

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held July 14, 2008

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, Michaels, and Kovach all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of June 23, 2008. Mr. Oberdorf moved and Mr. Richards seconded the motion to approve the minutes. All ayes. Motion carried. Approval of committee of the whole minutes of July 7, 2008. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of July 14, 2008 was presented to council. A report from the Public Works committee and an executive session to discuss contract negotiations and pending litigation were added. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Mrs. Eckel presented the Budget Ways & Means committee report of July 14 (see minutes).

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky stated that Bass Pro is now a reality and is something for everyone in Rossford to be proud of. With the cooperation of the county, state, and governor's office this was brought to existence. He said the president of Bass Pro was very complimentary of Rossford as to the way we worked with them and how smoothly everything went. Bass Pro owns a substantial amount of land and the city hopes to work with whatever partners they bring in on further development.

The mayor said he had the opportunity last week to attend the Sonic ground-breaking. This is the first one in NW Ohio for this primarily southern company. This goes to show the promise for this area. The scheduled opening date is 9/15. He said he had received the 2007 annual report for the Wood County Health District and that anyone who was interested could contact the administrator to review. Betty Woods currently serves as our representative to the district. The mayor said the curfew ordinance is on the agenda tonight and reminded the audience of the ground rules for audience comments.

Mr. Ciekca informed council that the Lime City Rd. project has started. The Shelley Co. replaced some curbs last week and began grinding today. He said the public works department will begin spraying for mosquitoes at night and that property owners can help by removing standing water. He introduced Marty Linthicum, a Boy Scout working on his citizenship badge who is looking at doing a project at Vets Park. Mr. Hermes asked if tablets or pellets were available to homeowners for mosquito control. Mr. Ciekca will check with the county.

CORRESPONDENCE

None

ORDINANCES

#2008-30 – AN ORDINANCE ENACTING CHAPTER 1505 OF THE ROSSFORD MUNICIPAL CODE AND DECLARING AN EMERGENCY. THIRD READING.

Mr. Richard moved and Mr. Marquette seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciekca explained that this ordinance came out of a previous safety committee meeting and provides for a lock box to be placed on the outside of commercial buildings for emergency personnel to gain access. Mr. Marquette asked if he had received any feedback from business owners and if this would allow for a better insurance rate. Mr. Ciekca said he had received no feedback and that it would probably cause a lower rate.

Mr. Hermes said he had requested that the fire chief provide a written SOP for this and did we have. Mr. Ciecka said he had talked to the chief and he has prepared a SOP. Mr. Richards asked if the administrator/safety director can provide assurance that the police will access to the lock boxes and Mr. Ciecka said that will be in the SOP. Mr. Richards moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2008-31 – AN ORDINANCE ENACTING ROSSFORD MUNICIPAL CODE SECTIONS 509.09 AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Heban said this ordinance was requested by the safety committee, that it follows the Toledo ordinance, and that it has been upheld by the courts as constitutional. Mr. Marquette said in reading this he questioned the age being as young as 11 years old and that he thought 13 made more sense. Mrs. Eckel agreed that 11 seemed king of young and thought that ending the curfew should be at 6:00am not 5:00am. Mr. Richards responded that the committee had to start somewhere and that it would not be difficult to change from 5 to 6am. Mr. Oberdorf said that we will not come up with the perfect curfew and that this could be debated for hours. He also said it will not solve all the problems and that it can be adjusted later if needed. He said this needs to be passed tonight and implemented as soon as possible. Mr. Oberdorf moved and Mr. Richards seconded the motion to suspend with the second and third readings. Audience comments were requested and one received from Michael Watrol, 119 Homestead Dr. He first asked if leaving for sport practices that take place early in the morning would violate the curfew and was told that would be an exemption. He spoke against the proposed ordinance as a 16 year old who will be affected by the curfew. Quoting former ambassador Alan Keyes he gave several reasons against a curfew. (See attached statement). Vote on the motion to suspend was all ayes.

*** Mrs. Eckel moved and Mr. Marquette seconded the motion that subsections 1, 2, and 3 of the ordinance be amended changing the end time from 5:00 am to 6:00am for all three age groups. Vote on the motion was Eckel, Marquette, and Hermes aye. Oberdorf, Richards, Kovach, and Michaels no. Motion fails 4-3.

Mr. Richards said the intent of the proposed amendment is well taken and that the safety committee will be watching the police reports and possibly bring forward amendments that will make the ordinance serve the community better. He said the positives outweigh the negatives of the curfew.

Mr. Oberdorf moved and Mr. Richards seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried. Mayor Verbosky commended council for its swift action but reiterated that Rossford is still a safe place to live. He said the curfew is an additional tool for law enforcement not unique to the city. Before implementing he will have a meeting with Mr. Ciecka, the acting police chief, the law director, and the president of council to discuss how to implement. He also wants to have progress meeting to make sure the curfew is working properly.

#2008-32 – AN ORDINANCE MAKING CERTAIN ADDITIONS TO AND CHANGES TO THE REVENUE BUDGET FOR THE YEAR BEGINNING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2008, AMENDING ORDINANCE NO. 2007-46; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Hermes seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is an attempt to keep the revenue estimate current and make council aware of different changes. The city has received a management letter from their auditor's office concerning compliance with the section of the ORC regarding making the revenue budget consistent with actual things happening. He will look at revenue budget and make adjustments as the year goes on making the budget as transparent as possible. Mr. Hermes said he sat in on the auditor's conference call and that he understands the concept. He said it is possibly a little petty but makes sense if some big revenue source showed a change. He said it does not allow spending more but just says this is the new best estimate of revenue. It is an overall good idea that will be done hopefully only 2 times a year. Mr. Hermes moved and Mr. Richards seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion was all ayes. Mr. Hermes moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

#2008-33 – AN ORDINANCE MAKING CERTAIN ADDITIONS TO AND CHANGES TO THE EXPENSE APPROPRIATIONS FOR THE YEAR BEGINNING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2008, AMENDING ORDINANCE NO. 2007-46; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said there were three items to correct in the current appropriations budget. Mr. Richards moved and Mr. Michaels seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion was all ayes. Mr. Richards moved and Mr. Michaels seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2008-12 – A RESOLUTION TO AUTHORIZE SEEKING SEALED BIDS FOR THE REPLACEMENT OF THE HEATING AND AIR CONDITIONING UNIT AT THE ROSSFORD RECREATION CENTER; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said there have been a number of firms looking at the AC units at the recreation center and they have recommended replacing the original equipments units. The estimated cost of \$100,000 will come from the recreation capital improvement levy. Mr. Hermes said he does not mind going out for quotes but he thought the levy only generated \$50,000 annually and where would the shortfall come from. Mr. Ciecka said there is an unencumbered balance in the fund that has built up over a number of years. Mayor Verbosky noted that the recreation department has always been subsidized by the general fund and that the recreation levies have never been enough to cover debt and operations. Mr. Oberdorf said the A/C has been an ongoing concern of the department. Mr. Michaels moved and Mr. Oberdorf seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion was all ayes. Mr. Michaels moved and Mr. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Michaels moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2008-13 – A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF ROSSFORD TO JOIN THE NORTHWESTERN WATER AND SEWER DISTRICT; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mr. Kovach seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said this resolution relates to the expiration of our water contract with the city of Toledo. The available options are to stay with Toledo or contract with NWWSD. Two committee meetings and a committee of the whole meeting have been held on this issue. Whatever we do water rates will go up but council is trying to make the increase as painless as possible and do whatever benefits the city best. Mr. Ciecka said the city is exploring the NWWSD as a regional approach to our water and sewer needs but that a lot more information is necessary. This resolution will give NWWSD the idea that council is seriously considering this. Mr. Oberdorf said this is an extremely important issue for the citizens of Rossford and the purpose of this resolution is to show that Rossford is considering this very strongly. He also complimented the public works committee for the superb quality of discussion that has taken place on this issue. He said we need to look at NWWSD in depth. Mr. Richards said he also listened to the public works discussions of this issue and appreciated their in-depth examination of the facts. He is in favor of giving this a first reading only. Mrs. Eckel said that the public works committee has met almost monthly on this and spent a number of hours on this issue. She said they need all the facts before deciding, as this decision will impact all Rossford customers. She said we are starting to slowly get information from the NWWSD but will need to know more before declaring our intent. Mayor Verbosky said this needs to be moved along one way or another and by putting this resolution on the agenda that is accomplished. Mr. Michaels said the city has spent a substantial amount of its own money on sewer phases already and needs a more timely response to questions asked of the NWWSD. Mayor Verbosky said that contract talks with the city of Toledo also continue. This was given a first reading only.

COUNCIL REMARKS

Mrs. Eckel said the excitement generated by Bass Pro has been great and that there is great potential for growth in that area. She sent council members an email regarding roundabouts and how to navigate, and

said she took part in a water/sewer infrastructure summit with Congressman Latta and learned that everyone has the same problems with funding being cut and fewer grants.

Mr. Hermes said that everyone should have received the latest CAFR and thanked Mr. Ciecka and Mrs. Freeman for completing this major annual project. He said people have asked him about putting a safety levy on the ballot and letting voters decide if the city needs more police officers. He said this is something for council to think about and talk to citizens about.

Mr. Oberdorf described the new Bass Pro store as fantastic and said the enthusiasm of the management is terrific and we are lucky to have them in our community. He said he attended the Sonic groundbreaking and said it will be a pretty neat place. He told council he had driven a roundabout in Columbus and that it worked okay for him.

**Mr. Richards moved and Mr. Hermes seconded the motion to suspend with the August Committee of the Whole meeting. All ayes. Motion carried.

AUDIENCE REMARKS

Jim Martis, Windsor Dr. said for three years in a row now he has had flooding problems and back-ups in his basement. He said he had talked to Dave Jones who thought the storm sewers were too small. He wondered if the people on Windsor can be forced to put storm sewers in. Mayor Verbosky said grant money has not been available for these types of projects, that the city can do, but would like a majority of the street residents to indicate they want done. Mr. Martis said maybe 50% would want but that it is needed and he is willing to pay his share.

Pam Konidaris, Ironwood Dr., said there is a huge flooding problem in their neighborhood and that she had \$10,000 worth of flood damage to her home. She said the entire street floods and it appears that the gravity fed drainage pool is blocked by debris and wondered whose responsibility it is to clean out. Mayor Verbosky said he will have Mr. Ciecka talk to West Valley Development to ascertain responsibility and then call her with the results.

Jerri Martis, Windsor Dr. said they have a big hole in front of their house and the road is gone. The tile has a hole in it and the dirt has washed away. Barriers were put up but no one has been back to repair. She said these problems just started in the last few years. Mayor Verbosky instructed Mr. Ciecka to contact Dave Jones, see what is being done in that area, and get back to Mrs. Martis. Mr. Ciecka said he is aware of a repair made last week.

Andrew Roller, Glenwood Rd. said the problem with the bridge on Glenwood Rd. near Wales is that there are no sidewalks for children to walk on. He was told that is a county bridge and to bring up his concern to the county commissioners.

Jim Cummings, 2 Santus Dr., said he has an issue with the apartments on his corner. The privacy fence is almost down and the city gave the landlord notice on 6/11 that he had 10 days to remove. It is still not done. He wondered if council can force its removal or get it fixed. Mr. Heban said the prosecutor's office has commenced criminal proceedings since receiving notice last week from Mr. Drouard.

Debra Jacobs, 125 Walnut, said she is concerned about the rental properties in her neighborhood with absentee landlords. Dogs are not allowed but are on the premises and the landlord has not handled. She said the city needs to make the landlord responsible for the units they own. Mayor Verbosky said he appreciated her comments and said the city will work on holding landlords accountable.

Greg Reihing, 210 Jennings, said he is interested in being the TARTA representative from Rossford. He has just retired from TARTA after 25 years. Mayor Verbosky said he will be taken into consideration for the open spot.

Jerry Taylor, 120 Windsor, said he has the same water problems as Mr. Martis. He wonders if Columbia Gas damaged the storm sewer when they worked on the gas line in February. Mayor Verbosky said the city will check on that. Mr. Taylor said he would like a camera to check and see if the sewer line is clear. Mayor Verbosky said a future project will be to separate storm sewers from the sanitary but first we need to run the camera as far as possible

Mrs.Eckel said Mr. Martis may be surprised by the number of people on Windsor who would want a sewer project now that their basements have flooded. She suggested that curbs and sidewalks could be part of a more extensive project.

Mr. Richards moved and Mr. Oberdorf seconded the motion to go into executive session for the purpose of discussing contract negotiations and pending litigation. All ayes. Motion carried.

Mr. Hermes moved and Mr. Richards 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