

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held May 9, 2005

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

ROLL CALL: Richards, Oberdorf, Eckel, Marquette, Kovach, Jakubec, and Hermes all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of April 25, 2005. Mrs. Jakubec moved and Mr. Oberdorf seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of May 9, 2005 was presented to council. Reports to be given from Budget committee and Tree commission. All other committee reports were deleted. Mr. Richards moved and Mrs. Jakubec seconded the motion to approve the agenda as amended. All ayes. Motion carried.

BUDGET

Committee met on April 25. Items discussed were as follows: 1) Rec Center wall issue- estimate for \$60K for repairs is on hold due to finances. Pat Sloan has written a grant proposal for funds. 2) 2006 Budget discussed in view of possible \$120,000 cut local government funding from state, \$175,000 loss when trash fee expires, and \$100,000 increase in wages postponed from this year. 3) New revenue such as levies, assessments, and changes in tax credits were discussed as well as eliminating the city treasurer position. 4) Various cost reductions such as sharing equipment, selling assets, and outsourcing services were discussed. 5) Notes coming due this June were discussed and will be ordinance items on May 9th council agenda. 6) Lime City & Buck Rd. intersection improvements, increase in rate Toledo charges for water and sewer, and PERS service credit system were also discussed.

Mr. Richards noted the efforts that were made to contact our state elected officials regarding the state budget and local government funds and said that those efforts did convince Mr. Latta to vote against the budget. He encouraged administration to write thank-you to Mr. Latta in appreciation of his support and write State Senator Gardner and ask for his support as well. He stated a loss of \$120,000 in funds from the state would be disastrous to the city's budget. Mr. Oberdorf asked if it was accurate that the city had rolled over the note for 12 years on the Rec Center. Mr. Ciecka said no, it was in a bond until a year ago when rolled into a note to take advantage of low interest rates, save interest expense, and delay required principal paydown. Principal paydowns have taken place and a \$50,000 paydown is budgeted for this year.

TREE

Committee met on March 9. Items discussed were the replacement of dead trees in the Crossroads Parkway, replacement of a tree at St. George Church, ash trees that still need to be cut down, planting plan for the new Genoa Bank in Crossroads Centre, potential new members of the Tree commission, and Rossford's continuing designation as a Tree City, USA.

Mr. Richards moved and Mrs. Jakubec seconded the motion to accept the committee report as given.

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky reported receipt of a letter from Rossford Schools thanking the tree commission for the donation of two trees for the Arbor Day planting and the city's participation in that event. He stated he had sent a letter to the Rossford School Board thanking them for the repair to the wall on Glenwood. He gave his thanks to the city workers for their efforts in completion of the marina project, reported the retirement of Mark Briggs after 25 years on the Fire Dept., and said he had received a release from Southland Corp. allowing the marketing of the vacant 7/11 property.

Mr. Ciecka reported that the marina did open on April 30th despite the poor weather hampering the project and that there are about 60 floating docks still available at this time which is line with previous years. He

said that the subcontractor did start working on the landscaping project for Maybar and Indian Valley today. He has been looking at various refuse programs and is working with the Wood County Solid Waste District for the potential of a grant to alleviate the loss of our spring and fall cleanup. He also looked at the City of Napoleon waste program as asked and found that they have a one container limit for refuse pickup. He has scheduled a meeting with Miller Diversified regarding marketing their property in the Crossroads. Mrs. Eckel said she has noticed people putting yard waste in business dumpsters and said this is a disservice to merchants and that possibly the city could put dumpsters at the landfill or open the landfill on Saturday for drop-off. Mr. Richards said that the yard waste issue is significant and that the hours at the landfill is part of the problem. Mr. Marquette said he was told by Waste Management that yard waste can be part of the three container limit. Mr. Ciecka is to verify this information in the city's contract with Waste Management.

CORRESPONDENCE

One item of correspondence regarding transfer of liquor permit to new owners of Sunoco station on Buck Road. Clerk reported he had checked with Police chief and he had no problem with it. Mr. Richards moved and Mrs. Jakubec seconded the motion to not request a hearing on the transfer. All ayes. Motion carried.

INTRODUCTION OF ORDINANCES

#2005-14 – AN ORDINANCE REVISING ROSSFORD MUNICIPAL CODE SECTION 193.03 (a) SO AS TO REQUIRE INCOME TAX ON GAMBLING WINNINGS. THIRD READING. Mr. Richards moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Mr. Wilkowski reviewed the memo he had sent to council regarding ordinance 2005-14 and 2005-15. Mr. Richards asked a question regarding someone from out of town purchasing a winning ticket in Rossford and whether they are subject to the tax. Mr. Wilkowski said it only applies to people that are residents as others don't have a sufficient connection to the city. Mr. Hermes moved and Mr. Richards seconded the motion to amend Ordinance #2005-14 to alter section 2 as to the effective date, and add sections 3 and 4. 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 moved to adopt Ordinance #2005-14 Amended. Hermes, Jakubec, Richards, Eckel, and Marquette aye. Kovach and Oberdorf no. Motion carried.

#2005-15 – AN ORDINANCE REVISING ROSSFORD MUNICIPAL CODE SECTION 193.03 (a) (1) THROUGH (5) SO AS TO BETTER DEFINE QUALIFYING WAGES FOR INCOME TAX PURPOSES. THIRD READING. Mr. Hermes moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf feels that this ordinance does tax categories that are not currently taxed, such as early retirement and sick pay. He said he can't do that to the taxpayers and feels it would be a bad thing for the community. Mr. Ciecka said that the current ordinance says the tax can be applied to all wages and this is just an attempt to clarify what all means. Mr. Marquette asked if the items listed in Mr. Wilkowski's memo had been taxed to this point and Mr. Ciecka said yes. Mrs. Eckel asked if unemployment benefits are currently taxed and Mr. Ciecka said that based on language of current ordinance they are under all earned income. Mr. Kovach considers this ordinance an addition to the 1988 ordinance that was passed by the electorate and thinks it would be a mistake to change as he suspects there could be litigation down the road. He said he has had many discussions with many people and he feels this ordinance is just a nickel and dime approach to resolving the budget issues. He said water and sewer rates have been increased, a garbage tax instituted and that these are just a band-aid approach. He questions at what point the city stops going back to the people and asks for help with the budget problems from the state auditor to come up with a comprehensive plan. He thinks the CAFR report could have errors and omissions in it that were not intentional and that the city's finances need to be reviewed going back five years because this problem didn't happen overnight. He is concerned that the city is going month to month with no plan and he feels ordinance 2005-14 or 2005-15 are not the solutions to this

problem. Mayor Verbosky took exception to the nickel/dime term and not having a plan. He said the city is looking for revenue and places to cut expenses everywhere it can. He feels the gambling ordinance is a prudent step and the fact that the budget committee meets monthly to review finances is a plan. He has no problem with the state auditor coming in but that they will just review the books to see if in order. They will not come up with a budget plan and will not solve the city's income and expense problem. Mr. Richards thinks the city is being diligent and prudent in its efforts to control expenses. He has talked to the state auditor and was told they would be happy to come in upon invitation, would be here without invitation if they thought there was a problem, and they see nothing wrong with the CAFR reports and have signed off on them. He and they don't see the sense in doing a fairly expensive audit to review the books. Mrs. Eckel had a question regarding pension plans and deferred compensation. Mr. Wilkowski explained that these are not taxed at federal and state levels until received but at municipal level is taxed when deferred but not taxed when received. Mr. Hermes said this ordinance was supposed to simply make Mr. Ciecka's and Ms. Sabin's job easier not to be seen as a way to get more money from other sources. If council thinks otherwise they should just vote it down. Mr. Marquette said he had talked to Ms. Sabin and was told adds no new categories, they are all taxed now; this ordinance just explains the word all. Mr. Richards if administration sees harm if this ordinance is defeated and Mr. Ciecka said it won't change the way taxes are assessed. Mr. Hermes moved to adopt- Mr. Wilkowski said council could move to table. Mr. Richards moved and Mrs. Jakubec seconded the motion to table the ordinance. Richards, Oberdorf, Eckel, Marquette, Jakubec, and Kovach aye. Hermes no. Motion carried. Mayor Verbosky asked council to get with administrator within next 30 days with their objections to this ordinance.

#2005-16 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$150,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVEMENTS TO THE SANITARY SEWER SYSTEM, AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Given a first reading only.

#2005-17 - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$310,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING CERTAIN SANITARY SEWERS AND RELATED FACILITIES, AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Given a first reading only.

#2005-18 - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$310,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING A WATER LINE AND APPURTENANCES THERETO AND INTERESTS THEREIN FOR OPERATION AND USE TO SERVE USERS IN THE CITY AS A PART OF THE CITY'S WATERWORKS SYSTEM, AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Given a first reading only.

#2005-19 - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$75,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF A NEW FIRE STATION, AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Given a first reading only.

#2005-20 - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$2,420,000 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

.Mr. Hermes moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Given a first reading only.

#2005-21 - AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$525,000 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.

.Mr. Hermes moved and Mrs. Jakubec seconded the motion to read by title only. All ayes. Motion carried. Given a first reading only.

COUNCIL REMARKS

Mr. Oberdorf attended the Arbor Day tree planting and said it was a very nice affair and the participation by the city administration and Kindergarten class was appreciated. He also thanked Dr. Zouhary for his invitation to the National Day of Prayer Breakfast and said it was very worthwhile.

Mr. Richards reminded the administration that it was probably time to go through the bid process for the allocation of city funds. Mayor Verbosky will have Mr. Ciecka check on.

Mr. Kovach asked Mr. Wilkowski if council had the authority to pass the garbage tax without going to the voters and if it was subject to the 30 day rule and should not have been passed as an emergency. Mr.

Wilkowski said council had the authority because it was a user service fee not a tax and he is not aware of anything that would require the 30 day rule. He also asked what would happen to those who refuse to pay fee. Mr. Wilkowski said council would need to pass ordinance to notify county treasurer of liens for non-payment and then they would be collected same way unpaid taxes are handled.

Mrs. Jakubec responded to two questions from the last meeting and said the slide problem at Vets Park is being worked on by maintenance and extended Sunday hours at the Rec Center are not possible at this time due to cutback in staff and revenues provided by Sunday rental for basketball league.

Mr. Hermes reminded everyone of the next Budget meeting on Tuesday, May 17. He thanked Mr. Richards for the reminder on bidding for public funds and said there will be a gap in the budget next year due to raises, health care increases, local government cuts, and the expiration of the refuse fee. He said will probably need to be a committee of the whole meeting in July or August to discuss the 2006 budget.

AUDIENCE REMARKS

Ahmed Saleh, 916 Jennison Drive, Kris Szmania, 912 Jennison Drive, and Scott Gauthier, 910 Jennison Drive, all of Rossford, have a problem with the commercial building being built behind them and the lack of mounds and trees as promised in the site plan by the developer. Mayor Verbosky said this property is in Northwood and instructed Mr. Ciecka to contact the Northwood administrator regarding this.

Tony Koprowski, 545 Maybar Drive, Rossford, said the house at 545 Glenwood Rd. has been an eyesore for quite some time with some non-existent construction, and a number of people have brought it up to him as probably the worst property in the city. He also mentioned the concerns on Maybar with the broken curbing and lack of proper repair and landscaping after the completion of the sewer project. Mayor Verbosky said the city is putting pressure on the contractor's bond company.

Valerie Prochachini, 542 Maybar Drive, Rossford, asked to be kept informed with what's going on with this Maybar project. Many people are angry, especially her mother.

Jeff Appelhans, 177 Hannum, Rossford, asked if the original contractor will be responsible for the Rec Center repair. Mayor Verbosky said there may or may not be liability but an engineering study is cost prohibitive and that's why pursuing a grant first and if don't get then will look at other options. He brought up the discrepancy in the yard waste rules and Mayor Verbosky said the city will follow-up with Waste Management to get cleared up. He asked Mr. Ciecka to obtain written clarification.

Minutes of May 9, 2005 Page Five

Robert Zuchowski, 202 Hillsdale, Rossford, said the city should see if possible to have volunteers to staff the dumpster and landfill on Saturdays.

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council