

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held September 11, 2006

The meeting was called to order by Mayor William Verbosky Jr. and was opened with the Pledge of Allegiance.

A moment of silence was observed in memory of the victims of the 9/11 tragedy in 2001.

ROLL CALL: Kovach, Michaels, Hermes, Marquette, Eckel, Oberdorf, and Richards all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of August 14, 2006. 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 September 11, 2006 was presented to council. A Budget committee report and an executive session to discuss pending litigation with Perrysburg Township and sale of city-owned real estate were added. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Budget

Mr. Hermes presented the committee report of August 28, 2006. Items discussed were the health insurance costs with a 15% increase expected, proposal for a new CAFR contract, ordinance for assessment of unpaid refuse fees, proposed investment policy, unpaid taxes and assessments for city owned property in Cross Roads area, future plans for property purchased for fire station in Cross Roads, potential land purchase near Administrative complex, delay in completion of performance audit, and 12 hour police schedule. Mr. Ciecka suggested an application for an OPWC grant for repaving Lime City Rd. from Buck to SR 65 be pursued. The committee also discussed the future Phase V water-sewer project, status of hiring new Finance Director, and change in direct deposit of paychecks to voluntary for union employees.

Mr. Kovach asked about the lien status of the fire station property and was told by Mr. Heban it may have been cleared as a result of the foreclosure action but he is still waiting for the Carpenters Union attorney in Cleveland to get back to him. Mr. Michaels asked how much has been spent on the fire station property and Mayor Verbosky said \$50,000 for purchase and another \$25,000 on engineering drawings for the proposed station. Mr. Hermes said the city has also been paying taxes and assessments on this property. Mr. Marquette thought the city was exempt from paying tax and was told by Mayor Verbosky that the special assessments must still be paid. Mr. Ciecka said that the city is eligible is for tax exemption but that a recent ruling by the Ohio Supreme Court requires cities to have taxes current before applying for tax exemption and once granted taxes for up to three years prior will be returned.

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mr. Ciecka said that council will be asked to approve an ordinance that allows Mrs. Sabin to act as a paid consultant and assist Mr. Ciecka with the financial requirements of the city until a new finance director is hired. Applicants are being reviewed now so this is anticipated to be a short term solution and will also maintain the checks and balances system. He explained that the performance audit has been delayed to the state auditor's office working on several school financial emergency audits but he has been told that the audit is near completion and in draft form with the contracts portion of the audit expected shortly. He was asked by Chief Verbosky to remind council to complete the NIMS training, he has received two proposals for health insurance that he will be reviewing and he has received the ISO survey for fire rating and our fire rating has improved from Class 5-9 to Class 6-9 which should help reduce individual home insurance rates. He told council he will be updating the refuse fee assessment list prior to submitting to the county

and was asked by Mrs. Eckel if the list has been checked for homestead exemptions to which he replied yes. He also told council that the two vehicles that sold at auction went for \$900 and \$2000 Mayor Verbosky said that over Labor Day weekend the news regarding Bass Pro broke and is important news for the city. He said the city is extremely excited, as this has been worked on for a long time. He said he received many positive comments regarding the Labor Day fireworks, said the high school students who completed the walk to Ground Zero will be honored at a later date as they are in New York City today, and reminded everyone that the Downtown Revitalization Committee meets tomorrow at 6:30 p.m. at the library. He noted the number of residents in the audience interested in the flooding problem and said he has received a number of letters concerning this problem. He has had discussions with Mr. Ciecka and Mr. Jones on this problem and expects the streets committee to meet shortly to discuss as the city tries to determine what the problem is.

CORRESPONDENCE

A request from the Penta/Rossford DECA Chapter for permission to hold the Halloween Parade on Sunday, October 29, 2006 at 1:00 p.m. Members of City Council were also invited to participate. Mr. Richards moved and Mr. Marquette seconded the motion to grant the request. All ayes. Motion carried.

ORDINANCES

#2006-32 – AN ORDINANCE PROVIDING A WAIVER TO BUCKEYE TELESYSTEM, INC. REGARDING THE PAYMENT OF THE FRANCHISE FEE FROM PROCEEDS DERIVED FROM MONTHLY CHARGES PAID BY CITIZENS OF THE CITY OF ROSSFORD FOR VOICE OVER INTERNET PROTOCOL. SECOND READING.

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

#2006-34 – AN ORDINANCE UNDER SECTION 727.25, OHIO REVISED CODE, ASSESSING UPON THE LOTS AND LANDS WITHIN THE CITY OF ROSSFORD TO PAY THE EXPENSE OF LIGHTING THE STREETS, ALLEYS, WAYS, AND OTHER PUBLIC PLACES IN SAID CITY AND FURNISHING ELECTRICAL ENERGY THEREFOR, DIRECTING THE CLERK TO CERTIFY SAID ASSESSMENT TO THE COUNTY AUDITOR TO BE PLACED UPON THE TAX DUPLICATE, AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Hermes moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf said this needs to be to the county by 9/15 so must be passed tonight. Mr. Oberdorf 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. 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.

#2006-38 – AN ORDINANCE AUTHORIZING THE AMENDMENT OF ROSSFORD MUNICIPAL CODE SECTION 1166.052 AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Hermes moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky asked Mr. Ciecka if this needed to pass tonight and was told no but Mr. Hermes said the second reading was due to someone having questions. Mr. Hermes moved and Mr. Richards seconded the motion to suspend with the third reading. Mayor Verbosky explained this ordinance will amend the zoning code to allow buildings up to 50 feet rather than the previous 35 feet in the Cross Roads area. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Hermes moved and Mr. Richards seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Hermes moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

#2006-39 – AN ORDINANCE AUTHORIZING THE AMENDMENT OF ROSSFORD MUNICIPAL CODE SECTION 1165.052 AND DECLARING AN EMERGENCY. SECOND READING.

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

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

#2006-40 – AN ORDINANCE APPROVING A CONTRACT WITH SCHONHARDT & ASSOCIATES FOR PREPARATION OF THE CITY'S COMPREHENSIVE ANNUAL FINANCIAL REPORTS FOR 2006, 2007 AND 2008; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Hermes said this ordinance was recommended for approval by the budget committee and does not need to be passed as an emergency. Mr. Marquette asked if the three year contract was common and was told by Mr. Ciecka it was and by Mr. Hermes that it locks in the price for three years. This was given a first reading only.

#2006-41 – AN ORDINANCE PROVIDING ADDITIONAL APPROPRIATION; AUTHORIZING THE PURCHASE OF ONE NEW AMBULANCE THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf asked if there is an urgent need to pass this tonight in view of the 150-180 days before delivery. Mr. Ciecka said there is not a critical need to pass tonight but that the delivery time period does not start until the ordinance is approved and they would like to get it ordered to take advantage of a rebate offered on 2006 chassis. Mr. Richards said since this cost is being paid for out of the fire levy and the public has expectations that council will move promptly on vital pieces of life-saving equipment and he thinks this should be passed tonight. Mr. Oberdorf concurred with Mr. Richards and said this is a vital piece of equipment and in view of the 150-180 day delivery delay he would like to see passed tonight. Mr. Kovach asked if the specifications for this vehicle had been prepared and was told by Mr. Ciecka that they had. Chief Verbosky said the fire department is trying to purchase before the new 2007 EPA standards take effect which will cause a 12% increase in price and while the \$5800 rebate is being offered. The chief said \$140,000 had been budgeted for this vehicle but it will spec out at about \$126,000 and they would like this in service prior to the 2007 fire convention. Mayor Verbosky said the most competitive price is obtained by utilizing the state cooperative purchasing program. Mrs. Eckel moved and Mr. Richards seconded the motion to suspend with the second and third reading. 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.

#2006-42 – AN ORDINANCE REVISING THE RECOVERY OF ENVIRONMENTAL RESPONSE FEES; 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 the fire chief has asked that council adopt the Wood County rate for reimbursement of environmental response fees. Mr. Ciecka said the current rate was set by council in the early 1990's. This has not been reviewed by the safety committee fully yet and thus he is asking for a first reading only. Mr. Marquette asked where the county rate comes from and was told by Chief Verbosky that the county sets based on a state formula. Mr. Oberdorf asked when the rates are reviewed and the chief responded that he did not know. Mr. Ciecka said he will get an answer to that question. Mr. Hermes asked what this is for and was told by the chief that it primarily involves spills on the interstate where a private contractor is needed for large spills. Mr. Michaels asked how much the city spent last year on spills and was told less than \$5000. Mayor Verbosky suggested this be given a first reading only and that anyone with questions should get with the fire chief. Mr. Richards suggested a safety committee be held to discuss. Mr. Marquette said he does not see any reference to marina spills and was told by the chief that is covered under miscellaneous. This was given a first reading only.

#2206-43 – AN ORDINANCE AUTHORIZING AN AGREEMENT WITH LAURIE SABIN AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Hermes clarified the \$25 an hour rate is flat and Mrs. Sabin will take care of any taxes etc. that need to be paid. Mr. Richards feels the \$25 is a very good deal for the city. Mr. Oberdorf moved and Mr. Richards seconded the motion to suspend with the second and third reading. 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. Oberdorf, Richards, Michaels, Hermes, Marquette, and Eckel aye. Mr. Kovach no. Motion carried 6-1.

#2006-44 – 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 921.08, AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this needs to pass tonight in order to get to the county by the 9/15 deadline. Mr. Marquette asked if there were any fines associated with this and was told by Mr. Ciecka no. Mr. Richards asked Mr. Ciecka if there was a process to delete names up to the time the tax bills are printed and was told yes. Mr. Oberdorf asked if all people on this list were notified and was told yes by Mr. Ciecka. Mr. Hermes said council has been talking about this for several months and should pass tonight. Mr. Hermes moved and Mr. Oberdorf seconded the motion to suspend with the second and third reading. Audience comments were requested. John Folcik, 215 Hannum Ave. Rossford, OH. asked if the list of property owners assessed will be published. Mayor Verbosky said it is public record once it has passed so it could be. Ken Pasko, 159 Oak St., Rossford, OH. asked what the assessment is for and was told these were property owners who had not paid the refuse fee assessment that was passed during the budget crisis of 2004-2005. Vote on the motion all ayes. Motion carried. Mr. Hermes moved and Mr. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Hermes moved and Mr. Oberdorf seconded the motion to adopt. Hermes, Marquette, Eckel, Oberdorf, Richards, and Michaels aye. Kovach no. Motion carried 6-1.

#2006-45 – AN ORDINANCE APPROPRIATING THE AMOUNT OF \$30,700 FOR PAYMENT TO THE WOOD COUNTY TREASURER FOR PAYMENT OF REAL ESTATE TAXES; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards said that the city should be the last body that once made aware of taxes due the county should delay and this should be passed this evening. Mr. Richards moved and Mr. Hermes seconded the motion to suspend with the second and third reading. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mr. Richards moved and Mr. Hermes seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Hermes seconded the motion to adopt. All ayes. Motion carried.

INTRODUCTION OF RESOLUTIONS

#2006-15 – A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mr. Hermes moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka reminded council that in July the city submitted to the Wood County Budget Commission the Estimate of Revenues for 2007. He said the Commission has now met and determined that the rates for the different tax levies and anticipated revenues are considered appropriate and now requires council to accept these amounts and rates. Mr. Oberdorf asked if it was necessary for this to be passed tonight and Mr. Ciecka said he thinks it is part of the 9/15 deadline but he is not sure. Mr. Hermes said this is merely a formality and nothing more than applying approved levy rates to the property values and coming up with

the revenues. Mr. Oberdorf moved and Mr. Richards seconded the motion to suspend with the second and third reading. 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.

#2006-16 – A RESOLUTION ADOPTING AN INVESTMENT POLICY; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Hermes asked council to review at their leisure and said he expects three readings. Mr. Richards said the administration has worked diligently on this policy and he hopes council spends some time reviewing prior to the final two readings. Mr. Hermes said the city has little money to invest but the main objective of this policy is the safety of the principal amount and this ordinance is just stating what the city has been following. Mr. Michaels asked if this precludes real estate investments and was told by Mr. Hermes this policy tells what is allowed. Mr. Oberdorf this ordinance also includes the formulation of a committee with expertise in the investment field. This was given a first reading only.

COUNCIL REMARKS

Mr. Marquette said in the 10 years he has been on council the correspondence he has received in regards to the flooding problem is the most he has received. He also hopes that the city can do something more than a resolution for the four students who walked to Ground Zero. He hopes possibly a plaque or naming something for them could be done. Mayor Verbosky said the city is looking at several recognition ideas. Mrs. Eckel also wanted to congratulate the four students, congratulated Jodi Johnson as the new DARE officer, stated she has lots of water in her basement also, and questioned whether the performance audit people are aware that the city needs their findings prior to preparing next years budget.

Mr. Oberdorf thanked Mr. Ciecka for the correspondence regarding the school district paying a share of the tennis court repair, said he had also received a number of letters regarding the flooding program and thought it was wonderful to see people participating in the government process, said he was pleased with the direction of the DARE program under Chief Vespi and believes the right officer was chosen, thought the Labor Day fireworks were great and thanked Pat Sloan and all the departments for a great job, and said he was very impressed and proud of the four students who walked 654 miles to Ground Zero.

Mr. Richards said the Labor Day event was top notch and exhibited the cooperation between various city departments; he also received numerous letters regarding the flooding, and said he has heard a lot of comments regarding the new police car color scheme and said it really lets people know that improvements have been paid with the new levy money.

Mr. Hermes noted that Muffler Brothers had reopened, thanked Mr. Gardner, Mr. Latta, the Wood County Commissioners, and Tom Blaha for their help with the Bass Pro project, said the city website needs to be updated, asked if fall brush pickup will still happen and was told yes, said a budget committee meeting will be scheduled shortly to review finance director candidates and said he has seen the legal opinion on the sidewalks in Creekbend Farms and asked what the next step is.

Mr. Michaels wanted to commend Russ Lemmon of the Blade for a complimentary article on Bass Pro, said this summer was one of the worst on record for rainfall and he was flooded himself.

Mr. Kovach said the legal opinion regarding Creekbend Farms was pretty conclusive and that he would like to go out there with Mr. Jones prior to scheduling a Public Works meeting. He also said there has been a lot of heavy truck traffic on Glenwood Rd. and requested that the weight limit on the bridge be checked.

AUDIENCE REMARKS

Donna Gilmore, 154 Oak St., Rossford, OH. said she has been flooded three times since June and asked that the city put this problem on the ASAP list to figure out what is wrong. Mr. Kovach said that Mr. Jones had told him that the lines had been flushed and no obstructions found and said that 3 inches of rain in 1 hour was more than the system could absorb. Mrs. Eckel was interested if it was sewer or rain water that flooded Mrs. Gilmore's basement and was told it was sewer water.

Ken Pasko, 159 Oak St., Rossford, OH. said according to the internet it is an EPA violation to discharge sewage into the creek. Mayor Verbosky commented that since 1972 the city has had several major

improvements to the water/sewer system funded through state grants but there are more phases to go and it will not be accomplished overnight. The city is looking at trying to find where the problem is that is causing this flooding.

Tony Salagi, Maple St., Rossford, OH. said he had never had his sewer drain back up in 21 years until this year and he thinks something is wrong. He also said there is also a collapsed catch basin on Maple St.

Robert Zuchowski, 202 Hillsdale, Rossford, OH. thinks he has a storm sewer in front of and under his house that is over 100 years ago and is caving in. He also asked the city consider no parking on the parade route for the Halloween parade to improve the view.

Pat Andrews, Bates Rd., Creekbend Farms, Rossford, OH. asked when some action on the sidewalk issue can be expected. Mr. Kovach said he will meet with Mr. Jones at Creekbend Farms to look at and then schedule a public works meeting to discuss.

Mr. Marquette moved and Mr. Michaels seconded the motion to go into executive session to discuss pending litigation with Perrysburg Township and possible real estate purchase by city. All ayes. Motion carried.

Mr. Richards moved and Mr. Oberdorf seconded the motion to return to regular session.

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