

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held September 24, 2012

The meeting was called to order by Mayor Neil Mackinnon III, and was opened with the Pledge of Allegiance.

ROLL CALL: Staczek, Oberdorf, Eckel, Marquette, Ruse, Scott, and Duricek all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of September 11, 2012. Mr. Duricek moved and Mr. Ruse seconded the motion to approve the minutes. All ayes. Motion carried

APPROVAL OF AGENDA: Agenda for regular council meeting of September 24, 2012 was presented to council. Committee reports from Recreation and TARTA special committee was added to the agenda. Mr. Oberdorf moved and Mr. Duricek seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Recreation committee meeting report from September 20th was presented by Mr. Oberdorf (See written report). Mr. Scott asked about obtaining a grant this year for doing the power upgrade to the park. Mr. Kovasevic said the grants are already done for this year but he will request in 2013. He said they are trying to get power to the playground side of Veterans Park.

TARTA special committee report was given verbally by Mr. Scott. He said that he, Mr. Ruse, and Mr. Ciecka had met with the people from TARTA on a fact finding basis trying to find out how Perrysburg leaving will affect us as we now become the last stop and also the effect on our TARPS service if we leave. He said it was a free flowing meeting and very friendly and informative.

Mr. Duricek moved and Mr. Scott seconded the motion to accept the committee reports as given. All ayes. Motion carried.

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Mackinnon asked if council had reviewed the times and date for Halloween trick-or-treating.

Mrs. Eckel moved and Mr. Oberdorf seconded the motion to set Halloween trick-or-treat for October 31st from 6-8pm. All ayes. Motion carried.

Mr. Ciecka gave an update on the NWWSD work in the tree streets area. He said that the repaving of Beech St. will probably not happen until the end of October due to delays in boring work under the railroad tracks at the east end and that Glenwood Rd. will be repaved where cuts in the pavement were made. Mrs. Eckel asked if there will be new asphalt on all of Glenwood and Mr. Ciecka said no, just patching where cuts were made and then complete repaving next year. Mrs. Eckel pointed out that the asphalt plants close on November 1 and Mr. Ciecka said that hopes are to have this done before October 31st. Mr. Ciecka said the city is taking bids on the work for the clear well and the Jennings Rd. pump station and that ODNR still has grant money available for ash tree removal up to 40% of the cost but that you need to apply before the tree is cut down.

CORRESPONDENCE

Three pieces of correspondence were received by the clerk and copies given to council 1) a memo from Kathy Shelt regarding area communities trick or treat times 2) a memo from Leonard Michaels regarding public transportation alternatives and 3) a letter from the buyers of the property on River Lane regarding the proposed zoning change.

ORDINANCES

#2012-50 - AN ORDINANCE AMENDING SECTION 1132.02 (ZONING DISTRICTS AND REGULATIONS) OF THE PLANNING AND ZONING CODE. THIRD READING.

Mr. Scott moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the Planning Commission had held hearings on this and recommended the change. Mr. Duricek moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2012-51 - AN ORDINANCE AMENDING SECTION 1134.04 (FENCE REGULATIONS) OF THE PLANNING AND ZONING CODE. THIRD READING.

Mr. Scott moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Scott seconded the motion to adopt. All ayes. Motion carried.

#2012-58 - AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE ZONING MAP OF THE CITY OF ROSSFORD

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this was a change recommended by the Planning Commission after a public hearing was held and would change the current zoning of 105-107 River Lane from non-conforming to being zoned for a duplex. He said the duplex probably was there before our R1A zoning existed and that the purchasers bank is requiring a zoning change before approving the loan (see letter). Mayor Mackinnon said the structure has always been a duplex and was probably built before zoned and that this should be an easy decision and urged council to handle tonight. Mr. Staczek asked if the new owners intend to live in it or use as an investment property. Nancy Baum, realtor with City Trends said this will be an investment property and the purchasers currently live on Mandell Rd. She said the property was built in 1972 and that their lender and several others will not lend unless zoned for a duplex. Mr. Staczek asked if they have any other investment property in the city limits and was told no. Mr. Duricek asked if the neighbors that signed the list not opposing this zoning change were at the planning commission meeting. Mr. Ciecka said if they were he does not think any of them spoke. Mr. Duricek said he is not against Mr. Fruchey but he is worried about setting a precedent for spot zoning. Mr. Oberdorf said he agrees with Mr. Duricek about the spot zoning issue and that he would feel more comfortable if this was owner-occupied. Mr. Staczek said it sounds like we are setting a precedent to allow them to flip this property. Melvin Fruchey, 406 Glenwood, current owner of the property said he purchased it in 1980 and had no problem in financing but new bank regulations are what are causing this request. He said the property is well-maintained and in a nice neighborhood. Mr. Scott said that banks are seeing a lot of pressure caused by regulatory change and it is not up to council to determine if this is the right buyer but only if we want to rezone. Mr. Ruse said he agrees with Mr. Scott and that we need to look beyond who the people are and look at the spot zoning issue. He said he could not endorse this. Mrs. Eckel said she would like to see the prospective owners at this meeting and that the problem is if we do not rezone this property can probably never be sold and could potentially become a nuisance property. Mr. Heban said this is due to new Fannie Mae and Freddie Mac regulations where appraisals are checked against zoning and due to the non-conforming zoning could not be sold to them which is why lenders won't do the loan without a zoning change. He offered the possibility of rezoning it with an agreement by the purchasers to have zoned back to R1A after the purchase. He is not advocating this solution and is not sure it is even possible. Mr. Scott said this probably would not work as loans are being checked constantly. He said the precedent would be a specific precedent due to financing and we are not saying we will do this for everyone. This is a need not a want and if we do not do this the concern is this property and neighboring properties will be devalued. Mr. Duricek said he is leery about spot zoning and would like two weeks to see if another way to do this can be found. Mr. Fruchey said council needs to look at each individual piece of property and whether it's a need versus a want. Mrs. Eckel said she understands the desire to sell but she would still like to see the prospective buyers. This was given a first reading only.

#2012-59 – AN ORDINANCE TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT TO PROVIDE HEALTH CARE BENEFITS FOR THE EMPLOYEES OF THE CITY OF ROSSFORD; AND TO DECLARE AN EMERGENCY.

Mr. Duricek moved and Mr. Scott seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the employee health benefit program expires on September 30th so this needs to be passed tonight. He said for the first time the proposal shows a decrease in the premium amount (-29%) which the broker indicates could be attributed to good claim experience and a change in demographic or as Mr. Ciecka said could be the result of the Affordable Care Act. Mrs. Eckel 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 all ayes. Motion carried. Mrs. Eckel moved and Mr. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2012 -18 - A RESOLUTION TO APPROVE THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said this is a procedural step required by the county done every year. This confirms the amounts current levies will raise. Mrs. Eckel moved and Mr. Duricek 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. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2012-19 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF VICKIE GALLAGHER TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY

Mr. Duricek moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said there has been a vacancy on the Tree Commission since January of this year when Mrs. Langevin resigned. Mrs. Gallagher is very qualified and currently works at the 577 Foundation. She said the Tree Commission would like this approved this evening so she can be part of their Wednesday meeting. Mr. Staczek said Mrs. Gallagher is considered one of the top horticulturists in the area. Mr. Duricek said she is a Certified Horticulturist and a Master Gardner. Mrs. Eckel moved and Mr. Staczek seconded the motion to suspend with the second and third readings. Audience comments were requested and Wendell Charles, 106 Cove Lane asked what her duties will be. Mrs. Eckel said the tree commission decides what trees get planted in town, looks at applications for tree planting, trimmings, and removal, maintains our status as a Tree City USA, and are very involved in our city plantings etc. on public properties. Vote on the motion all ayes. Motion carried. Mrs. Eckel moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

COUNCIL REMARKS

Mr. Staczek said he and the mayor took part in the Challenge Day at the high school last week for eighth graders. He said it was a great experience which enabled students to open up about their feelings and problems and that we need to look for ways we can help these kids. Mayor Mackinnon agreed saying it was a life-changing experience. Chief Verbosky said he took part in this for two years and that the problems for some of these kids are very deep and that it was an emotionally draining experience. Chief Goss said the positive note is that it allows the eighth graders to see that their peers share the same problems.

Mr. Oberdorf wished Mr. Staczek a safe trip to Bangladesh and asked if anyone saw a need for a Committee of the Whole meeting in October.

Mr. Duricek moved and Mrs. Eckel seconded the motion to suspend with the October Committee of the Whole meeting. All ayes. Motion carried.

Mrs. Eckel said the Tree Commission will meet this Wednesday; the Beautification committee meets next Tuesday and will be planting on October 6th.

Mr. Ruse asked that regarding the memo that went out from the street commission that we add that the areas be maintained in an acceptable manner by the property owners. He said he had received the correspondence on the parking issues on Helen Dr. and asked where this was going. Mr. Staczek said he and the mayor had driven down Helen Dr. today and also talked to Chief Goss about this. Mr. Ruse thinks this should go to a committee for review. Chief Goss suggested the Safety committee and said the dilemma is that there are no curbs or sidewalks so that people have created parking areas in the right-of-way. Mr. Ruse thought maybe a joint meeting of the Public Safety and Zoning committees should discuss this. Mrs. Eckel asked Chief Verbosky to determine the width dimensions of the fire truck in relation to the width of Helen Dr. Mr. Ruse said the Chief should take the truck and video camera to Helen Dr.

Mr. Scott said he also asked Chief Verbosky to look at the Helen Dr. situation, said he will be scheduling a TARTA committee meeting, and thanked everyone who attended the Chautauqua event at Owens.

Mr. Duricek suggested that anyone interested go down Helen Dr. at 6am. and they will see the problem caused by the narrow road and parking.

AUDIENCE REMARKS

None

Mr. Duricek moved and Mr. Staczek seconded the motion to adjourn. All ayes. Motion carried.

Neil Mackinnon, III
Mayor

Robert P. Watrol
Clerk of Council