

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Special Meeting
Held May 20, 2013

The meeting was called to order by President of Council Oberdorf, and was opened with the Pledge of Allegiance.

ROLL CALL: Staczek, Oberdorf, Eckel, Marquette, Ruse, Scott, and Duricek all present.

APPROVAL OF AGENDA: Agenda for special council meeting of May 20, 2013 was presented to council. Mr. Duricek moved and Mr. Ruse seconded the motion to approve the agenda. All ayes. Motion carried.

ORDINANCES

#2013- 20 - AN ORDINANCE AUTHORIZING AN APPLICATION FOR THE 2013 COPS HIRING PROGRAM AND DECLARING AN EMERGENCY. SECOND READING.

Mrs. Eckel moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf said that prior to this meeting both the safety and finance committees had met to discuss this grant and asked for a brief report from each chairman. Mr. Staczek said this grant will save 30-35% of the cost of hiring another officer and that the safety committee unanimously recommends this to council. Mr. Ruse said that the first year cost to the city will be \$27,000, 2nd year cost will be \$31,000, 3rd year \$78,000 and in the fourth year with the city paying the entire cost of wages and benefits the cost will be \$97,000. He said the finance committee is recommending this be adopted by council. Mr. Oberdorf reminded council that the filing deadline is May 22nd. Mrs. Eckel moved and Mr. Ruse seconded the motion to suspend with the third reading. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mrs. Eckel moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

DISCUSSION

TO AMEND ROSSFORD MUNICIPAL CODE SECTION 1323.06 TO VEST AUTHORITY IN THE BOARD OF ZONING APPEALS TO GRANT VARIANCES OF CHAPTER 1323 RATHER THAN THE COUNCIL FOR THE CITY OF ROSSFORD.

Mr. Scott suggested that this go for an additional reading and was told there is no ordinance until the next meeting. Mrs. Eckel asked if there was any safety issue involved in putting this before the BZA and was told by Mr. Ciecka there was not and that traditionally these types of issues would go the BZA under the zoning code. Mr. Ruse said he supports this going to the BZA but feels there is a lot of inconsistency in this community as to zoning issues and what direction are we giving them. He then discussed that guidance needs to be given as to hardship versus wants. Mr. Scott said he was a member of the BZA for 12 years serving as chairman for 8 of those years and during that time no direction was given to the BZA members as to how things should happen. He said council does determine who sits on the BZA and that their decisions do not set a precedent but that each decision stands on its own. He said while he was there they looked at need versus want when making decisions on variances. Mr. Ciecka said that RMC 1103.05 establishes the standards for the BZA and that 1103.06 allows council to review all BZA decisions. Mr. Duricek suggested this issue be added to the list to be looked at by the zoning committee and look at our criteria and the state criteria. Mr. Marquette asked what percentage of variances requested are granted and was told by Mr. Ciecka probably more that 75%. Mr. Marquette said that a lot of our zoning problems are caused by this being an older community with small lots to which Mr. Scott agreed. Mr. Oberdorf said he understands what Mr. Ruse, Mr. Marquette, and Mr. Scott are saying and asked where do you draw the line. Mr. Ruse said another problem is the follow-up on conditional approvals citing a couple of sidewalk situations that still have not been resolved. Mr. Scott agreed that follow-up is lacking and that the lack of a zoning inspector is probably not helping. Mrs. Eckel said in looking at variances we need to keep in mind that we want the property to be saleable with parking, garages, etc. Mr. Oberdorf said much will depend on filling the zoning inspector position and whether that person is flexible or by the rules.

Mr. Heban added that the charter allows Mr. Oberdorf to sign the approved ordinance as acting mayor in order to meet the May 22nd deadline and recommended a motion from council for clarification purposes.

Mr. Ruse moved and Mrs. Eckel seconded the motion to allow the President of Council to sign #2013-20 as acting mayor due to the mayor's inaccessibility. All ayes. Motion carried.

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

*Larry Oberdorf, President of Council
Acting Mayor*

*Robert P. Watrol
Clerk of Council*