

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held August 11, 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 July 14, 2008. Mr. Oberdorf moved and Mr. Richards seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of August 11, 2008 was presented to council. An executive session to discuss contract negotiations and pending litigation was added. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

None

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky said he had attended a open house for an art conservatory opened by Mike Leganik, and said he had met with Mr. Heban, Ciecka, Oberdorf, and acting chief Kitzler three days after the curfew ordinance was passed to discuss implementation. He said the meeting was very informative and that chief Kitzler will be issuing an order outlining how to handle. He informed council that through the efforts of John Rust ODOT has notified the city that they will increase the number of Rossford exits mentioned on I75 signage, reminded council of the Hometown Labor Day Celebration taking place on August 30th at Veterans Park, and said the RBA will be holding the 2nd Fun at the Fountain on September 6th. He told council that he has been contacted by prospective owners of the vacant Sunoco station that purchase depends on obtaining a liquor license and that he had received a satisfactory background check from acting chief Kitzler on the prospective owner (Jason Richie) and he was asking council to indicate that they would not request a hearing on the license application.

***Mr. Richards moved and Mrs. Eckel seconded the motion to assure the prospective owner that council will not request a hearing on the Buck Rd. Sunoco site. All ayes. Motion carried.

He told council that ordinances 2008-34 and 2008-35 are regarding green space in the Crossroads and asked Kurt Miller of Miller Diversified to explain the proposed changes. Mr. Miller said that 2008-34 changes the PUD ordinance that currently is specific to residential property. He said he needs more flexibility in doing planned development and this ordinance will do that. Mayor Verbosky said the zoning is not being changed but being opened up to allow for commercial development, that the planning commission and council would still have to approve any development. He said would like this passed as soon as possible due to potential development in the Crossroads. Mr. Marquette asked if Mr. Miller could give a specific example of how this change would benefit the area. Mr. Miller said it would allow a residential area above a commercial business which he cannot do under the current definition., Mr. Michaels asked if this would facilitate the development of apartments and was told by Mr. Miller no, that he would still need the planning commission and council approval for any development., Mr. Hermes asked if there were any unintended consequences and was told by Mr. Heban none from a legal standpoint. Mr. Miller said that under the present definition he cannot do any mixed use and is very limited in density. He is trying to keep this as simple as possible. This will give limited flexibility but any process has to be approved by the city's planning commission and council. An extended discussion took place regarding the percentage of green space in any planned development. Mr. Richards said he still has a number of questions. Mr. Hermes said he wants to work with Mr. Miller but is reluctant to change something that may affect the entire city. Mayor Verbosky said that ordinance 2008-35 regards planned commercial uses in planned industrial areas. Mr. Miller said this was already in effect but was inadvertently left off when the new zoning code was adopted. Mayor Verbosky said the planning commission should have found this error. Mr. Michaels asked how this would affect current uses and was told by Mr. Miller it only expands uses to where they were before.

Mr. Ciecka said he had received a visit from the Ohio EPA to discuss the storm water management plan. He will be working with Mannik & Smith on a revised plan prior to the expiration of our permit this year. He said storm water is becoming a greater concern and that he will be sending an ordinance to council in the future that will set standards for the discharge of storm water and the handling of sanitary sewer overflows. He will be meeting with the county engineer's office and working together with them on this issue. He said the improvements on Lime City Rd. lasted 14 days before a waterline broke and forced the pavement to be dug up. This area will receive a better repair in the fall. He asked the public works committee to set a meeting date to discuss the information coming in from the NWWSD. He said the arbitration ruling on the police contract had been made and that he will have the document to forward to council in a short time.

CORRESPONDENCE

None

ORDINANCES

#2008-34 – AN ORDINANCE AMENDING SECTION 1134.11 OF THE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky asked that anyone with questions on this or the next ordinance get with Mr. Ciecka, Mr. Miller, or himself before the next meeting. This was given a first reading only.

#2008-35– AN ORDINANCE AMENDING SECTION 1132.02 OF THE PLANNING AND ZONING CODE AND DECLARING AN EMERGENCY.

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

#2008-36 – AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE NEW RESCUE ENGINE FOR THE FIRE DEPARTMENT THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM; 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 this was part of the levy campaign in 2004 and that funds have been budgeted. He said this could be given a first reading only so that the safety committee could meet and discuss this. Mr. Richards said the safety committee was aware of this a year ago and he believed that it was the budget committee that had questions. Mr. Hermes said he want to see a reconciliation of this proposal with the original plan and compared to the levy dollars being generated. This was given a first reading only.

#2008-37 – AN ORDINANCE AUTHORIZING THE AWARD OF A CONTRACT FOR REPLACEMENT OF THE HVAC SYSTEM AT THE ROSSFORD SENIOR/RECREATION CENTER TO INDUSTRIAL POWER SYSTEMS, INC; AND DECLARING AN EMERGENCY.

Mrs. Eckel moved and Mr. Michaels seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said he had received 6 bids and that IPS was the low bid. The recreation committee has looked at this need in the past and the funds will come from the capital improvement fund in the recreation levy. There is a 90-120 day wait for the equipment once the contract is approved. Mr. Marquette asked if the RFP specified the type of equipment and was told yes by Mr. Ciecka but that the RFP was not specific as to model of equipment. Mr. Richards said based on the 90 day wait time this needs to be approved now. Mr. Richards moved and Mr. Hermes seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion was Richards, Kovach, Michaels, Hermes, Eckel, and Oberdorf aye. Marquette nay. Motion carried 6-1. Mr. Richards moved and Mr. Oberdorf seconded the motion to declare an emergency. Vote on the motion was Richards, Kovach, Michaels, Hermes, Eckel, and Oberdorf aye. Marquette nay. Motion carried 6-1. Mr. Richards moved and Mr. Oberdorf seconded the motion to adopt. Vote on the motion was Richards, Kovach, Michaels, Hermes, Eckel, and Oberdorf aye. Marquette nay. Motion carried 6-1.

#2008-38 – AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO RENEW GENERAL LIABILITY AND PROPERTY INSURANCE COVERAGE THROUGH THE OHIO PLAN; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Michaels seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the city has been with the Ohio Plan for thirteen years and this is a renewal of our current

policy. The premium includes a credit for being a long-standing customer and is a little less than last year. Mr. Michaels asked about the deductible of zero for bodily injury, property damage, and general liability and was told by Mr. Ciecka it is the standard for this program. 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 all ayes. Motion carried. Mr. Richards moved and Mr. Michaels seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Michaels seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

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

#2008-14 – 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. Mayor Verbosky said this ordinance and the next two are the same and reappoint current members of the RTID to new two year terms. Mrs. Eckel 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 all ayes. Motion carried. Mrs. Eckel moved and Mr. Richards seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

#2008-15 – A RESOLUTION TO APPROVE THE MAYOR’S APPOINTMENT OF EDWARD J. CIECKA TO THE ROSSFORD, OHIO TRANSPORTATION IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY. Mr. Oberdorf moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Hermes 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 all ayes. Motion carried. Mr. Hermes moved and Mr. Michaels seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Hermes moved and Mr. Michaels seconded the motion to adopt. All ayes. Motion carried.

#2008-16 – A RESOLUTION TO APPROVE THE MAYOR’S APPOINTMENT OF ROBERT P. WATROL TO THE ROSSFORD, OHIO TRANSPORTATION IMPROVEMENT DISTRICT; AND DECLARING AN EMERGENCY. Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf 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 all ayes. Motion carried. 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.

#2008-17 – A RESOLUTION TO APPROVE THE MAYOR’S APPOINTMENT OF K. GREGORY REIHING TO THE TOLEDO AREA REGIONAL TRANSIT AUTHORITY (TARTA); AND DECLARING AN EMERGENCY. Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. This was given a first reading only.

COUNCIL REMARKS

Mr. Marquette asked if the water line that broke was the same as one broken recently and was told no, that break was further down. He also asked about the handicap sidewalk ramps and was told they are part of a five year plan for compliance with handicapped rules.

Mrs.Eckel said that the public works committee will meet on August 18th at 6:00pm. She asked how long the water line was broken before Toledo responded and came to fix. Mr.Ciecka said it was a major break that he heard about immediately and that he would have an exact timeline for her at the public works meeting. She has recently noticed an increased police patrol on Bergin St. and said that is good to see.

Mr. Oberdorf said the closed Jerry's location is looking poor with uncut grass and that the delivery of the Free Press is still a problem. He asked if there was any need for a second meeting in August.

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

Mr.Richards said he had also attended the opening of the Leganik art conservatory and he was impressed that it took place and with the presence of the city art commission. He was impressed with the completion of the Lime City Rd. project and said he will be scheduling a safety committee meeting shortly.

Mr. Hermes said a citizen had brought to his attention the illegal vehicle turns being made at Colony Rd. and River Rd. People are turning right on red and then immediately turning again. Mayor Verbosky said discussion will take place with Mr. Jones about better signage. Mr. Heban said it was suggested some years ago to eliminate the right turn on red signs.

Mr. Michaels said at this time there are 8 entries for the boat parade including the city fire department boat. Mr. Kovach asked if we needed a September committee of the whole meeting and was told no.

***Mr. Kovach moved and Mr. Hermes seconded the motion to suspend with the September committee of the whole meeting. All ayes. Motion carried.

AUDIENCE REMARKS

Jim Martis, Windsor Dr. said the sewer problem still exists and asked if the city has smoke tested the lines, looked at flow meters like the city of Oregon did, and whether the Jennings Rd. pump station handles the sanitary for Windsor Dr. He asked that the city please find out the answer to these questions and possibly think about a bigger pump for the pumping station. Mrs.Eckel said she will add these questions to the agenda for the public works meeting. Mr.Martis said the sewer lines need to be cleaned out even if need to hire outside contractor to auger out. He gave council a picture of tree roots in the line.

Rose Radocy, 145 Bacon St., asked if there is anything the city can do to make a landlord keep up his rental property next to her and gave an example of a dead tree at 147 Bacon. Mayor Verbosky said he will get with zoning inspector Drouard tomorrow. Mrs. Eckel asked if there is anything legally that can be done about the dead tree and was told by Mr. Heban that would fall under the nuisance ordinance.

John Folcik, Hannum Ave., asked why All Saints Church has not put in sidewalks on their property and said they need to do. We have an ordinance that we need to enforce before someone gets hurt walking on the street.

Chris Nietrzeba, 151 Bacon St., complained about people cutting grass blowing it in the street and leaving it there to clog up the sewers. She also suggested that Rossford look at doing something similar to Perrysburg's Farmers Market. Mayor Verbosky said he will bring that idea up with the RBA.

Jerri Martis, Windsor Dr. said the property on Jennings Rd. behind her has not cut the grass in two years. Mayor Verbosky said he will have this checked on.

***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. Richards moved and Mr. Oberdorf 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

