

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held March 12, 2018

The meeting was called to order by Mayor Neil Mackinnon followed by the Pledge of Allegiance.

ROLL CALL: Staczek, Oberdorf, Eckel, Marquette, Ruse, Heban, and Densic all present.

APPROVAL OF MINUTES: Minutes of February 26, 2018 regular council meeting were presented to council. Mr. Oberdorf moved and Mr. Densic seconded the motion to approve the minutes. All ayes except Mr. Ruse who abstained. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of March 12, 2018 was presented to council. Committee reports from Public Safety and City Facilities, Parks, & Marina were added to the agenda. Mr. Ruse moved and Mrs. Eckel seconded the motion to accept the agenda as amended. Motion carried.

COMMITTEE REPORTS

Mr. Ruse presented the Public Works committee report from February 12th (see written report). Mr. Densic presented the Finance & Insurance committee report from February 26th (see written report). Mrs. Eckel asked why TetraTech is not doing the inspection of the Urban Paving project on SR65 and Mr. Ruse explained that per state law they cannot as did the initial work on the project. Mr. Marquette asked what the current staffing level of the fire department is and Chief Drouard said 27 members. Mrs. Eckel presented the Public Safety committee report from February 27th (see written report). Mr. Ruse asked if the committee has considered working with the township on a joint arrangement or exploring creating a district wide program for EMS services. Mrs. Eckel said that the township is in the same situation we are regarding staffing. Mr. Densic suggested we look at joint operations on rapid response services and think outside the box. Mr. Staczek presented the Marina committee report from March 7th (see written report).

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mr. Scott said the Rec Center is now taking applications for Spring Break day care for March 26-29, summer day camp, and summer theatre. They will hold a Spring Egg Hunt on March 31st at Total Sports, a table tennis event on April 8th at noon, and the score board will soon be in place at Beech St. Park. The public works department has completed the rebuild of the floating dock, will soon start the installation of docks, electric, and water at the marina, and is working on filling potholes and servicing summer equipment. The theft at the maintenance barn on Wales Rd. is still under active investigation and we are working with the insurance company for the replacement of the stolen equipment. Spring brush pickup will be the week of April 23rd. The police department has the new vehicle on order, police chief and school resource officer will be meeting with Rossford schools to discuss security at Owens for next school year, recently held an active shooter drill at All Saints School, and the rescue task force has been doing ongoing training with the fire department. The fire department is on track for another month of 100 calls for service and one of the thermal units is out for repair. The street tree commission will hold an Arbor Day event on April 27th and is still looking for one new member. There will be a press conference on Thursday, March 15th at the Hollywood Casino announcing the dates and sponsors of the Glass City Balloon Race. He noted that RITA has extended their hours through April 17th and they are posted on the city website and he reminded elected officials that 2017 financial disclosure statements are due by May 15th.

Mayor Mackinnon informed council that they and the administration are in a competition with the Rossford School Board to raise more money for the Mercy Children's Hospital.

CORRESPONDENCE

None

ORDINANCES

#2018-11 – AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO ENTER INTO AN AGREEMENT WITH MANNIK SMITH GROUP CONSULTING ENGINEERS FOR ENGINEERING SERVICES REQUIRED IN CONJUNCTION WITH THE OVERSIGHT OF THE SR65 URBAN PAVING PROGRAM; AND DECLARING AN EMERGENCY. SECOND READING.

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

#2018 – 13 - AN ORDINANCE AMENDING ROSSFORD MUNICIPAL CODE SECTION 505.02, IMPOUNDING AND DISPOSITION; RECORDS

Mr. Oberdorf moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Attorney Heban said this request came from Chief Goss concerning the impounding of dogs and can go three readings. This was given a first reading only.

#2018 – 14 - AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE ZONING MAP OF THE CITY OF ROSSFORD AND ADOPTING A NEW ZONING MAP OF THE CITY OF ROSSFORD

Mrs. Eckel moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Attorney Heban said there are a couple of items on the agenda tonight regarding the property behind Home Depot and a change to R3 multi-family residential. He said this has been reviewed by the planning commission and they had requested restrictions which the developer had agreed to and are part of the planning commission minutes. He reminded council they would need five votes to overturn the recommendation of the planning commission. Mrs. Eckel said adding multi-family is a bad idea as currently we cannot service with fire/rescue and it is irresponsible to do this before we resolve our fire department staffing problem. Mr. Staczek said he semi concurs with Mrs. Eckel but we cannot lose this opportunity to grow and he thinks our constituents would expect us to grow and work on the police/fire issue. Mrs. Eckel said the new zoning map shows this are as planned commercial and Mr. Staczek said he is not aware that the Crossroads has to stay planned commercial or planned industrial. Mr. Oberdorf said he agrees with Mrs. Eckel and in his eyes this is spot zoning. He asked Chief Drouard how much of a burden this would be to fire department and the chief responded more people means more runs. Mr. Ruse said he sides with Mr. Staczek and said the question is do we shut down growth. He said we need to address the police/fire issue and encouraged us to move forward. Mrs. Eckel said she sees no benefit to adding apartments out there. Mr. Marquette said his concern is what type of multi-family units, just typical apartments or townhouses, condos also. Jerry Miller from Miller Diversified said they have no project yet but they had agreed to the restrictions requested by the planning commission regarding building materials, setbacks, and architecture. He said this will look better than the typical apartment complex and multi-family is what the interest currently is. Mrs. Eckel asked if this allows for subsidized housing and Mr. Miller said by law they cannot exclude and Attorney Heban said they cannot be a basis for council's decision. Mr. Oberdorf said he would feel better about this if he had some idea of what the project was. Mr. Ruse said in looking at the restrictions from the planning commission and the cost of land in that area this is not going to be an inexpensive project. Mr. Densic said the zoning classifications out there date back to when we first annexed this property and said we are behind in reacting to what the market is telling us and we need rooftops to support the retail already there. Mr. Marquette asked for a list of the deed restrictions. This was given a first reading only.

#2018 – 15 - AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE CITY OF ROSSFORD AND TO ADOPT UPDATES TO SECTION 194 INCOME TAXES OF THE ROSSFORD MUNICIPAL CODE FOR TAX YEAR 2018 AND THEREAFTER, AND DECLARING AN EMERGENCY.

Mr. Staczek moved and Mr. Densic seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said this is in response to House Bill #49 in regards to municipal net profit income taxes on businesses and will bring us into line with the state requirement. This was given a first reading only.

#2018 - 16 - AN ORDINANCE MAKING CERTAIN CHANGES TO THE EXPENSE APPROPRIATION AND ESTIMATE OF REVENUES FOR THE YEAR BEGINNING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2018 AMENDING ORDINANCE 2017 – 65 AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman would like this approved sooner than three readings as relates to the over one hundred items stolen from the Wales Rd. maintenance facility and some of these tools are needed on a daily basis.

Mr. Oberdorf moved and Mrs. Eckel 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. Oberdorf moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Oberdorf moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2018- 17 - AN ORDINANCE AUTHORIZING THE REPEAL OF THE ZONING MAP OF THE CITY OF ROSSFORD AND ADOPTING A NEW ZONING MAP OF THE CITY OF ROSSFORD

Mrs. Eckel moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Attorney Heban said Zoning Inspector Zuchowski and Mr. Williams from Mannik Smith have spent hours going through the zoning map and this map represents what is presently in place in the city. He said if anyone has questions they should contact Mr. Zuchowski. Mr. Scott said every property that showed a change in zoning on the map was sent a letter and no objections were received. This was given a first reading only.

#2018 – 18 - AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE ZONING MAP OF THE CITY OF ROSSFORD AND ADOPTING A NEW ZONING MAP OF THE CITY OF ROSSFORD

Mr. Staczek moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Attorney Heban said this is the property on Glenwood Rd. across from the Shell station and diagonal from the Wendy's. This was given a first reading only.

RESOLUTIONS

#2018-06 – A RESOLUTION REQUESTING THE NORTHWEST WATER AND SEWER DISTRICT TO ENGAGE AN OUTSIDE AGENCY TO HAVE A PERFORMANCE AUDIT CONDUCTED DEALING WITH THEIR OPERATIONS. THIRD READING

Mr. Oberdorf moved and Mr. Densic seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Staczek seconded the motion to adopt. Staczek, Densic, Heban aye. Oberdorf, Ruse, Marquette, Eckel no. Motion to adopt fails 3-4.

#2018-07 – A RESOLUTION REQUESTING THE CITY OF TOLEDO TO ENGAGE AN OUTSIDE AGENCY TO HAVE A PERFORMANCE AUDIT CONDUCTED DEALING WITH THEIR WATER OPERATIONS. THIRD READING

Mr. Oberdorf moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Densic moved and Mr. Heban seconded the motion to table indefinitely. All ayes. Motion carried.

#2018-08 – A RESOLUTION REPEALING SUPPORT FOR THE CONSTRUCTION OF A ROUNDABOUT AT THE STATE RT. 65, LIME CITY ROAD AND COLONY ROAD INTERSECTION AND REPEALING ALL PRIOR LEGISLATION AND ACTIONS PREVIOUSLY APPROVED RELATING TO THIS PROJECT. THIRD READING

Mr. Oberdorf moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mayor Mackinnon asked attorney Heban to explain what the vote means and attorney Heban said a yes vote would repeal the project and a no vote would allow it to continue. He said ordinance #2010-31 allowed us to apply to TMACOG for highway dollars for congestion mitigation, the money, over \$600,000, was then awarded and set aside for the City of Rossford. In his opinion the city will get sued if they pull out of the project. Mr. Ruse said council also voted on this again a year ago. Mr. Densic said this resolution is in recognition to new conditions related to financing and is not a challenge to past councils but is based on

failure of different options for funding road improvements. He said it comes down to what are our priorities and what are our must do projects. He said this roundabout would impact private property and businesses and increase the traffic flow. Mr. Oberdorf said Mr. Densic makes a number of valid points and has done a tremendous job of presenting his side of the issue but that an immense amount of work has went into this project and he is tired of the stalling techniques of members of council and others. Mrs. Eckel said since 2010 there has been federal funds set aside for this and it takes a long time to pull this together and this is a challenge to past councils and engineers. She said that we cannot make our roads better by maintenance and that the amount of other roads that could be done with this money is not that great as it would be \$500,000 just to mill and fill Windsor Drive. She said there is only a very small amount of private property being taken not a massive amount as stated, that this will improve the flow of traffic, and that she has spoken to both of the business owners and neither one is against and repealing this now would be reckless and irresponsible. Mr. Marquette said he and Mr. Heban had a conference call with TetraTech earlier today and were told that a roundabout is the safest way to handle that intersection. He wants to make sure when the final draft of the project is completed that we sit down with the neighbors in that area and address their concerns. Mr. Ruse said the reality is that this has gone on so long that two engineers have worked on and both said the roundabout was the best method. Mr. Ruse said it will improve both the business properties to the south who are currently using city right-of-way for parking and that we will work with the other property owners has best we can. He said the project is needed, has multiple benefits, and been on the books for a number of years. Mr. Scott said he worked with the public works and finance committees to protect the grant monies and this project has nothing to do with the failed levies as funding was secured before moving forward. Mr. Staczek said he appreciated Mr. Densic and all of councils comments and disagrees with Mr. Oberdorf regarding stalling saying we do not know yet what property will be taken. Mayor Mackinnon said if we start turning grants down they start going to someone else and we cannot in good conscience allow this project to be sidetracked by social media. He said no streets are not being done because of this project. This project will make us better. Mr. Ruse moved and Mr. Heban seconded the motion to adopt. Densic, Staczek aye. Ruse, Heban, Oberdorf, Eckel, Marquette no. Motion to adopt fails 2-5.

#2018 – 10 - A RESOLUTION, PURSUANT TO R.M.C. 1114.03, REQUESTING THE CITY OF ROSSFORD PLANNING COMMISSION TO CONSIDER AMENDING THE ROSSFORD ZONING CODE.

Mr. Heban moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Attorney Heban said this is a result of the zoning committee review of the procedure to amend the zoning code. The committee recommended the planning commission consider three items has referenced in Section 1 and then they would come back to council with a recommendation. This was given a first reading only.

COUNCIL REMARKS

Mrs. Eckel encouraged donations for the Easter baskets for the city Easter Egg Hunt, said she had received several calls regarding coyotes, geese, deer, and skunks and that we need to look into a plan for animal control. Mr. Scott said we have a couple of private vendors that he will list on the city website for removal of skunks and other animals but that deer and geese are a protected species.

Mr. Ruse agreed we need to look into animal control as the deer population in the Colony continues to expand and we could be looking at a future situation such as Ottawa Hills dealt with.

Mr. Densic noted the sections of railroad track near the Schreier Rd. /Lime City Rd. crossing and asked if that crossing was going to be repaired. Mr. Scott does not know.

AUDIENCE REMARKS

Jeff Appelhans, 177 Hannum Ave., referenced a previous attempt by Miller for a zoning change for residential and said they is better spots for this. He also again complained about Rossford rates for Waste Management versus Oregon's rate and a private contractor that services Moline for less than what we pay.

Vince Crawford from Waste Management said he is the new area representative and that he will look into the questions raised by Mr. Appelhans. He then updated council on Waste Management's efforts in 2017 such as donating \$4M for hurricane relief and sending trucks and crews to help with cleanup, being recently named one of the most ethical companies in the country, and being considered a top company for veterans to work at with 10% of new hires being veterans.

Kevin Urrutia, 331 Jennings, offered his compliments to Mr. Ledesma for all the work paid and unpaid he does for the rec programs.

Jerry Miller from Miller Diversified said they have been working and developing the Crossroads for twenty years and there was a residential component anticipated originally with police and fire protection and that it is important to know that residential was always part of the plan.

Mr. Staczek moved and Mr. Densic seconded the motion to adjourn. All ayes. Motion carried.

Neil A. MacKinnon III
Mayor

Robert P. Watrol
Clerk of Council