

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held October 9, 2006

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, and Kovach all present. Mr. Michaels is expected momentarily.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of September 25, 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 October 9, 2006 was presented to council. A Budget committee report, Ordinance #2006-50, and an executive session to discuss the finance director position were added to the agenda. Mr. Oberdorf moved and Mr. Richards seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Budget

Mr. Hermes presented the committee report of October 5, 2006. Items discussed were Ordinance #2006-47 as to cost, length of contract, and need for outside council, review of fund balance forecasts, and budget planning for 2007. The committee went into executive session to discuss finance director personnel issues and upcoming negotiations.

*Mr. Michaels entered council chambers during the reading of the minutes.

Mrs. Eckel said council had hoped to have the results of the performance audit prior to the budget planning process and asked if the decision had been made to proceed without those results. Mr. Hermes responded yes. Mrs. Eckel then asked if the city had paid for the performance audit yet and was told by Mr. Ciecka that invoices have been paid as received but the total cost has not been paid yet. Mrs. Eckel said the city should request a discount since it was not received in time to assist in budget planning or contract negotiations to which Mr. Ciecka replied that he would ask. Mr. Richards said the discussion on the employment of a labor relations consultant was quite extensive which is not reflected in the minutes.

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky said that Ordinance 2006-47 is on the agenda but that he is recommending it be given a second reading as in light of the extensive discussion on this ordinance he has asked Mr. Ciecka to explore other options i.e. a one year agreement. He said the city has five union contracts to negotiate for 2007 and Mr. Wilkowski who served as outside council for previous negotiations is not available. He also reminded council and the audience of the Downtown Revitalization Meeting to be held tomorrow at 6:30 p.m. in council chambers and encouraged people to attend to offer their input.

*At this time he introduced Arnold Zirkes, general manager of Gold Medal Indoor Sports, who introduced himself to council and informed council of the programs that will be offered at the facility and the status of construction. He said they are glad to be in Rossford and that he has a good working relationship with Recreation Director Sloan which was reaffirmed by Mr. Marquette.

Mr. Ciecka said he will be meeting with Meijer in the next few days to discuss sidewalks. He then gave an extensive description of the September 30th gas leak incident. He said the line was struck at 1:20 p.m. and that by 1:50 p.m. the leak inspector from Columbia Gas was on the scene. Digging started at 4:00 p.m. and they worked until 8:00 trying to fix without turning off the gas which would affect about 200 homes. The decision was made to turn the gas off at 8:00 to make repairs and by 10:00 service started to be returned. At about 2:00 the fire department and gas company had made the decision to evacuate the area. The fire crews were getting information that the time for repair would not be long and because of that communication and

alternative shelter was lacking. The recreation center was not opened up for shelter until about 8:00 when it became clear repairs would take longer than anticipated. He said the decision to evacuate was based on it being a high pressure gas leak and in the interest of the resident's safety. He, the police chief and fire chief have met with the utility company and discussed the response and as a result some policies will be changing. Mayor Verbosky said he was in contact with the fire chief during the entire time and Mr. Ciecka was on the scene but that communication could have been better. Mr. Oberdorf said he received many calls regarding this incident and he would like to see a positive approach to correct our response in any future incidents and asked if we will have a revised policy. Mr. Ciecka said the city will have a revised procedure but that the policy was and is to evacuate people in these types of situations. Mr. Richards said members of council heard quite clearly about the incident and mentioned one of the mistakes was the closing of the library while still being occupied by some of the evacuees. He said the library board of trustees has said that will not happen again, and that the recreation director will make sure safety personnel have access to the building. He said the safety committee will meet to review the report of the incident. He feels the negatives were unintended but has been a learning experience and will better prepare the city for any future incidents. Mayor Verbosky said there will be a comprehensive report on how to handle in the future. Mr. Kovach said he followed up with both chiefs and the administrator and came to find out there was really no evacuation policy in place and unfortunately there was no immediate availability of a facility to go for people. In the future he said a facility needs to be made immediately available and he is confident that this will get worked out in the future. Mr. Marquette asked how many people have keys to the recreation center and was told by Mr. Ciecka that it had been just the recreation center staff but now the police chief has a key. Mr. Ciecka said that there was just no procedure for evacuation and the safety officers on the scene were being told about 1 hour until repaired which delayed setting up a place for evacuation. The city is looking at setting up an emergency number for people to call for assistance. Mr. Marquette said he was under the impression that the NIMS training was being done for situations just like this. Chief Verbosky asked to address the audience and said when the incident happened he talked to the gas company and was given to understand that this would be taken care of shortly. He has taken personal responsibility for the breakdown in communication during this incident and is very sorry for the way this was handled. Mrs. Eckel asked if the city knew that the water line would be worked on that day and was the gas line marked by OOPS and Mr. Ciecka said yes and that it was scheduled on Saturday so as to avoid closing the road on a school day and that there is some dispute as to whether this line shows on the drawings. Chris Kozak of the Columbia Gas Company said they have staff on duty 24/7 and that someone was on scene within 15 minutes. Mrs. Eckel asked why people were told several times that it would be repaired in about an hour and was told that the gas company tried several different repairs such as a cap patch etc. and each took about an hour. He said that by 4:00 when none of these repairs worked they had to shut down the gas line in order to repair properly. Mr. Marquette asked if the city will be able to recover its cost for police and fire services and was told by the Mayor that the city has done the proper billing to recover these costs. Mr. Marquette asked if the audience could make its comments now regarding this incident while the Columbia Gas representative was still there and Mayor Verbosky so allowed. Andy Rohweder of 328 Glenwood asked if it was determined if the line was mismarked, who was at fault, and who he can bill for expenses he incurred as a result of being evacuated. Mr. Kozak said Columbia Gas has billed the company that was digging the line for their expenses and it their understanding that everything was marked properly. Mr. Ciecka said the company feels the 8 inch line was marked but that there was an additional line not marked and it will be up to that company and Columbia Gas to resolve. Mr. Ciecka said he will be out of the office from October 11-13 but will be available by phone.

CORRESPONDENCE

No correspondence.

ORDINANCES

.#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. THIRD READING.

Mr. Hermes moved and Mr. Richards seconded the motion to read by title only. 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. 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.

#2006-48 – AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE ROSSFORD MUNICIPAL CODE 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 asked for and none received. Vote on the motion all ayes. Motion carried. Mr. Richards moved and Mr. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2006-49 – AN ORDINANCE GRANTING A ZONING CHANGE FROM AN R-1C CLASSIFICATION TO A C-2 CLASSIFICATION UNDER CHAPTER 1142 OF THE PLANNING AND ZONING CODE; AND DECLARING AN EMERGENCY.

Mrs. Eckel moved and Mr. Marquette seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky explained that this is a request to rezone the pond that is being filled in off Glenwood Rd. and that the Planning Commission has recommended this to council with certain recommendations. The planning commission has been aware of the problems with the Northwood/Arbor Hills areas and wants to make sure that this is well-buffered from the Ironwood subdivision as well as making sure that access is available from Lime City Rd. Mr. Oberdorf asked what type of material is being dumped there and how long has been operating under a R1C classification. Mr. Ciecka said it is classified as clean fill and that the owner has been using in this way for a number of years. He is now requesting a zoning change for future use after it is filled. He will not be able to request a special use permit for a mulch business until the zoning is changed to C2. Mr. Hermes asked if the owner is able to collect payments for the fill under the R1C zoning and Mr. Ciecka said he will ask Mr. Heban to look at the legality of this. Mrs. Eckel asked about the access from Lime City Rd. and was told by Mr. Ciecka that the zoning change is contingent on this access being obtained. Mrs. Eckel said currently Glenwood Rd. is not kept clean and she is worried about granting a zoning change prior to access from Lime City Rd. being obtained. Mr. Ciecka said the zoning change is contingent on that access being granted. Mayor Verbosky said the planning commission would look at again after the access was granted and any change in operation would have to be approved and come back before council. Mr. Richards asked if the city has been in contact with St. George Orthodox church regarding this and Mr. Ciecka said he is in receipt of an email from the church in which their only concern was any smell from the potential mulch business. Mr. Kovach asked what the time frame for filling this pond in is and was told by Mr. Ciecka the owner estimates 2-3 years. Mr. Kovach said he would be more comfortable if the owner would wait till then to request a zoning change. Mr. Ciecka said that the union would like some evidence that the zoning is going to change to C2 before they grant access. Mr. Marquette recommended that Mr. Heban request to see the manifest of what is being dumped as fill. Mr. Michaels would like the agreement to contain a clear statement as to what the acceptable buffer zone would consist of and he also feels the zoning change should not happen until after the private parties agree on the access from Lime City Rd. This was given a first reading only.

#2006-50 – AN ORDINANCE TO APPROVE AN ADDENDUM TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA) COMMAND OFFICER'S UNIT AND PATROL OFFICER'S UNIT AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mr. Marquette seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky apologized for bringing this to council at the last moment but said the request to extend this agreement did not come into the police chief until late Friday. Mr. Ciecka said the request is to extend the 12 hour shift agreement. Mr. Heban said the original agreement is benefiting the city and officers i.e. 53% of the shifts having more than minimum manpower from the previous 23%. He said training has increased and overtime been decreased. Mayor Verbosky said this will extend the agreement until December or until a new contract is ratified, whichever occurs first. Mr. Heban said nothing changes in the

original agreement only the effective date. Mrs. Eckel asked if the city knows how much overtime has decreased and was told the police chief will report on by October 15. Mr. Richards 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. Motion carried. Mr. Richards moved and Mr. Marquette seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Marquette seconded the motion to adopt. All ayes. Motion carried. Mayor Verbosky thanked the police units for their cooperation in this matter and Mr. Ciecka said that as of October 5, 2006 the calls for police service equal the number as of November 30, 2005.

INTRODUCTION OF RESOLUTIONS

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

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

COUNCIL REMARKS

Mr. Kovach said that on the 29th of September when reporting a garage fire to 911 it was answered Northwood Police and fire. Chief Verbosky explained that when calls to Rossford 911 overflow the system, calls go to Northwood and in this case several people called and the calls were stacked up and therefore overflowed to Northwood.

Mr. Richards scheduled an Economic Development Committee meeting for November 9, 2006 at 6:00 p.m. Mr. Oberdorf thanked everyone for the flower arrangement sent to his wife in the hospital and scheduled Halloween hours for 6-8:00 p.m. on October 31, 2006.

Mrs. Eckel said good job to the public works crews for the brush pickup week, asked if the city is NIMS compliant and was told by chief Verbosky yes, said she will schedule a safety committee meeting to discuss emergency planning and the 12 hour shifts, and asked Mr. Ciecka to check on a complaint that the American Legion is keeping their garbage totes at the street.

Mr. Marquette said the incomplete performance audit is really bothering him and asked if a date was set in the original request for completion. He said he does not want the city to pay if we do not get what we asked for.

Mr. Ciecka reminded everyone that leaf pickup begins on October 16th and said leaves will not be picked up at residences where grass clipping are mixed in with the leaves. Residents are also asked to not put their leaves in the street where they are washed into the sewer system.

AUDIENCE REMARKS

Robert Mikonowicz, 12 Santus Drive, Rossford, said the fire department did their job and it is honorable for the fire chief to take full responsibility but that the city as a whole is responsible for not having an evacuation plan and that the city failed, not the fire chief by himself. Mayor Verbosky said the city does take responsibility and communication will be improved to make sure this does not happen again.

Linda Gyori, 1110 W. Elmtree, Rossford, voiced a complaint about several properties in her neighborhood that are below standards and some unoccupied. She would like to know if there is zoning in place to prevent this, especially the two vacant rental properties and a home with a boat and gas tank in the backyard and a truck in the front. She wonders what the city can do to help. Mayor Verbosky said the city is aware of and that Zoning Inspector Drouard has been down Elmtree several times. He asked her to check with Mr. Ciecka to see if these are new concerns and that the city will work to resolve.

Kathy Trenchik, 1109 W. Elmtree, Rossford, said she started calling the city in January about the vacant homes and said the properties have stuff lying around the yards including three boats and fencing materials. Mickey Wheaton, 45 Santus Drive, Rossford, voiced her complaint about the gas leak problem saying that at one time they were told they could go home and then told no. She asked if in the event of an evacuation going on is it standard practice for the fire chief to leave the scene, as it would seem to her that the chief would stay. She also feels it is negligent for the city to not have an evacuation plan in place soon. Mayor Verbosky said that no one questions the dedication our fire chief has to the city and that even though he left the scene there was command structure there and he was in contact by phone while he was off scene.

Ken Gwozdz, 126 Jennings, Rossford, said he believes that Ordinance #2006-47 is an excessive cost for negotiating with 20-25 individuals when this money could better be used for repairing streets and other work in the city and that the city administrator and the negotiating committee should be able to handle these contract negotiations. He said we are not Lucas County with hundreds of employees and that legal help should be brought in only if the negotiations run into a snag. He also wondered why the property at the corner of Maple St. is allowed to have the tarp covering the fenced in area and was there a zoning change to allow that. Mayor Verbosky said there has been no zoning change, the fence has always been there, he has talked to the property owner about this situation and hopefully it will be taken care of. He also said that the city has always had attorneys that represented the city in contract negotiations.

Karen Mikonowicz, 12 Santus Drive, Rossford, suggested that for the future an evacuation plan including phone numbers for the Red Cross be made available.

Chief Verbosky said in regards to the gas leak problem that when he did get on the scene the Assistant Chief had control of the situation that he did leave but returned and was on the scene until cleared at 12:00 a.m.

Mr. Richards moved and Mr. Oberdorf seconded the motion to go into executive session to discuss the finance director position. All ayes. Motion carried.

Mr. Richards moved and Mr. Hermes seconded the motion to return to regular session. All ayes. Motion carried.

Mr. Richards moved and Mr. Hermes seconded the motion to amend the agenda to add Resolution #2006-19. All ayes. Motion carried.

RESOLUTION #2006-19 – A RESOLUTION TO APPROVE THE MAYOR’S APPOINTMENT OF KAREN M. FREEMAN AS FINANCE DIRECTOR; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Oberdorf 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 second and third readings. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried.

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

Mr. Richards moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council