFICIENT, AND DECLARING THE NECESSITY OF A RENEWAL LEVY FOR CURRENT EXPENSES OF THE POLITICAL SUBDIVISION; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Scott seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said he had delivered to council a certificate of estimated revenue from a 3.5mill levy on both a renewal and replacement basis. Mr. Richards said the next resolution is for a replacement levy which raises an additional \$50,000 in revenue but that the importance of this levy is so critical that despite being able to make a serious case for the replacement levy he has a serious question about passage of a replacement levy. His personal thinking is that while we could use the additional revenue we should report the renewal as the prudent thing to do at this point. Mayor Verbosky said it is critical that whatever is on the ballot has to pass, that even with passage the city will still be in a difficult financial situation. Mr. Oberdorf said he has thought and talked to numerous people about this issue. He said that while \$50,000 is a considerable amount he agrees with Mr. Richards that in our current economic times our greatest chance for passage is as a renewal, that a replacement levy is a gamble we can not take. Mr. Duricek said that the renewal has the best chance for voter approval and the best interest of the city is to hold the line. Mr. Hermes moved and Mr. Richards seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Hermes moved and Mr. Richards seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Hermes moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

#2010-06 - A RESOLUTION DECLARING THAT THE AMOUNT OF TAXES THAT MAY BE RAISED BY A LEVY AT THE MAXIMUM RATE AUTHORIZED BY LAW WITHOUT A VOTE OF THE ELECTORS IS INSUFFICIENT, AND DECLARING THE NECESSITY OF A REPLACEMENT LEVY FOR CURRENT EXPENSES OF THE POLITICAL SUBDIVISION; AND DECLARING AN EMERGENCY.

Mr. Richards moved to read by title only. Motion died for lack of a second.

#2010 07 – A RESOLUTION TO APPROVE THE MAYORS REAPPOINTMENT OF DONALD MONTAGUE TO THE RECREATION BOARD; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards 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. Motion carried. Mr. Richards moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried. Mr. Marquette asked Mr. Ciecka to check if we are able to add additional members to the Recreation Board.

COUNCIL REMARKS

Mr. Duricek said he had attended the school board presentation last week and only two questions from the audience were directly answered. Mayor Verbosky said he also had attended what turned out to be a factual presentation on the status of schools.

Mr. Scott said he had seen an article in the Toledo Free Press in which the mayor of Waterville talked about status.

Mr. Scott said we should put a valuation on our TARTA cost/benefit. Mr. Richards said another transportation summit meeting is coming up and that Rossford and Perrysburg will both be represented.

Mr. Hermes said he also attended the school board presentation and he would like council to think about approving a resolution against moving the high school. Mayor Verbosky thinks it is important that whatever we do we keep the line of communications open with the school board.

Mr. Marquette said the article in the Rossford Record two weeks ago offended him and council by implying that by passing the resolution supporting the casino issue council had endangered Rossford students. He wants Mr. Hughes it is not only his duty but also council's duty as public officials to protect the students of this community. He said that in every meeting he ever sat in on with the city that the impact on schools was always considered and in fact no entity benefited more than the schools from the Crossroads development. He also asked about the traffic study being done on the east end of the city and was told by Mr. Ciecka that this is part of a traffic impact study being done to determine a baseline number for the casino site.

Mr. Oberdorf said Mr. Scott is welcome to review any of his materials in regards to the TARTA issue.

Mr. Richards wondered if we should not be seeing work begun on the streetlight project which had a deadline of February 17. Mr. Ciecka said everything is in ODOT's hands and it is now up to them. He will try to get a status update and send a memo to council. Mr. Richards then commented on the Mayor's earlier report and said as a member of council he was privy to various proceedings in finally landing the Bass Pro project and if things took place he wasn't aware of, good, since there is now a store out there with a good number of people employed. He was also pleasantly surprised about Mayor Bell's communication with our mayor to take our water rates back to what they were at the beginning of the previous negotiations with Mayor Finkbeiner. He said having heard Mayor Finkbeiner's message it would have been a waste of time to try to negotiate with him. Mayor Verbosky said it was a cordial communication from Mayor Bell on lowering the water rate but no negotiations have yet been scheduled.

AUDIENCE REMARKS

Jeff Appelhans, 177 Hannum Ave. asked about the ODOT funding for the Safe Route to Schools program and wondered whether All Saints School was responsible for putting sidewalks in their school area. Mr. Ciecka said he is currently doing a record search to determine what the original plans were for All Saints. . Mr. Appelhans also said he appreciated the fire chief's discussion about the ladder truck but he feels the citizens sent a message when they voted down the additional fire levy and reminded the mayor of his comment that no money of the approved fire levy would be spent on a fire truck. Mayor Verbosky said that there was a lot of discussion about the ladder truck, whether to buy new or refurbish the existing truck, and estimates for refurbishing were obtained. He said our ladder truck is old and that parts cannot be replaced and that it will be council's decision as to whether they want to purchase a used truck. Mr. Appelhans wonders if the approval of the fire levy was influenced by the mayor's statement that no money would be spent for a fire truck.

Louis Bauer, 271 Margaret Place; Perrysburg said he had not intended to speak this evening. He said he has a lot of respect for the mayor and members of council and their authority. He suggested that the email he sent to the mayor be distributed to council. He related that after the resolution in May Penn and River Rd. Development decided they had an issue. He explained how the original project was funded with the help of Rossford. He read from some memos of the City of Toledo and Penn National and discussed the rescinding of the original development agreement. He wondered if council wants to support the project without recouping its expenses or would it rather see the project go the ballot for a change of location. He questioned why the mayor is not utilizing a resident who was chairman of the Toledo/Lucas County Planning Commission. He said the public should know that the mayor and council are choosing to go alone on this. He also said the public should be aware that the city chose not to meet with Mayor Finkbeiner. He left copies of all the emails he obtained with the clerk. When notified of the time limit for remarks Mr. Bauer abruptly stopped talking. Mayor Verbosky explained that these are council's rules.

Mr. Oberdorf responded that today he received Mr. Bauer's email suggesting he resign. Mr. Oberdorf said when someone does that they are talking about his integrity, how he carries out the job, and his concern for the people. Mr. Oberdorf reiterated his background to demonstrate how very much he cares for this city. He talked of growing up on the east side of Toledo in a tenement apartment with four brothers and sisters, with one pair of shoes and two pairs of pants. He knew his one way to get out of that environment was through education and so he put himself through school on his own. When he was hired at Rossford he bought a house here as soon as he could so he could bring his three sons, daughter, and wife to this city because of his respect for this community. He said he would never knowingly do anything to harm one person in this community because of this respect and what this community has done for him. Just because he may have a different point of view on something does not mean he is wrong. He is willing to listen to other people. He asked for a vote of confidence from council in regards to his remaining council president. If you feel he has not done a very good job tell him and he will step down. If council feels he is out of line in his opinions and how he does things tell him and he will do the right thing because by doing so he will do the right thing for the people of this city.

****Mr. Richards moved and Mr. Duricek seconded the motion expressing council's appreciation and support of Council President's Oberdorf sincerity, integrity and their confidence in him All ayes except for Mr. Oberdorf who abstained. . Motion carried.*

Mr. Oberdorf asked that any councilperson that thinks he is not handling things correctly talk to him directly.

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council