

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held October 11, 2010

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, Scott, and Duricek all present.

Mr. Oberdorf moved and Mr. Richards seconded the motion to approve Lisa Kolb as temporary clerk of council for this evening. All ayes. Motion carried.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of September 27, 2010. Mr. Duricek moved and Mr. Scott seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of October 11, 2010 was presented to council. Marina and Budget committee reports, ordinances #2010-49, #2010 -50 and Resolution #2010-21 were added to the agenda. Mr. Richards moved and Mr. Duricek seconded the motion to accept the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Mr. Hermes presented the Budget/Ways & Means Committee report from September 27th (see written report).

Mr. Scott presented the Marina Committee report from October 4th (see written report). Mr. Duricek asked if the discussion on resident/non-resident fees went anywhere because he does not think this is possible due to federal funds being used to build marina. Mr. Scott said this is being researched. Mrs. Eckel asked if the changing of the C docks is a huge project and how quickly the cost could be recouped if rented. Mr. Scott said the administrator has been asked to look at projected cost and how many docks would need to be rented to recoup the cost. Mrs. Eckel suggested looking at Penta to build the shower/restroom facility or using prefab buildings even though there look does not fit the character of the marina. . She mentioned that the marina closing date of October 31st conflicts with the Halloween Parade being formed at the marina. Mr.Ciecka said they will look at how many boats are left at the marina that last week and work out to avoid potential conflict.

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky thanked the fire department for all their work on fire prevention week, thanked Life Flight for coming, and the Wood County Health Department for setting up to give flu shots during the open house. He also mentioned that WRQN-FM radio will be doing a live remote from the Bulldog Diner on Friday morning. He said the planning commission will meet on Wednesday at 7:00pm in city hall.

Mr. Ciecka said that our application for a Cops Fast grant was unsuccessful. He said that Police Chief Vespi will be returning from reserve duty next Monday.

CORRESPONDENCE

None

ORDINANCES

#2010 -44 - AN ORDINANCE TO PROVIDE SUPPLEMENTAL APPROPRIATIONS FOR OPERATING EXPENDITURES FOR THE PERIOD BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010 AMENDING ORDINANCE NO 2009-45; AND DECLARING AN EMERGENCY. SECOND READING.

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

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

#2010-48 – AN ORDINANCE AUTHORIZING THE AWARD OF A CONTRACT TO PLATTENBURG & ASSOCIATES, INC. FOR THE ANNUAL AUDIT FOR FISCAL YEARS 2010 THROUGH 2014; 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 this is a new contract for hiring an independent public auditor after taking bids following the procedure established by the State Auditor and reviewing the bids using the state ratings. Plattenburg received the highest score using the state rating system and also received good reviews. Mr. Hermes said normally council is provided the dollar values of the other bids. Mr. Ciecka said this bid was based on a merit criteria as opposed to a lowest price but that he will provide that information as requested. Mr. Marquette asked of the 465 hours how many are actually spent here. Mr. Ciecka said the last audit the auditor was on site 4-5 days a week for five weeks. Mr. Scott asked if we pay the entire amount up front and why a five year contract. Mr. Ciecka said it is paid on an annual basis and the five year contract is per the state auditor. This was given a first reading only.

#2010-49 – AN ORDINANCE AUTHORIZING PAYMENT TO THE CITY OF TOLEDO, DEPARTMENT OF PUBLIC UTILITIES FOR REPAIRS TO WATER LINES AND FIRE HYDRANTS BETWEEN JANUARY 1, 2009 AND JANUARY 20, 2010; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Hermes seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this has been discussed with council that Toledo had not billed us previously for these repairs but have now submitted bills. Mr. Hermes asked for clarification on the dates of this and the related ordinance and whether we need to accelerate payment. Mr. Ciecka said the intent is to pay the past bills. 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. Richards moved and Mr. Duricek seconded the motion to adopt. Mr. Marquette asked if passing this without an emergency will hurt our standing with Toledo and Mr. Ciecka explained the timing of the bills and payment. Vote on the motion all ayes. Motion carried.

#2010-50 - AN ORDINANCE AUTHORIZING THE PURCHASE OF ONE GRASSHOPPER ZERO-TURN MOWER THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE PUBLIC WORKS DEPARTMENT; AND DECLARING AN EMERGENCY.

Mrs. Eckel moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this was requested by the public works department and part of their original budget but we held back looking at how the finances were going. Mr. Hermes asked if this was a bigger priority than a possible truck or snow plow. Mr. Ciecka said a truck would cost in excess of \$100,000 so were not seriously looked at. Mrs. Eckel said this was the only thing that public works asked for other than another snow plow. This was given a first reading only.

RESOLUTIONS

#2010-20 – 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. SECOND READING.

Mr. Duricek moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the dates had been corrected on exhibit A and handed out the corrected exhibit. Mr. Hermes said this is a requirement by the county. Mr. Hermes 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. Mr. Hermes moved and Mr. Scott seconded the motion to adopt. All ayes. Motion carried.

#2020-21 – AUTHORIZING THE CITY OF PERRYSBURG TO WITHDRAW FROM THE TOLEDO AREA REGIONAL TRANSIT AUTHORITY (TARTA).

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Richards suggested this be given a first reading only as we would like to know what their Plan B is because we do not have a plan B and we would also like to consult with our own representative before

taking final action. Mr. Oberdorf explained that Mr. Richards, Mr. Scott, and he have been members of an ad-hoc committee looking at TARTA issues and he would be reluctant to pass this quickly until we had an opportunity to look at the work we have already done. Mayor Verbosky said there have been talks with Perrysburg previously and since they and we are the only two Wood County members of TARTA we would like to be in step with what Perrysburg is looking to do. This was given a first reading only.

COUNCIL REMARKS

Mr. Marquette mentioned that political signs need to conform to the ordinance. Mr. Ciecka said there have been some complaints about signs in the right-of-way and vandalism of signs from both sides of the school issue. He said the police department begin removing signs today that were in the right-of-way and that there is some confusion as to where the right-of-way is but that the law will be applied uniformly.

Mrs. Eckel said a good rule of thumb is not to place between the sidewalk and the curb and to contact the property owner. She thanked the fire department for a great open house as part of Fire Prevention Week and the public works department for a great job on fall clean-up. She also asked to be notified when the recreation committee meets.

Mr. Oberdorf suggested that instructions be given to both sides of the issue as to the proper place to put signs and the ramifications of damaging signs. He thanked the fire department for the open house. He told Mr. Ciecka he had visited an internet café location and wondered about a possible Rossford location. Mr. Ciecka said he and the zoning inspector along with the law director had visited one and that they expect a request will be going to the planning commission.

Mr. Richards asked if our waste pickup will be a day late this week because of Columbus Day and was told no. He suggested this information be sent out as part of the one call service.

Mr. Hermes asked about the status of the downtown street lights. Mr. Ciecka said we are still awaiting word from ODOT regarding additional funding. Mr. Hermes asked what was missed and was told that the plans we developed went to ODOT and after the bid was awarded the contractor came back and pointed out omissions such as number of wires and power boxes for holiday fixtures. This added approximately \$48,000 more in cost and that ODOT's policy is that this is not covered in the error funding and is a local share. Mr. Ciecka said he has expressed his concerns at a recent ODOT meeting and the contract is still being reviewed.

Mr. Duricek expressed his thanks to the fire department for a great open house. He also asked if the internet café applicants were the same people Perrysburg rejected and it is not believed to be so.

AUDIENCE REMARKS

Larry Bridenbaugh, 822 Lime City Rd., Rossford asked why Perrysburg wants out of TARTA. Mayor Verbosky said they believe the amount of levy money they are paying is disproportionate to the ridership.

Louis Bauer, 271 Margaret Pl., Rossford said over the last year he has asked about the status of negotiations with Toledo over water but now he was asking why, when Mayor Bell returned our water rate to the previous rate why Rossford did not reciprocate and begin again to pay the JEDZ portion. Mayor Verbosky said that the city's position was that when the rates were raised to the base plus 125% that the JEDZ contract was broken at that point. He said that during negotiations with the Finkbeiner administration it was pointed out that there were large inequities in what the Finkbeiner administration was asking of the city compared to other municipalities but that this fell on deaf ears. He said the Finkbeiner administration put out much information saying our JEDZ compared favorably with other JEDZ's but the city of Rossford had information that this was not the case. Until a new JEDZ agreement is negotiated the city will encumber and hold potential JEDZ money. Mayor Verbosky said there have been no official talks with the Bell administration just informal talks and that a full report on this issue was given to council at the last regular meeting. Mr. Bauer asked if it is the position of the mayor and council that the city no longer had a JEDZ contract with Toledo at the beginning of the year despite Toledo reducing our water rates and did the city not reciprocate and not bother to tell Toledo not paying the JEDZ portion any longer. Mayor Verbosky said that will be part of the discussion when negotiations begin and he thinks they would have known they were not receiving JEDZ money. Mr. Bauer said Rossford just did not pay and Toledo did not find out until May. Mayor Verbosky said he does not know specific dates but that there is no current JEDZ agreement. Mr. Bauer asked if funds have been encumbered for 2009 and 2010 and Mayor Verbosky said yes though why would we pay for 2009 when we were paying an exorbitant water rate. Mr. Bauer said he is familiar

with the JEDZ and water contracts because he was part of the primary negotiations in 1992 and 1993. He said the city runs a risk by not paying Toledo on the JEDZ and asked if not paying was reviewed by the law director. Mr. Heban said yes, and also reviewed by the Attorney General's office. Mr. Bauer said the risk is that Toledo could refrain from allowing any new water taps since the district does not exist and proceeded to give his interpretation of how the JEDZ/Water contracts work and are related. Mayor Verbosky informed him that his five minutes were up and thanked him for his comments. Mr. Bauer said if council does not think this issue is important enough to grant him additional time that's up to them but he faulted the city for the way water negotiations have been handled and said that the Finkbeiner administration wanted to meet in October 1st of 2009 but were not contacted. Mayor Verbosky responded that the question regarding the inequity of what Toledo wanted was asked two years ago and has never been responded too. In August of 2008 Mayor Finkbeiner called and threatened to shut off our water if the city did not accept Toledo's demand. The city responded by calling Mayor Finkbeiner and requesting a meeting from which no response was received until December. A meeting was held in January of 2009 at which Mayor Finkbeiner left the meeting before it was over. Mayor Verbosky gave a full report to council in February 2009 and sent a 3 page letter to Toledo from which the response was a three sentence note telling us that our rates were being raised to the base rate plus 125%. He has the utmost appreciation and respect for the Bell administration and the city is still working with them but we will not pay on an expired JEDZ. Mr. Bauer again tried to comment and was informed he was out of order to which he responded he knows that. Mayor Verbosky said in the future Mr. Bauer will not be recognized if he cannot adhere to council rules. Mr. Bauer instructed Mayor Verbosky to get honest to which the mayor responded he has been.

Bob Densic, 107 Birch Dr., Rossford said on behalf of the coalition against the school levy that they do not place any signs unless asked first by the business or resident. He is here tonight on behalf of Back to Basics which earlier this evening, along with the RBA, made a presentation to Kathleen Hermes, daughter of Councilman Hermes, of a \$100 savings bond for being the award winner for her age group in answering an essay question on the Constitution. He noted that September 17th passed with little recognition of it being Constitution Day and finished with a quote from Thomas Jefferson.

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council