

**RECORD OF PROCEEDINGS**  
Minutes of Rossford City Council Meeting  
Held September 10, 2018

The meeting was called to order by Mayor Neil Mackinnon followed by the Pledge of Allegiance.

**ROLL CALL:** Staczek, Oberdorf, Eckel, Marquette, Ruse, Heban, and Densic all present.

**APPROVAL OF MINUTES:** Minutes of August 27, 2018 regular council meeting were presented to council. Mr. Oberdorf moved and Mr. Staczek seconded the motion to approve the minutes. All ayes. Motion carried.

**APPROVAL OF AGENDA:** Agenda for regular council meeting of September 10, 2018 was presented to council. Mr. Densic moved and Mr. Heban seconded the motion to accept the agenda. All ayes. Motion carried.

**COMMITTEE REPORTS**

Mr. Marquette presented the Zoning & Technology committee report from September 5th (see written report). Mr. Oberdorf said he believes that the rental registration is producing positive results as we now know the number of rental units and names/addresses of the property owners. He said we need to enforce or remove the requirement. Mr. Ruse said some registered but did not pay the fee and what are we doing to this who did not register. Mr. Marquette said that zoning inspector Zuchowski indicated that 100% of rentals are registered and attorney Heban said his office worked with Mr. Zuchowski to file charges against those who did not register. Mr. Densic said the enforcement is for filing of the paperwork and the payment of the fee but how do we deal with failed inspections beyond our nuisance laws and what is the purpose of the inspections and fee if we already have nuisance laws in place to cover this. Mr. Marquette said it helps deal with interior violations that would be reported by the tenant doing the inspection. Attorney Heban said the interiors are handled by the Wood County Health Dept. and that visual exterior inspections by Mr. Zuchowski fall under our nuisance ordinance. Mr. Densic does not understand why since it is not under our jurisdiction to enforce interior violations we have this process. He also feels we can get the information on ownership from the auditor's office without needing a registration process. Mrs. Eckel said a lot of the owners are LLC's and we do not have contact person for those so the registration process gives us this. Mr. Densic said he is concerned with enforcement where part of it is not under our jurisdiction. Mrs. Eckel said before this program started we had a lot of problems with rental properties and that the problem is with the landlords who refuse to pay fees and watering down the program for good landlords who don't want to pay the fee would hurt it and getting rid of this registration/inspection requirement would create the same problems we had before. Mr. Staczek said he is on the same page as everyone and that he did ride around the city and it is obvious that the visual inspections on some properties are untruthful.

Mr. Densic presented the Finance & Insurance committee report from August 27<sup>th</sup> (see written report). Mr. Ruse said that during the health insurance discussion it was brought up about how to change plan and that moving forward will try to get the four union units on the same schedule for negotiations to make that possible.

**REPORT OF MAYOR AND/OR ADMINISTRATOR**

Mayor Mackinnon said we are one step closer to having a food truck night with NSG's agreement to allow the use of the parking lot behind the United Methodist church.

**CORRESPONDENCE**

None

**ORDINANCES**

**# 2018 – 48 - AN ORDINANCE AMENDING ROSSFORD MUNICIPAL CODE SECTION 505.08 AND DECLARING AN EMERGENCY.**

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

**#2018- 49 - AN ORDINANCE AMENDING SECTION 373.15 (BICYCLE LICENSE FEE) OF THE ROSSFORD MUNICIPAL CODE**

Mr. Oberdorf moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mr. Heban moved and Mrs. Eckel seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes except for Mr. Densic who voted no. Motion carried 6-1. Mr. Heban moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

**#2018 – 50 - AN ORDINANCE ENACTING ROSSFORD MUNICIPAL CODE SECTION 331.45, UNDER- SPEED VEHICLES**

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

**#2018 – 51 - AN ORDINANCE CERTIFYING TO THE COUNTY AUDITOR AN ASSESSMENT AND LIEN UPON CERTAIN PROPERTY IN THE CITY OF ROSSFORD PURSUANT TO ROSSFORD MUNICIPAL CODE SECTION 1327.07 AND DECLARING AN EMERGENCY.**

Mrs. Eckel moved and Mr. Oberdorf seconded the motion to read by title only. All ayes except Staczek abstain. Motion carried 6-1. Mrs. Freeman said this needs to be passed tonight if want this assessment this year. Mr. Densic asked if we have a breakdown on how many of these fees are for inspections versus registrations. Mrs. Freeman said she did not but Mrs. Eckel said can calculate by dividing \$15 for inspection fees and \$50/70 for registration. Mr. Oberdorf moved and Mr. Marquette seconded the motion to suspend with the second and third readings. Audience comments were requested and none received. Vote on the motion all ayes except Densic no and Staczek abstain. Motion carried 5-1. Mr. Oberdorf moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes except Staczek abstain. Motion carried 6-0.

Mr. Oberdorf moved and Mrs. Eckel seconded the motion to adopt. All ayes except Densic no and Staczek abstain. Motion carried 5-1.

**#2018 – 52 - AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO EXECUTE AN AGREEMENT WITH NORTHWESTERN WATER AND SEWER DISTRICT TO PROVIDE FOR STORMWATER IMPROVEMENTS OF VINEYARD DRIVE AND GROCE STREET; AND DECLARING AN EMERGENCY.**

Mr. Oberdorf moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said Mr. Ciecka and herself had met with the designer and MSG and learned that the quality of the road is so poor it is not worth pursuing the mill and fill originally budgeted as milling would take down to the dirt and last only three years. She said the right of way is only 30-40 foot and the recommendation for curbs and sidewalks is for 60 foot right of way and that Poggemeyer is going to come back with a proposal for storm water improvements and only patching the road now and then next year taking the road down a foot with a good base and new top which would be about \$250,000. Their feeling is that just paving over the existing road is not a good idea due to the poor base. The ordinance before council tonight is for the storm water improvements and patching. Mrs. Eckel said that when Hillside was torn up for over a year it was just a stone road and that she thinks we have to fix this road properly. Mr. Densic said that in many areas of this street there isn't any stone or subbase and that patching would probably cost less money than stone and be paid for by NWWS. Mr. Densic moved and Mr. Heban seconded the motion to suspend with the second and third readings. Audience comments were

requested and Gary Hadel 134 Vineyard asked if any core samples were taken. Mayor Mackinnon said yes and Mr. Hadel said the pavement was bad before the project and road replacement should have been considered sooner. He said there is not enough width for curbs and sidewalks. Vote on the motion all ayes. Motion carried. Mr. Densic moved and Mr. Heban seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Densic moved and Mr. Heban seconded the motion to adopt. All ayes. Motion carried.

**#2018 – 53 - AN ORDINANCE AUTHORIZING AMENDING THE SHELLY URBAN PAVING 1 AND 2 FOR CHANGE ORDER 4; AND DECLARING AN EMERGENCY.**

Mrs. Eckel moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said this relates to pavement marking. Mr. Ruse moved and Mrs. Eckel 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. Ruse moved and Mr. Heban seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Ruse moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

**#2018-54 – AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE ROSSFORD MUNICIPAL CODE AND DECLARING AN EMERGENCY.**

Mrs. Eckel moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Attorney Heban said this conforms our ordinances to state law and adds replacement pages. He said this time there are no changes to state law just replacement pages to our code.

Mr. Ruse moved and Mr. Heban 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. Ruse moved and Mr. Heban seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Ruse moved and Mr. Heban seconded the motion to adopt. All ayes. Motion carried.

**RESOLUTIONS**

**#2018 – 30 - A RESOLUTION CREATING FUND 205 LOCAL PERMISSIVE LICENSE TAX. THIRD READING. THIRD READING**

Mr. Densic moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Densic said this is a fund requested by the state. Mr. Densic moved and Mr. Heban seconded the motion to adopt. All ayes. Motion carried.

**#2018 – 37 - A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO SUBMIT AN APPLICATION FOR NAVIGATIONAL AIDS GRANT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WATERCRAFT; AND TO DECLARE AN EMERGENCY.**

Mr. Densic moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mr. Staczek said this is a seasonal application to replace no wake buoys damaged by impact or weather. Mr. Staczek moved and Mr. Ruse 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. Staczek moved and Mr. Densic seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Staczek moved and Mr. Densic seconded the motion to adopt. All ayes. Motion carried.

**COUNCIL REMARKS**

Mr. Staczek thanked all the folks at the marina last night who helped with loose boats due to the heavy weather and high water. He said some damage occurred to floating docks A and B and we will need to look at making some improvements to allow for high water in regards to electric service. Mr. Staczek said there is a conflict between the mayor and himself and that the mayor's comments on social media regarding Doggs Ice Cream and Mr. Staczek were incorrect and a slight to him and that he deserves an apology. Mayor Mackinnon said his social media post were positive toward a new business and that Mr. Staczek was never mentioned and then proceeded to read his post from social media. Mr. Staczek said the

mayor is grandstanding and self-serving and while the mayor could have put a stop to this he continued to fan the flames. Mr. Staczek said he has a right to investigate complaints and talk to business owners. Mr. Staczek then read a prepared statement (copy attached)

Mayor Mackinnon then asked Attorney Heban to explain the alley situation and he explained the survey does show part of the alleyway is owned by the property owner with the city having a present easement which the owner cannot shut down. Attorney Heban said there is nothing illegal about the smoker, that they just cannot block the alley. Mr. Ruse said when this issue came to public works it was regarding the alley and he appreciates it has been taken care and asked if there is an issue with the fencing. Attorney Heban said he will talk to the zoning inspector.

Mr. Oberdorf offered his congratulations to NWWSD for a clean audit from the State of Ohio. He said that at the last council meeting a gentleman had concerns about the noise/language at Vets Park and that he went down there to check himself and that there is a problem. He said most of the cars are not licensed in Wood County and that the Recreation committee feels the problem needs to be dealt with and suggested a dawn to dusk policy with the courts being locked at dusk. Mrs. Eckel said if the Rec department wants to use after dusk they could. Mayor Mackinnon said this will start tomorrow. Mr. Densic and Mr. Oberdorf agreed that looking ahead adjustments may be needed to the dawn starting hours and Mr. Densic said that long term we need to look at moving recreation out of residential areas and putting the recreation department on a better financial footing.

Mr. Ruse welcomed the new police chief to the meeting and said the park hours suggested by the recreation committee are a good idea.

Mr. Densic gave hats off to the marina guards for this weekend saying they handled the problem professionally. He asked if we could use Code Red for a mass alert to marina boaters for future events and Chief Kitzler said he will check on. Mr. Densic said we also need to examine the marina power and shut off and asked the mayor for an update on the charter review committee. The mayor said he has received three applications for the two vacant positions that he is looking at this week. Mr. Densic said he is concerned with how slow the changes on the Baumgartner property are moving and the impact to surrounding property owners and what other recourse we have other than fines. Attorney Heban said there are other recourses but those would cost the city money and Mr. Baumgartner has indicated should be worked on within three weeks. He said he has received questions from people regarding animal traps and the subpoenas put out by RITA and concerns about their poor record keeping. Mr. Densic asked for the results after the action on the 1200 subpoenas is completed. Mr. Ruse said to put this on the finance committee agenda and possible changes to the process.

### **AUDIENCE REMARKS**

Dick Baumgartner, 1219 Grassy Lane, said he did not realize he was creating such a bad picture. He said his agreement with Mr. Scott was to redo the height of the garage when framing the second duplex which he thought was going to happen in 45 days from the time of the agreement but was delayed due to a dispute with NWWSD over the sewer/water tap fee which started out at \$15,000 and would have caused him not to build the second duplex but was reduced to \$4500 at which point the contract was let for the lumberyard and is now proceeding.

Michael Leganik, 401 Superior St. said that most of the handicapped sidewalk ramps along the highway were removed this summer and that his complaints have been ignored by city government. Mr. Ruse said that discussions with the contractor have taken place and the delay was due to the change in administrators but they are on the list to be done. Mr. Ruse said these were never legalized crosswalks and were taken out unbeknown to public works. He said they are looking at crosswalks with proper design at Maple, Walnut, IPS, and the high school.

Tiffany Densic, 107 Birch, said that the mayor's discourse on social media is getting worse and sometimes inaccurate citing his post concerning high water. She then gave a history of high water marks at the marina. Mrs. Densic said the problems started when the docks were updated and docking changed. She said the inaccurate statements made by the mayor regarding high water are not helping the situation. Mayor Mackinnon said he knows the post she is referring to and it concerned whether the public works

department should have been called. Mrs. Densic and Mayor Mackinnon then had a discourse over posts, times, high water incidents, and social media platforms. Mrs. Densic accused the mayor of skirting the issue and said to drop the conversation.

*Mr. Heban moved and Mr. Oberdorf seconded the motion to adjourn. All ayes. Motion carried.*

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Neil A. Mackinnon III  
Mayor

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Robert P. Watrol  
Clerk of Council