

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held October 12, 2009

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, Richards, and Duricek all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of September 28 2009. 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 12, 2009 was presented to council. Budget and Recreation committee reports were added and Resolution #2009-23. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Mr. Hermes presented the budget committee report of September 28, 2009 (see written minutes). Mayor Verbosky said that payroll costs are a large amount of the budget but that all departments are historically low levels of staffing. He said that Pilkington and the auto industry has been hit hard, that Crossroads projects are at a standstill i.e. potential \$35M apartment project, and that with the anticipated low revenue for 2010 that next year is not looking pretty.

Mr. Oberdorf presented the recreation committee report of September 17, 2009 (see written minutes).

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky said the planning committee will meet this Wednesday at 7:00pm at city hall. He said he had received a thank you card from Kate Kurth for the presentation at the last meeting. The mayor said the city is keeping up on conversation regarding the proposed casino and he is keeping his comments positive and trying to make sure that Rossford is treated fairly in the process and that we have a good neighbor in Penn National if this is voted in. Talks will continue and he will continue to make council aware and he will have a permanent statement shortly.

Mr. Ciecka introduced police sergeants Marek and Kitzler to demonstrate the newly acquired Taser. Sgt. Marek said that as a result of a donation of several old Tasers the department was able to purchase 6 new ones and now have a policy in place for proper training and their use. Sgt. Marek discussed and reviewed the capabilities of the X26 Taser and gave an overview and history of the weapon. He said it is an electronic control device and gave an example of its use and effectiveness. Mr. Richards asked about the potential effect of its use on people with heart conditions and Sgt. Marek said that studies show no significant risk. Mr. Hermes asked what the dart will go through and was told up to two inches of clothing. Mr. Hermes also asked about the protocol of shooting below the neck and was told that is the protocol and the aim is as the center mass. Mr. Michaels asked why the police will call the rescue squad after using and was told for safety and liability issues. Mr. Michaels also asked about the dart penetration if the suspect only has a t-shirt on and was told if needed the suspect would be taken to the hospital to have the barbed darts removed. Sgt. Marek explained the training procedures for use of the Taser, how officers have been tased themselves, and then demonstrated its use by applying a five second burst to Sgt. Kitzler. Sgt. Marek thanked Mr. Heban, Mr. Ciecka, Chief Vespi, Greg Linkous, and Melissa for their efforts in updating the policy and allowing them to add this deterrent to their department.

Mr. Ciecka said he had submitted two grant applications to the Ohio Public Works Commission for the Hillside/Hillview project and sanitary sewer project on the tree streets neither of which were funded, that the fire and police departments and himself had attended a meeting regarding the flu and the departments are preparing for any potential epidemic, that a meeting was held with the residents of Creekbend at which the sidewalk proposal was shared with them and the process was ongoing, that a Stop-n-Shop will located in the old 7-11, and that council needs to establish the Halloween hours after the motion was tabled at the last meeting.

***Mr. Richards moved and Mrs. Eckel seconded the motion to remove from the table. All ayes. Motion carried.

***Mr. Richards moved and Mrs. Eckel seconded the motion to have Halloween Trick-or-Treat hours from 6:00-8:00pm on October 31st. All ayes. Motion carried.

Mrs. Eckel asked if the Stop-n-Shop will offer gasoline and whether the number of donation boxes will be reduced. Mr. Ciecka said he believed it will not offer gas and said the donation boxes may disappear. Mr. Hermes asked if the sale is contingent on the pending liquor permit application and was told by Mr. Ciecka that he has no sense that the sale is contingent on that, they are buying several vacant 7-11's as part of a package deal. Mr. Ciecka said that the old Sunoco will be reopening shortly.

CORRESPONDENCE

Council was notified that two renewals and one new application for liquor permits were received. The police chief was being asked if there was any reason to request a hearing. Mr. Hermes hoped that some other business could have gone into the vacant 7-11 other than another convenience store.

ORDINANCES

#2009-37 - AN ORDINANCE AUTHORIZING THE REPEAL OF CHAPTER 1335, IN TOTAL, OF THE ROSSFORD MUNICIPAL CODE AND ENACTING A NEW CHAPTER 1335, FLOOD DAMAGE REDUCTION, OF THE ROSSFORD MUNICIPAL CODE.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mrs. Eckel said she had just been given some information to review on this and asked this be delayed until the next meeting. This was given a second reading only.

#2009-40 – AN ORDINANCE APPROVING A MASTER AGREEMENT TO PROVIDE SERVICES TO AN AGGREGATED GROUP BETWEEN FIRST ENERGY SOLUTIONS, CORP. AND THE CITY OF ROSSFORD AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is an opportunity to reduce electric rates by 6% from the current standard residential rate and 4% from the current standard commercial rate and also receive a one time \$100,000 grant for the city if this is approved. He said this is an attempt by First Energy to buy back business. Even if approved by council this would need to be approved by the voters in November. Mr. Michaels asked if there is a catch and what is the benefit to First Energy. Mr. Ciecka responded that we would be signed up until May of 2018 and he does not know what the benefit would be to First Energy. Mayor Verbosky said Sylvania had passed the same agreement last week and that individuals can opt out. This was given a first reading only.

#2009-41 – AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO DISPOSE OF CERTAIN SURPLUS PROPERTY NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is surplus property from the fire department and said if approved he will have an ordinance on the agenda at the next meeting to transfer two pieces of fire equipment to Owens CC in return for \$3,000 cash and a training voucher valued at \$10,000. Mr. Richards asked if the sale proceeds go the general fund and was told yes. Mr. Marquette 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. Marquette moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Marquette moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2009-23 – A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR IN PARTNERSHIP WITH THE ROSSFORD EXEMPTED VILLAGE SCHOOL DISTRICT TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR FUNDING TO DEVELOP A SCHOOL TRAVEL PLAN UNDER THE SAFE ROUTES TO SCHOOL PROGRAM AND TO DECLARE AN EMERGENCY.

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the deadline for this is November 2nd and that it came about as a result of conversation with the Rossford Schools director of transportation. The first step is to get a plan developed and this application would be to ODOT for funds to develop a travel plan. If approved by ODOT we would then be eligible to apply for federal funds. Mr. Richards feels that we have no higher obligation than programs to keep children safe. Mr. Michaels asked what the possible financial obligation was to the city and was told by Mr. Ciecka that the main task would be to put together a travel plan. This would involve a committee consisting of city and school representatives and cost would be in staff time. He said other communities have hired consultants to work on this program. 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

Mr. Hermes said that since no one had submitted a petition to be elected as city treasurer he wondered if by charter the city was obligated to fill the position. Mayor Verbosky said yes but Mr. Heban said he will look at that issue and respond by memo. Mr. Oberdorf then asked if it was possible to roll in the treasurer position with the clerk of council position. Mayor Verbosky suggested an alternative would be to roll the treasurer position in with the finance director position with oversight by the finance committee. Mr. Richards said he was one who had opposed eliminating the position but after several years on the finance committee he thinks the issue should be referred to the judiciary committee for a possible charter amendment to eliminate the treasurer position. Mr. Hermes also asked to be excused from the next meeting, as he will be out of the country on business.

Mr. Michaels said that Toledo Edison had responded to his queries about the light poles in the Crossroads by saying they met their specifications and they will not repair. He thinks the city should file a complaint with the PUCO unless council does not agree the poles need repair.

Mr. Duricek said the fire department event on Monday evening was nice but seemed a little light on attendance. He wondered if the city can take any recourse on what he says is a problem with the marina dredging. Mr. Ciecka said the marina was never intended to be dredged and Mr. Michaels explained the process to assure that the contractor did what he was supposed to do.

Mr. Richards said the fire department will be holding a pancake breakfast on Sunday morning and also dedicating the new fire unit to the Vedra family who provided over 125 years of public service to Rossford.

Mrs. Eckel said the fire department open house on Monday was a good time and asked council to give her any questions they have for the NWWSD.

Mr. Marquette suggested amending the policy on what notices can be placed on the public sign in front of city hall to include the names of returning serviceman.

*****Mr. Marquette moved and Mr. Hermes seconded the motion to allow the names of returning serviceman to be displayed on the public sign. All ayes. Motion carried.

AUDIENCE REMARKS

Mr. James _____ 1058 N. Ironwood said he is taking medicine for cancer and says it is a result of what is being dumped in the pond behind his house in the Ironwood subdivision. He said somebody needs to stop this business now. They are not dumping clean fill but all kinds of stuff. EPA was notified but told him they are understaffed and cannot investigate. Mayor Verbosky said the city will check into it.

Jim Staczek, 417 Forest Dr. said he had observed the marina during the low water period last week and had taken several photos of the areas dredged. He wondered what the written scope of work and specification were for the project as he thinks there is a serious problem and he cannot believe they did \$135,000 of work. He does not think Rossford got what they paid for. Mr. Michaels said the city had a contract for Bowser Morner to do field observation and also hired an independent firm to do soundings after questions arose concerning the quantity of work. He said he is sure the administration would be willing to share any information with Mr. Staczek. He will hold a marina committee meeting in a week or so to again discuss this dredging issue and also next year's marina season.

Louis Bauer Jr., 271 Margaret Place, Perrysburg said he has a question as to the ownership of the forced main adjacent to the proposed casino site and between the city limits and the Oakdale interceptor. He believes the city built it, maintained it and owns that line and should control the tapping of that line if the occasion arises. Mayor Verbosky said he knows Mr. Bauer has done extensive research on this issue and encouraged Mr. Bauer to share any of his information with Mr. Heban. Mr. Ciecka said the city is still researching this issue. Mayor Verbosky also said no official talks have taken place with Mayor Finkbeiner of Toledo and it would be encouraging to see conversation with Toledo on the casino site issue but it will probably not take place until the new mayor is elected.

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

