

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held February 13, 2006

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

ROLL CALL: Richards, Oberdorf, Eckel, Marquette, Hermes, and Kovach all present. Mr. Richards said he had heard from Mr. Michaels who expected to be delayed by 15-20 minutes due to an earlier meeting and suggested that any action regarding excusing Mr. Michaels be delayed. Mayor Verbosky said that he had also heard from Mr. Michaels who expected to be delayed in arriving due to a earlier meeting. Mayor Verbosky said he would ask that any action on Ordinance #2006-03 be delayed in the agenda until Mr. Michael's arrival due to the importance of this item.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of January 23, 2006. Mr. Hermes 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 13, 2006 was presented to council. Reports from Public Works and Safety committees, Ordinances #2006-07 and #2006-08, and an executive session to discuss pending litigation with Perrysburg Township added. Mr. Richards moved and Mrs. Eckel seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

PUBLIC WORKS

Mr. Kovach presented the committee report of February 8, 2006. Issues discussed were retaining Hull and Associates to monitor EPA compliance for the Wales Rd. landfill, the license plate tax passed in May of 1997, street maintenance and other projects proposed by the Public Works department, and the purchase of a new or used tar kettle for crack filling streets. Mr. Kovach said the real issue on street projects is exactly how much money is available for this. Mr. Richards said that some years ago council approved a motion that \$100,000 annually should be devoted to street repair and that should be the starting point for street repair at a minimum. Mrs. Eckel said that possibly \$20,000 additional could be added since the police radios that were budgeted for will be paid for with the recovered drug money. Mr. Marquette asked how much money is realized per year from the license tax. Mr. Ciecka said that approximately \$61,000 goes into the SCMR fund. Mr. Oberdorf asked what exactly slurry seal is and was told by Mr. Kovach it is a liquid aggregate top dressing. Mr. Hermes said that as of 12/31/05 the public works department expenses were \$470,000 plus an additional \$300,000 for SCMR so basically \$800,000 of which 75% is wages is being spent on public works which includes snow plowing, road repair, and other expenses. He also said the budget committee will look at additional public works spending in the first year of the levy.

SAFETY

Mrs. Eckel presented the committee report of February 6, 2006. Issues discussed regarding the fire/rescue department were manpower, purchase of a new warning siren in 2006 and new ambulance in 2007, grant updates, an newer vehicle for the chief, a mileage policy for using personal vehicle on city business, proposed spill recovery ordinance, NIMS training, ambulance billing, fire line at Pilkington, and safety equipment at the Marina. In regards to the police department issues discussed were manpower, overtime, new police cars, liquor inquiry for 1133 Buck Rd., and new dispatching contract. Committee also discussed kennel licenses and fencing around car lots. In regards to the liquor inquiry for 1133 Buck Rd. Mr. Richards said that council approved that no hearing be requested on this permit request with the provision that prior to the state deadline which was in five days council be notified if any negatives were discovered in doing the police department background check. The letter from the chief advising that a hearing be requested did not come back until three weeks had elapsed. Mr. Hermes said the warning siren had been

approved and money appropriated by council in 2005 but was not purchased that year. He also asked that the police department keep a vehicle maintenance checklist so that repairs due to scheduled maintenance items not being done can be prevented. Mayor Verbosky said he is confident that with Sergeant Marek now in charge of the police fleet that this will be done.

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky said he had received a letter from councilman Oberdorf tendering his resignation as president of council due to the requirement to be a member of the RAAA board. Mr. Oberdorf's letter said that as a previous critic of the RAAA he did not want to sit on that board as a matter of principle and had he known that was a requirement he would not have accepted the president position. Mr. Richards suggested that council could amend the RAAA legislation to allow someone from council other than the president to serve on the board. Mr. Heban said he will need to check the bylaws of the RAAA and the ordinance that created that board to see if that is possible. Mr. Marquette agreed with Mr. Richards that council should seek an alternative to Mr. Oberdorf's resignation. Mr. Oberdorf agreed to hold off on his resignation until Mr. Heban is able to clarify. Mayor Verbosky said that recycling is way up which is helping to keep overall waste tonnage down and should help to keep future costs less. He said he has received 24 resumes for the police chief vacancy and intends to reduce these to 5-6 candidates to be interviewed with hopes of having this completed by the end of March.

CORRESPONDENCE

No correspondence.

INTRODUCTION OF ORDINANCES

Action on Ordinance #2006-03 was delayed pending arrival of Councilman Michaels.

ORDINANCE #2006-004 – AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO DISPOSE OF CERTAIN SURPLUS PROPERTY NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY.

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

ORDINANCE #2006-005 – AN ORDINANCE PROVIDING ADDITIONAL APPROPRIATION; AUTHORIZING THE EXPENDITURES OF FIRE CAPITAL IMPROVEMENT FOR A REPLACEMENT OUTDOOR WARNING SIREN; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards said that this is the legislation that Mr. Hermes referred to and Mrs. Eckel reported on as being approved a year ago. Mr. Richards moved and Mrs. Eckel seconded the motion to suspend with the second and third reading. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Richards moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

ORDINANCE #2006-06 – AN ORDINANCE PROVIDING ADDITIONAL APPROPRIATION AND AUTHORIZING THE EXPENDITURES OF FUNDS FOR THE PURCHASE OF COMMUNICATION EQUIPMENT FOR THE POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Hermes said this will be paid for with police funds obtained as part of large drug bust by the Rossford police department in conjunction with other jurisdictions. Mayor Verbosky said the amount of money awarded to the city was \$40,000 with the communication equipment cost expected to be about \$16,000. Mr. Hermes moved and Mr. Richards seconded the motion to suspend with the second and third reading. 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.

ORDINANCE #2006-07 – AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT FOR DISPATCHING SERVICES FOR POLICE, FIRE, AND EMERGENCY MEDICAL SERVICES WITH LAKE TOWNSHIP, WOOD COUNTY, OHIO; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Marquette he recalled the city had previous conversations with Perrysburg Township for providing this service and wondered if this was a three year contract. Mayor Verbosky said yes but that there is a six month notice clause. Mr. Hermes asked what the increase from last year is and what future increases will be. Mr. Ciecka said that the 2006 increase is 4% over last years \$112,000 cost with 3% increases in the remaining two years of the contract. Mayor Verbosky said that dispatching was originally done by LOF and then Walbridge. Mr. Hermes moved and Mr. Richards seconded the motion to suspend with the second and third reading. 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.

ORDINANCE #2006-08 – AN ORDINANCE ACCEPTING UTILITY EASEMENTS AND ROAD DEDICATIONS FOR CERTAIN PROPERTY LOCATED WITHIN THE CITY OF ROSSFORD, WOOD COUNTY, OHIO; AND DECLARING AN EMERGENCY.

Mr. Marquette moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Heban said this does not have to be passed tonight and that if finalizes the street dedication of S. Compass Drive and part of the Simmons Rd. utility easements involving Meijer, Ramco, and the city. He said it is his understanding that Mr. Jones, Mr. Avers, and Mr. Coldren had looked at these easements and legal descriptions and approved them. Mr. Ciecka said this will complete the development agreement between Miller Diversified and Meijer. Mr. Marquette asked if the new soccer complex will be in this area and was told by Mr. Ciecka yes. Mr. Marquette moved and Mrs. Eckel seconded the motion to suspend with the second and third reading. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Marquette moved and Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Marquette moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

ORDINANCE #2006-03 AMENDED – AN ORDINANCE APPROVING THE FINAL DEVELOPMENT PLAN AND THE CHANGE OF ZONING FOR CERTAIN PROPERTY AT 627 LIME CITY ROAD AND AMENDING THE ZONING MAP. SECOND READING.

Presentation by developer

Mark Nowakowski the proposed developer of the project presented a digital video version of how the development would look and explained that major changes to the original plan had been made by reducing the number of three story villas, reducing the maximum height of the units, and increasing green space to

70%. He also said that a traffic study had been done with the results indicating traffic increase would be less than anticipated.

See attached copy of PowerPoint slides.

Mrs. Eckel asked what the water pressure on Lime City and Marilyn Rds. are anticipated to be post construction. Mr. Nowakowski said they intend to loop into the existing system and maintain 40-50 psi as exists now.

Councilman Michaels now entered the council chambers.

Mr. Hermes asked if the current plan can be changed later and was told by Mr. Nowakowski that once dedicated as a PUD any modifications must be brought back to the planning commission for approval. Mr. Hermes also suggested that any additional tax revenues from the development could be designated for improvements to Marilyn Rd. for improving the street or adding sidewalks.

Mr. Heban explained that the voting procedure of the planning commission and number of members present were acceptable. He also said that council needs four affirmative votes to approve the ordinance not five. Five votes would have been needed if the planning commission had rejected the proposed development and council and wanted to overrule.

Mr. Marquette wanted to thank the developers for their time, patience, and informational presentations. He also commended the planning commission for performing what is often a thankless job.

Mr. Richards said council has heard a number of presentations and had ample opportunity to visit the site and think about this issue and recommends council act on this issue now.

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried.

Mr. Richards moved and Mr. Oberdorf seconded the motion to suspend with the third reading. Audience comments were asked for and received from the following:

Bob Hirzel, 653 Marilyn Rd., Rossford said this project is expected to take 3-5 years to complete and wondered if any other projects have taken that long. Mayor Verbosky said yes and said for example that Ironwood is in its 3rd year of development and that most projects take 5-10 years to fully develop.

Craig Tymiak, Marilyn Rd., Rossford reiterated his objection to the PUD zoning.

Julie Boney, 635 Marilyn Rd., Rossford, said she agrees with Mr. Tymiak, does not trust the developer, was upset that developer equated these structures to Frank Lloyd Wright designs, does not feel that traffic study allows for safety of children, and wondered why no one had mentioned legal issue of Mr.

Nowakowski. Mr. Marquette said that issue was not relevant and had no place in this discussion.

A.J. Kovacik, 646 Marilyn, Rossford said many people not here are against, that he is not against Rossford growing but as a safety issue this should be kept R1C.

Ron Boney, 635 Marilyn, Rossford said he bought his property knowing that the surrounding zoning was R1C.

Wendy Jakubec, 661 Lime City Rd., Rossford said with this development there would be nine entrances within a one mile stretch on Lime City Rd.

Vote on the motion all ayes. Motion carried.

Mr. Richards moved and Mr. Hermes seconded the motion to adopt. Richards, Oberdorf, Eckel, Marquette, Michaels, and Kovach no. Hermes aye. Motion defeated 6-1

COUNCIL REMARKS

Mr. Hermes reminded council that the ethics letter needs to be sent in or turned into the administration for mailing. He said there will be a budget committee meeting on February 27th at 6:00 p.m. and said that city tax returns are due on April 17th conforming to the federal and state deadline. He also said that he had attended the grand opening of the new Pet Smart store and asked why the trees were cut down in the first block of Superior St. Mr. Ciecka said the state had recommended these trees be removed and they will be replaced. Mayor Verbosky said that Mr. Ciecka and he had attended the Pet Smart grand opening also and in talking with the president of Pet Smart learned that he was very impressed with the location.

Mr. Marquette thanked Mr. Nowakowski and his company for their interest in Rossford and said he hoped the vote on the project did not leave a poor taste for Rossford with them.

Mr. Oberdorf congratulated fire chief Verbosky, asst. chief Drouard, and all the fire/rescue/police personnel who assisted in the January 24 rescue effort at the Maumee River. Mayor Verbosky also thanked the public works department personnel who noticed the man in the river.

Mr. Richards said the new Mexican restaurant in the 100 block of Superior he mentioned two weeks ago is open and that he found the food outstanding and inexpensive.
Mayor Verbosky said the RBA has worked very hard in creating the upcoming Rossford Business Fair to be held in March at the high school and encouraged people to attend. He thanked Meijer and ProMedica for being major sponsors of the event.

AUDIENCE REMARKS

Craig Tymiak, Marilyn Rd. Rossford thanked council for listening to the concerns of the residents of the proposed development area.

Ron Boney, 635 Marilyn, Rossford thanked council for taking the time to research the potential development.

Matt Clayton, 626 Marilyn, Rossford also wanted to thank everyone who took part in this decision for his or her efforts and said the neighborhood appreciates it very much.

Mr. Richards moved and Mr. Michaels seconded the motion to enter into executive session. All ayes. Motion carried.

Mr. Richards moved and Mr. Michaels seconded the motion to return to regular session. All ayes. Motion carried.

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council