

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held May 8 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. Mayor Verbosky said Mr. Michaels is attending another meeting and will be arriving as soon as possible.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of April 24, 2006. Mr. Richards moved and Mrs. Eckel seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of May 8, 2006 was presented to council. The budget committee report and an executive session to discuss pending litigation with Perrysburg Township were added. Mr. Richards moved and Mrs. Eckel seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Budget

Mr. Hermes presented the committee report of April 24, 2006 and said items discussed were delinquent payments of the refuse fee, status of income tax filings, methods to ensure all taxes owed are collected, and an application for Block Grant funds for the Roland Court street project. Mr. Marquette asked what work was proposed to be done on Roland Court and was told by Mr. Ciecka a total street replacement including curbs will be requested.

Mr. Richards moved and Mrs. Eckel seconded the motion to accept the committee report as given. All ayes. Motion carried.

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mr. Ciecka said the marina is now open with 157 of 253 spaces rented and expectations that continued marketing will result in further rentals, that the surplus property auction on April 29th generated \$4670 in gross proceeds with the van being transferred to public works rather than being sold, and that banking proposals have been received from Genoa Bank, Sky Bank, and Fifth Third Bank and these will be reviewed with the budget committee and an ordinance presented at the next meeting. Mr. Richards asked if the net proceeds from the auction will go into the general fund and was told by Mr. Ciecka yes, except for those items sold designated to go into a special drug fund. Mr. Ciecka then said that sidewalks are being installed in the Grassy Creek subdivision and that council should have received a letter from the residents of the Creekbend subdivision regarding that same issue.

Mayor Verbosky said it will be interesting to see what happens this year with marina usage based on current fuel prices and that historically marina rentals continue to increase during the month of May and that the monthly meeting of the downtown revitalization project will be held May 9th at city hall at 6:30 p.m. as part of the Tier 1 process. The mayor also commented on the news story from May 5th regarding the decision by Bass Pro Shops to not come to Toledo and said he is still hopeful that Rossford is in the running for a new store but that it is still too premature for any comment.

At this time Mayor Verbosky allowed Mr. Ray Miller, as a representative of the Creekbend subdivision to comment regarding the letter they had sent to council. Mr. Miller stated that none of the residents remembers sidewalks being part of the original agreement with the developer, that there is some concern with the location of sidewalks in relation to the underground utilities and above-ground utility boxes, that the ground is still settling, and that there is no sidewalk requirement throughout the city, just new subdivisions. He also said since these sidewalks would not connect to any other sidewalks they would like some relief until there is something to connect to on Bates Rd. *** Mr. Michaels now arrived at the meeting***. Mayor Verbosky said that some sections of the city have sidewalks and some do not due to a

previous non-uniform zoning code and pre-existing neighborhoods. He understands the concerns of the residents and is sure that council will address as well as the planning commission. Mr. Marquette said he had visited the subdivision and is somewhat in agreement with the residents but could see giving a variance until they would connect to some other walks. Mr. Richards said there may be a precedent for a delay and suggested this issue be referred to the public works committee. Mr. Hermes inquired how many children reside in the subdivision and was told by Mr. Miller a handful. Mrs. Eckel said she sees this as a safety concern for young children and said most would ride the sidewalk to the end and turn around if they do not connect to anything else. Mr. Oberdorf said this is a matter for the public works committee to investigate thoroughly and bring back to council. Mr. Kovach said he will schedule a date for a public works committee meeting and notify the Creekbend residents.

CORRESPONDENCE

A request for a new liquor permit has been received from Gold Medal Indoor Sports LLC, 10020 S. Compass Drive, Rossford which is the indoor soccer facility being built. The mayor requested that Mr. Ciecka follow up on this with the police chief and report back to council by May 22nd.

ORDINANCES

Mayor Verbosky said that ordinances #2006-15 through 20 will be second readings only and that they involve notes being reissued with principal pay downs totaling \$217,000 or 5.9%.

#2006-15 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$140,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVEMENTS TO THE SANITARY SEWER SYSTEM, AND DECLARING AN EMERGENCY. SECOND READING.

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

#2006-16 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$60,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF A NEW FIRE STATION, AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said there is no plan to build a fire station at this time and this is the cost of purchasing the land. This was given a second reading only.

#2006-17 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$475,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO REDEEM THE OUTSTANDING PRINCIPAL AMOUNT OF THE CITY'S COMMUNITY CENTER CONSTRUCTION BONDS AND DECLARING AN EMERGENCY. SECOND READING.

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

#2006-18 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$290,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING CERTAIN SANITARY SEWERS AND RELATED FACILITIES, AND DECLARING AN EMERGENCY. SECOND READING.

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

#2006-19 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$290,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING A WATER LINE AND APPURTENANCES THERETO AND INTERESTS THERIN FOR OPERATION AND USE TO SERVE USERS IN THE CITY AS A PART OF THE CITY'S WATERWORKS SYSTEM, AND DECLARING AN EMERGENCY. SECOND READING.

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

#2006-20 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,200,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING CERTAIN ROADS AND APPURTENANCES AND INTERESTS THEREIN FOR PUBLIC USE AS A PART OF THE CITY'S SYSTEM OF PUBLIC STREETS, AND DECLARING AN EMERGENCY. SECOND READING.

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

#2006-21 – AN ORDINANCE AUTHORIZING PARTICIPATION IN ODOT COOPERATIVE PURCHASING PROGRAM; AND DECLARING AN EMERGENCY.

Mayor Verbosky said council has received a memo from Mr. Ciecka regarding this and this is the ordinance to allow the city to participate in the state coop program and purchase the crack filling equipment. Mr. Richards thought the city was already in the state purchasing program. Mr. Ciecka said that it has to be renewed every two years and the last ordinance has expired. Mr. Hermes wondered when it had expired, was told 2005, and then questioned how the police cars were purchased. Mr. Ciecka said that was through a different program.

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 readings. 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.

#2006-22 – AN ORDINANCE AUTHORIZING THE PURCHASE OF CRAFTCO SUPERSHOT 125D WITH COMPRESSOR THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said this ordinance refers to the piece of equipment discussed at the last meeting and recommended by Dave Jones and could be given a first reading only. Mr. Richards wondered if that would not delay the program and was told by Mr. Ciecka no, that it would take at least two weeks to get authorized to purchase in the coop program. Mr. Richards sees no reason for delaying and moved suspension of the second and third readings which was seconded by Mr. Marquette. Audience comments were asked for and none received. Mr. Marquette asked how long it will take to get the equipment and was told there is some delay but it should not affect the crack filling schedule. 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.

#2006-23 – AN ORDINANCE TO APPROVE A MEMORANDUM OF AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA) PATROL OFFICERS UNIT AND OFFICER KEVIN SWANSON; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Marquette seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards asked if the return of Officer Kitzler and the leaving of Officer Swanson will occur simultaneously and was told by Mr. Ciecka yes. Mr. Hermes asked when this request from Mr. Swanson was received and when told last week expressed his disappointment in the short notice given to consider. Mr. Heban said the short notice was due to Officer Swanson wanting to keep knowledge of this private pending the test results and other personal reasons. Mr. Hermes said we have no obligation to do this unless Mr. Ciecka has already committed. Mr. Ciecka said this is based on council's previous approval of the same benefit for Officer Kitzler, saves about \$39,000 in salary, and that he had told Officer Swanson that council had to approve but that he would recommend to council. Mayor Verbosky said he had no problem with doing this. Mr. Richards said this is the second time we are doing this and he thinks it is our duty to let one of our officers take part in the effort in Iraq. Mr. Oberdorf asked if the city anticipates filling this position, will Officer Swanson be considered an independent contractor, and what is his compensation. Mr. Ciecka does not anticipate filling this position and that Officer Swanson will be an independent contractor.

Mr. Heban said the compensation is between \$130,000 - \$150,000. Mr. Hermes asked what the cost to the city will be for picking up this expense and was told approx. \$1000 monthly. Mrs. Eckel said she appreciated the early notice giving when Officer Kitzler did this. Mr. Richards moved and Mr. Marquette seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes and motion carried. Mr. Richards moved and Mr. Marquette seconded the motion to declare an emergency. Mr. Hermes wondered what the ramifications were if council voted this down and was told by Mr. Ciecka that Officer Swanson would have to resign. He also asked if Officer Swanson would take the leave of absence without the benefits and was told it was possible. Mrs. Eckel asked if he expected that council would do the same as they did for Officer Kitzler. Mr. Ciecka said he only told him he would recommend it to council. Mr. Oberdorf is concerned that council is allowing a trend to be established in paying benefits. Voting aye on the motion to declare an emergency was Richards, Eckel, Marquette, Hermes, Michaels, and Kovach. Oberdorf voted no and motion carried 6-1. Mr. Richards moved and Mr. Marquette seconded the motion to adopt. Voting aye on the motion were Richards, Eckel, Marquette, and Kovach. Voting no were Oberdorf, Hermes, and Michaels. Motion carried 4-3.

#2006-24 – AN ORDINANCE TO PROVIDE SUPPLEMENTAL APPROPRIATIONS FOR CAPITAL AND OPERATING EXPENDITURES FOR THE PERIOD BEGINNING JANUARY 1, 2006 AND ENDING DECEMBER 31, 2006; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is for additional funds needed for repair of the floating docks, hiring an outside contractor to scan water depth at the marina and study possible future dredging needed, safety town costs, and new radar units, affidavit and windows software for the police department. He said the safety town appropriation was added after the program was revamped. Mayor Verbosky said the funds for the additional appropriation for the police department is coming from funds obtained through drug confiscation. Mr. Oberdorf asked if the Board of Education assists with the funds needed for safety town and was told by Mr. Ciecka no, other than allowing the use of the building. Mrs. Eckel asked if the radar equipment is the same item that was discussed by the safety committee and determined not to be a necessity and yet was bought anyway. Mr. Ciecka responded affirmatively. Mr. Kovach is concerned that with three radar units in three cars that officers will be running radar rather than patrolling. He is hoping the new chief will make sure that does not happen. He is also disappointed that the purchase of the radar units took place. Mayor Verbosky said that the purchase was made by the outgoing chief and new chief Vespi is aware to follow proper purchasing procedures. Mr. Michaels asked who pays the safety town teachers and was told the city does, and what can council do to prevent unauthorized purchases in the future. Mr. Ciecka said in the future proper purchasing procedures will be followed. Mr. Hermes asked how many hours will be needed for the officer to run safety town and was told by Mr. Ciecka approximately 36 hours and it will not cause overtime. Mr. Hermes also questioned the \$5000 for marina repairs and was told this was money already spent, as repairs had to be made. Mr. Richards is also disappointed with the purchase of the radar units as they were determined to not be a high priority by the safety committee or even the police. He said this is not the fault of the new chief and we need to put this behind us and move ahead. Mr. Oberdorf said that while safety town is an admirable program he feels that this program should be a mutual responsibility with the school board instead of the city shouldering the lion's share of expenses. Mr. Hermes is concerned that two departments followed the budgeting guidelines while two are getting forgiveness. Mr. Marquette wondered where the checks and balances failed. Mr. Ciecka said the problem is taken care of. Mrs. Eckel hopes that in the future the school board takes some financial responsibility for safety town. Mr. Richards moved and Mrs. Eckel seconded the motion to suspend with the second and third readings. Audience comments were requested and Larry Bridenbaugh, 822 Lime City Rd., Rossford, asked if this needed to pass tonight. Mayor Verbosky responded that some of the items have already been done and need to be paid for. Vote on the motion all ayes and 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. Voting aye were Richards, Oberdorf, Eckel, Marquette, Michaels, and Kovach with Hermes voting no. Motion carried 6-1.

COUNCIL REMARKS

Mrs. Eckel congratulated the Public Works department on completing a successful spring clean-up. Mr. Oberdorf thanked Drs. Zouhary & Fisher for the invitation to the National Day of Prayer Breakfast and Recreation Director Sloan and Nancy Rust for coordinating the prayer meeting held at the RCRC that same day.

Mr. Richards said he drove the Waste Management route last week and the complaints from earlier in the year seem to have been rectified.

Mr. Hermes said he had attended the anniversary luncheon for the Rossford Community Arts Commission and congratulated them on their 10 year anniversary. He thanked the people who helped with the surplus property auction and announced a budget committee meeting on May 22nd at 6:00 p.m. to discuss banking proposals.

AUDIENCE REMARKS

Betty Woods, 539 Riverside Dr., Rossford, a member of the Tree Commission announced Rossford's designation as a Tree City U.S.A for the ninth year and said this year's Arbor Day planting will be delayed to coincide with the reopening of the library.

Mr. Richard moved and Mr. Oberdorf seconded the motion to go into executive session for purpose of discussing pending litigation with Perrysburg Township. All ayes. Motion carried.

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

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council