

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held August 9, 2010

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

ROLL CALL: Richards, Oberdorf, Eckel, Marquette, Hermes, and Duricek all present. Mr. Richards moved and Mr. Duricek seconded the motion to excuse Mr. Scott who is ill. All ayes. Motion carried.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of July 12, 2010. Mr. Richards moved and Mr. Duricek seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of August 9, 2010 was presented to council. An economic development committee report was added to the agenda. Mr. Richards moved and Mr. Duricek seconded the motion to accept the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Economic Development committee minutes were presented by Mr. Duricek (see written minutes). Mrs. Eckel asked if a study similar to the Buxton study wasn't already done. Mr. Duricek said he and Mr. Ciecka were unable to locate. Mr. Hermes said he did not recall anyone saying that the Retail Coach data was flawed. Mr. Duricek said he got that language from Mr. Scott and that Retail Coach was going to use opinion taking versus hard data which is where the flawed data language came from. Mr. Hermes believes it is not flawed but not what we are looking for.

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

Mayor Verbosky is out of town on vacation. Mr. Oberdorf recognized the 103rd birthday of Stella Bailey and wished her well in this milestone. He asked council if a second meeting in August was needed. Mr. Ciecka said he might need council to approve insurance legislation before August 31st based on a proposal from another carrier which is less than the current 3 year rate guarantee. Mr. Marquette requested that Mr. Ciecka meet with the judiciary committee to review both the current rate and the proposed rate. Mr. Richards said we could have a special meeting if needed after the review by the judiciary committee or authorize the administrator to follow the recommendation of the committee. Mr. Hermes recalls that this was a three year rate guarantee on a one year policy and asked how our experience with the company has been. Mr. Ciecka said he has had no complaints. Mr. Heban said they have been fine to deal with.

Mr. Richards moved and Mr. Hermes seconded the motion to authorize the administrator to act on this issue after consultation with the judiciary committee. All ayes. Motion carried.

Mr. Richards moved and Mr. Duricek seconded the motion to suspend with the second meeting in August. All ayes. Motion carried.

Mr. Oberdorf said a response from NWSD had been received and wondered if should be discussed at a committee of the whole meeting. Mrs. Eckel said she would like to have the public works committee review first. Mr. Oberdorf said that Heather Smith-Nissen of the Rossford DECA is asking permission to hold the Halloween parade on October 31st at 2:00.

Mr. Richards moved and Mr. Marquette seconded the motion to authorize the parade and also to schedule trick or treat night for that same day from 6-8pm. All ayes. Motion carried.

Mr. Oberdorf said he had a conversation last week with Dr. Jackson regarding sidewalks and asked her to address council. Dr. Jackson of Quality Family Eye Care said she received a letter from Mr. Ciecka asking about sidewalk plans for her new building. She said she has had conversation with some council members asking for a review and postponement of this as the new sidewalk would connect to nothing on either side. Mr. Richards said he likes the use of the word postpone rather than exempt. He said the priority should be sidewalks on the school side of the street and said the All Saints per Father Kauffman has delayed due to fiscal issues. He is favorable to postponing and encouraging the property owners on the other side of the street to build sidewalks. Mr. Hermes asked why Dr. Jackson is here at council and not appealing to the BZA. Mr. Ciecka said there are multiple sections of the municipal code on sidewalks and that an appeal was received from the builder but according to code that appeal is to be referred to the Board of Building Standards of which we have no one on this board at this time. Therefore he is unable to issue a variance as it the authority of the Board of Building Standards. Mr. Hermes asked what is the

process we should follow and was told by Mr. Ciecka that the whole process should be reviewed. Mr. Heban explained the process as it exists now, as did Mr. Ciecka along with the language of the sidewalk code. Mrs. Eckel said that the Public Works committee should look at the existing code regarding sidewalks and the Board of Building Standards and how to handle this. Mr. Oberdorf suggested that the city defer any action on this and refer it to the Public Works committee. Mr. Richards said the administrator did what he is supposed to do in issuing the order for sidewalks but the vacuum in the appeals process is most disconcerting and does not make us look business friendly. He hopes that this is deferred and the ribbon cut at Dr. Jackson's new building and then after discussion some recommendation comes to council regarding all sidewalk issues. Mrs. Eckel if the bridge on Lime City is a county bridge and was told yes by Mr. Ciecka. She hopes that we have resolved the sidewalks issue before that bridge needs replaced so we can request sidewalks be part of the bridge design. Mr. Marquette said it is hard to press Dr. Jackson when we have allowed All Saints to forego and asked who would appoint the members of the Board of Building Standards. Mr. Ciecka said they are appointed by council. Mr. Duricek said sidewalks make sense when developing large pieces of property but make no sense when applied piecemeal to individual pieces of property. He said we need a plan and agreed this should be deferred to public works. Mr. Marquette said council could change the ordinance and eliminate the Board of Building Standards. Mr. Ciecka suggests some type of compromise approach. He also said that a review of the site plan for All Saints did not show that All Saints was required to have sidewalks therefore they did not get away with something. This issue was referred to the Public Works committee. Mr. Ciecka said he needs permission to seek bids for our resurfacing program. Mrs. Eckel said the paving schedule recommended by Dave Jones and the city engineer calls for resurfacing a portion of Schreier Rd. and 800 feet of Glenwood and the Buck/Glenwood intersection to connect to the portion resurfaced by the township from SR795. Our portion amounts to 11%.

Mr. Hermes moved and Mrs. Eckel seconded the motion to authorize the administrator to go out for bids for pavement resurfacing. All ayes. Motion carried.

CORRESPONDENCE

None

ORDINANCES

#2010-35 – AN ORDINANCE ESTABLISHING THREE (3) AGENCY FUNDS FOR THE PURPOSES OF COMPLETE AND CONSISTENT FINANCIAL REPORTING.

Mr. Richards moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said he was asked by Mr. Hermes to look at why the Ramco/Gershonson money did not need to be put in an agency fund and he was told by the auditor that these funds do not need to be in an agency fund as they are already in a separate account. Mr. Hermes moved and Mr. Richards seconded the motion to suspend with the third reading. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Hermes moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2010 – 36 - AN ORDINANCE GRANTING A ZONING CHANGE FROM AN M-2 CLASSIFICATION TO A C-4 CLASSIFICATION UNDER CHAPTER 1114 OF THE PLANNING AND ZONING CODE.

Mr. Richards moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the planning commission had a hearing and recommended that this go forward. This is property along the railroad tracks near the Pilkington site whose owner would like to market the property in view of the pending casino site. Mr. Richards said he is ready to approve but due to the location of the property he feels it is necessary to give this a first reading only so any residents can voice any objection to this. Mr. Duricek agreed this should go first reading to encourage any possible comment. This was given a first reading only.

#2010 – 37 - AN ORDINANCE TO APPROVE A MEMORANDUM OF AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION NO. 245: AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said an agreement was reached with the volunteer fire department which is a one year contract with no wage adjustments.***** Mr. Richards moved and Mr. Duricek seconded the motion to suspend with the second and third reading. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Richards moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2010-38 – AN ORDINANCE APPROVING PLAT THREE OF THE MERIDIAN BUSINESS CENTER AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the planning commission reviewed this on July 14^h and recommended approval of Plat 3 of Meridian Business Center. Plan conforms to preliminary plat that was filed and approved and street has been constructed eastward of S. Compass. Mr. Richards said this has to pass before we consider the next ordinance. Mr. Richards moved and Mr. Duricek seconded the motion to suspend with the second and third reading. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Richards moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2010-39 - AN ORDINANCE APPROVING AN ADDENDUM TO THE TAX INCREMENT FINANCING SERVICE AGREEMENT WITH MILLER/ROSSFORD PROPERTIES ET AL AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the city has been approached by Miller Diversified for assistance with extending the electric and gas utilities into Plat 3 due to the poor economic climate. Their hope is that with utilities present they may be able to attract private business to the area. This service agreement is part of the TIF service agreement Rossford entered into with Miller back in 2000. It provides for 74% of the TIF to go to the developer for reimbursement of cost associated with public utilities and 26% stays with the City's special fund. This proposal is asking to amend that agreement to provide for an additional \$40,000 of improvements that would be paid to Millers from the city's 26% until paid and then the split would revert back to the 74-26% split. The city has done this once before with Meijer in 2001. The administration recommends we go forward with this as it may bring an additional business and payroll income tax of about \$17,000 to the city. This was discussed with the economic development committee. Mr. Duricek said the concern was the return of the investment and that question has now been answered with the \$17,000 number and he is comfortable with that. Mr. Hermes said the \$40,000 is really not the city's money to do with as it pleases but must be used in that area. He did ask how the \$40,000 relates to the actual cost and was told by Jerry Miller is represents probably 100% of the actual cost.

Mr. Hermes moved and Mrs. Eckel seconded the motion to amend Section 1 to change the word equals to up to \$40,000. All ayes. Motion carried.

Mr. Hermes moved and Mrs. Eckel seconded the motion to suspend with the second and third reading. Audience comments were requested and none received. Vote on the motion all ayes. Mr. Hermes moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Hermes moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2010-14 – A RESOLUTION AMENDING THE DEFINITION OF “CAPITAL ASSESTS” FOR THE PURPOSES OF FINANCIAL REPORTING. THIRD READING.

Mr. Duricek moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Hermes moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2010-15 - A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF EDWARD J. CIECKA TO THE ROSSFORD, OHIO TRANSPORTATION IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY.

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

#2010 -16 - A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF ROBERT WATROL TO THE ROSSFORD, OHIO TRANSPORTATION IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY.

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 reading. Audience comments were requested and none received. Vote on the motion all ayes. 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.

#2010 - 17 - A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF EDWARD F PAVUK TO THE ROSSFORD, OHIO TRANSPORTATION IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY.

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 reading. Audience comments were requested and none received. Vote on the motion all ayes. 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.

COUNCIL REMARKS

Mr. Richards said he will try to schedule a safety committee meeting soon.

Mr. Duricek said he had received a letter from Jay Hahn regarding the intersection of Lime City Rd. /Buck and also a complaint about pit bulls on Glenwood Rd. He was told that charges have already been filed regarding the pit bulls and Mr. Oberdorf said that he has talked to Wood County Commissioner Tim Brown regarding the intersection and as soon as he gets back to Mr. Oberdorf he will advise Mr. Duricek.

Mr. Richards moved and Mrs. Eckel seconded the motion to suspend with the committee of the whole meeting for September. All ayes. Motion carried.

AUDIENCE REMARKS

None

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council