

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held September 25, 2006

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

ROLL CALL: Kovach, Michaels, Hermes, Marquette, Eckel, and Richards all present. Mr. Richards moved and Mr. Marquette seconded the motion to excuse Mr. Oberdorf due to a family medical situation. All ayes. Motion carried.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of September 11, 2006. Mr. Hermes moved and Mrs. Eckel seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of September 25, 2006 was presented to council. Public Safety, Public Works, and Recreation committee reports and a proclamation presentation were added to the agenda. Mr. Richards moved and Mrs. Eckel seconded the motion to approve the agenda as amended. All ayes. Motion carried.

PROCLAMATION PRESENTATION: Mayor Verbosky presented proclamations on behalf of the city to the four Rossford High School Students who completed the walk to Ground Zero. Recognized were Jack Coulter, Dustin Dean, Brandon Rinehart, and Tad Millinger.

COMMITTEE REPORTS

Public Works

Mr. Kovach presented the committee report of September 21, 2006. Items discussed were the sidewalk situation at Creekbend Farms, basement flooding on the tree streets, application for an OPWG grant for resurfacing Lime City Rd., and request to pave parking area in front of homes on unimproved streets. The committee recommended the administrator conduct an engineering study regarding utility boxes prior to sidewalks being installed in Creekbend, that this be done at the developers expense, that the sidewalks not be done until after the street lights are installed, and that funds for completing the sidewalks be placed in escrow. In regards to the basement flooding the committee recommended that the city prioritize the sewer problems and create a time line to address them. Mr. Ciecka is to draft a RFP to secure an engineering study of this problem within the next two weeks and the public works department is to notify residents who can separate their downspouts from the sanitary system. The committee also recommended that the city not allow paving in front of residences on unimproved streets. Mr. Richards asked if the possibility of a sewer collapse causing the flooding problems was discussed and was told by Mr. Kovach that Mr. Jones had flushed the sanitary system and discovered no obstructions with the storm system being checked last Friday with no report yet. Mr. Marquette asked if there had been problems prior to the heavy rains of this year and was told no by Mr. Kovach. Mr. Hermes asked if council has to approve the delay in enforcing the sidewalk ordinance for Creekbend Farms and was told yes. Mr. Hermes asked how much money will be placed in escrow and was told by Mr. Kovach it would equal the cost of completion. Mr. Ciecka said he will determine the cost of the sidewalks and then require a performance bond from the developer. Mr. Richards said if council is required to approve a resolution for delaying the sidewalks he wants to be sure that the work is not done until after the street lights are installed. Mrs. Eckel said the committee would like everyone in the city whose downspouts go into the sanitary system be identified and made to separate.

Public Safety

Mrs. Eckel presented the committee report of September 18, 2006. Issues discussed were the fire convention, NIMS training, sale of the fire station property in the Crossroads, lack of fees for police and public works in Ordinance 2006-42, new ambulance fees, grant updates, ISO insurance rating review, calls to the Knights Inn, and the open house for fire prevention week to be held October 9th from 6-9 p.m. The committee recommended that the existing fire station property not be sold until another parcel is purchased,

as a second station in the Crossroads area will be necessary in the future. The committee also recommended that Ordinance 2006-42 be amended to include fees for the police and public works departments. Mr. Hermes asked if there was a list of those who have not completed the required NIMS training and was told it was not available yet. Mr. Michaels indicated he will complete his training tomorrow.

Recreation

Mr. Marquette presented the committee report of September 21, 2006. Items discussed were the fall soccer program, vandalism at Beech St. park, installation of courtyard lights at the RCRC, status of repairs to the RCRC back wall, grants that were awarded, and replacing the student representative to the recreation board. The committee recommended that Kyle Schwind be appointed by Mayor Verbosky to the student representative vacancy on the board. Mayor Verbosky said the resolution regarding the appointment is on tonight's agenda. Mr. Hermes asked if Gold Medal Indoor Sports is having a grand opening and Mayor Verbosky said it has been delayed.

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky said that he has sent a memo to council regarding Ordinance 2006-47 and is asking for a first reading only tonight. He said the city will have contract negotiations with all five unions in 2007 and previously Mr. Wilkowski had represented the city at the rate of \$105 an hour. Mayor Verbosky would like someone well versed in contract negotiations to represent the city and the ordinance proposed would provide that based on a flat fee. He said that other cities cost is between \$150-250 an hour.

Mr. Ciekca said he is following up on many inquires regarding the Crossroads as a result of the publicity on Bass Pro and asked that anyone who has completed their NIMS training bring in their certificate so it can be copied for the records.

CORRESPONDENCE

No correspondence.

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. THIRD READING.

Mr. Richards moved and Mr. Hermes seconded the motion to read by title only. All ayes. Motion carried.
Mr. Richards moved and Mr. Marquette 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. SECOND READING.

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

#2006-42 – AN ORDINANCE REVISING THE RECOVERY OF ENVIRONMENTAL RESPONSE FEES; AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Richards moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried.
Mr. Richards said the fees were discussed in committee but asked if public works and police had a chance to review.

Mrs. Eckel said the ordinance needed to be revised to include fees for possible public works and police costs and she then moved that Ordinance #2006-42 be amended to include public works and police fees at \$80 hourly under the support section. The motion was seconded by Mr. Richards. Vote on the motion to amend Ordinance #2006-42 was all ayes. Motion carried.

Mr. Richards said the committee was not looking to create additional costs but that in other than a routine event wanted the city to be able to recover costs for public works and police assistance if needed. Mr. Hermes said this is intended only for large environmental incidents. Mrs. Eckel gave as an example the Subway property on which the city is still trying to recoup its cost. Mr. Marquette said his concern is that he does not think our people need to be called in to do that work. He says the EPA takes command of these type situations and can call in private contractors to handle these incidents. Mr. Hermes said this ordinance is geared toward extraordinary events that may occur. Mr. Hermes moved and Mrs. Eckel seconded the motion to suspend with the third reading of Ordinance #2006-42 as amended. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. 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 Ordinance #2006-42 as amended. All ayes. Motion carried.

#2006-46 – 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. Hermes moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka is asking that council pass tonight as health insurance contract will go into effect on October 1. The rates are about a 17% increase over last year for the same benefits. Mr. Hermes pointed out the increases over the last several years. Mr. Marquette asked if this will be an item of discussion in contract negotiations and Mr. Ciecka assured him it will. Mr. Hermes 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. 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.

#2006-47 – AN ORDINANCE AUTHORIZING A CONTRACT WITH STEVEN SPIRN, LABOR RELATIONS CONSULTANT; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards said he just became aware of this legislation Friday evening and feels it should be referred to the budget committee for discussion and a recommendation. Mayor Verbosky said he was asking for a first reading only this evening. Mr. Marquette asked who besides Mr. Spirn would represent the city in negotiations and Mr. Ciecka said he anticipates that beside Mr. Spirn it would include himself and the department head. Mayor Verbosky said in the past the city has always used outside representation in labor negotiations and that has always been an attorney to his recollection. He is also looking to reduce the involvement of the negotiation committee, not as a slight to them, but due to the difficulty to arrange meetings on a timely basis. Mr. Marquette asked if there had been any communication regarding the contract portion of the performance audit and was told by Mr. Ciecka that no further update had been received. Mr. Marquette feels that if it is not received in time to assist in contract negotiations the city should not have to pay. Mayor Verbosky said the performance audit has been an issue for over two years and he is sure the auditor is aware of the urgency attached to receiving that audit. Mrs. Eckel agreed with Mr. Marquette saying that if the audit report is not received prior to the start of contract negotiations than it is almost useless and the city should not have to pay. Mr. Hermes asked who represents the unions in contract negotiations and was told by Mayor Verbosky and Mr. Ciecka that they are represented by staff representatives of the unions who are experienced in negotiations. Mr. Heban said the police union will have an attorney that will represent them. Mr. Michaels asked if different proposals were solicited for this contract and Mr. Ciecka said no, that he has prior experience with Mr. Spirn who only works on a fixed rate contract basis. Mayor Verbosky was introduced to him and the administration then decided to bring this ordinance to council for approval. Mayor Verbosky indicated that Mr. Spirn has represented the Wood County Commissioners, the Wood County Sheriff, and the NW Ohio Water and Sewer District in contract negotiations. Mr. Hermes asked if Mr. Ciecka could provide an idea of what number of hours Mr. Wilkowski incurred in previous negotiations for purposes of comparison of cost. Mr. Ciecka will provide these numbers by the next council meeting.

Mr. Richards suggested this be referred to committee and then moved that this ordinance be referred to the Budget, Ways, and Means Committee for study and a recommendation. Mrs. Eckel seconded the motion and the vote on the motion was all ayes. Motion carried. This was given a first reading only.

#2006-48 – AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE ROSSFORD MUNICIPAL CODE 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 is the annual update of the code based on ordinances adopted by council and updates of areas affected by state legislation during the last year. Mr. Richards moved to suspend with the second and third readings but Mr. Hermes asked that council be given time to review the pages. Mr. Richards feels this is a routine housekeeping ordinance but deferred to Mr. Hermes. There was no second to the motion and the ordinance was given a first reading only.

INTRODUCTION OF RESOLUTIONS

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

Mr. Richards moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards said there is no great urgency to this ordinance and he feels that council wants this to have the full three readings. This was given a second reading only.

#2006-17 – A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ROSSFORD TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND TO DECLARE AN EMERGENCY.

Mr. Richards moved and Mr. Hermes seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka asked that this be approved today as the application deadline is October 6th. Mr. Richards said the Public Works committee had recommended for adoption. Mr. Ciecka said this resolution applies to the application for funds to resurface Lime City Rd. between Buck Rd. and Schrier Rd. which are in dire need of improvement. The total cost estimate is \$253,000 with the city matching 50% which gives the application the maximum number of points. Mayor Verbosky said in the past the city has offered to match 25% with local funds but the application has not been successful and if we fail again the cost will only go up. Mr. Hermes said that based on the previous bids obtained for the proposed fire station by Poggemeyer he is not confident in the estimated amount. Mr. Ciecka said previously the costs increased dramatically from the time the project was proposed to the time bid due to factors such as the increase in steel prices. Mr. Marquette asked if there were grants available for doing sidewalks along that same stretch and was told by Mr. Ciecka he has not seen any and he did not add sidewalks to this application due to trying to keep costs down. Mr. Michaels asked if the city or Poggemeyer actually contacted a qualified contractor for a price and was told by Mr. Ciecka the city did not and he does not know if Poggemeyer did. Mr. Hermes feels that the application should be written based on a reasonable cost estimate, even if higher, so that the city does not end up absorbing any additional cost and asked that Poggemeyer be contacted to make sure the estimate is reasonable. Mr. Hermes 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. 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.

#2006-18 A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF KYLE SCHWIND TO THE RECREATION BOARD; 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 had been recommended by committee and since school was in session he asked the second and third readings be suspended. Mr. Richards 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. 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

Mrs. Eckel encouraged everyone to complete their NIMS training as a responsibility of elected officials and so as not to jeopardize any grants. She also asked citizens to remove their downspouts from footer tiles and use surface drainage to help alleviate basement flooding problems.

Mr. Michaels wanted to compliment the public works department for the crack filling project which has exceeded the expectations for this year.

Mr. Hermes also complimented the public works department for completing the projects as outlined as hot items for streets. He also noted despite the flooding of 6/21/06 he did not see any water sitting in the proposed area for the rowhouse development. He requested a Budget committee meeting on 10/5 at 6:00 p.m.

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

AUDIENCE REMARKS

Ken Pasko, 159 Oak St., Rossford, OH. said he was back to reiterate the storm sewer information he had gathered. He was told by Mr. Avers that no obstructions had been found in either the storm or sanitary lines. Mr. Pasko asked if a certain percentage of water/sewer fees is set aside for reconstruction and was told no. Mayor Verbosky said repairs are made as they appear and several phases have been completed in the last several years and Mr. Ciecka said a large percentage of the fees are used to pay the debt service on the phases of reconstruction already done.

Jeff Appelhans, 177 Hannum Ave., Rossford, OH. asked where the cost savings made by Chief Vespi in recent months are being used and can they be used for road repair. Mayor Verbosky said the cost savings realized by purchasing used police cars will still be used to purchase additional vehicles next year and thus the savings will be carried over to next year. Mr. Hermes explained the police department will still receive the amount promised in the levy campaign just at a different annual rate and the cost savings realized in overtime reduction is returned to the general fund.

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