

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held October 13, 2008

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

A moment of silence was observed in memory of Robert Oberdorf, brother of Councilman Oberdorf.

ROLL CALL: Richards, Oberdorf, Eckel, Marquette, Hermes, and Kovach all present. Mr. Oberdorf moved and Mr. Richards seconded the motion to excuse Mr. Michaels who is on vacation. All ayes. Motion carried.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of September 22, 2008. 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 13, 2008 was presented to council. Budget and Safety committee minutes and an executive session to discuss pending litigation and water contract negotiations were added. Mr. Oberdorf moved and Mr. Richards seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Mr. Hermes presented the budget committee report of September 22, 2008. (See attached minutes)

Mr. Richards presented the safety committee report of October 6, 2008. (See attached minutes)

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky said the planning committee met on October 8 and reviewed a proposal for a KFC/Long John Silvers to be built on US 20 in front of Meijers. He said he had received information from the Ohio Secretary of State regarding issues on the ballot this November and said it is available for review by contacting Mr. Ciecka. The mayor asked Mr. Heban to check if Perrysburg has a back-up plan for public transportation in view of their resolution to attempt to end their affiliation with TARTA.

Mr. Ciecka reminded council of the invitation from TMACOG to attend the next TARTA Summit meeting on November 6th and asked council to let him know if going. He said the marina closed yesterday and that docks were being removed today in preparation for the dredging project to begin and that work on road resurfacing projects has begun.

CORRESPONDENCE

Copies of a resolution passed by the city of Northwood regarding funding for the Wood County Health Department as it relates to the inspection of landfills and other waste sites was given to council.

ORDINANCES

#2008-45 – AN ORDINANCE MAKING CERTAIN ADDITIONS TO THE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR BEGINNING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2008, AMENDING ORDINANCE 2007-46; AND DECLARING AN EMERGENCY. THIRD READING.

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Kovach asked why we think we need to do this, in his opinion this is redundant and duplicates what the dispatcher does and is not any faster. Mr. Richards said that at the safety committee meeting a police officer and representative from NORRIS were present and demonstrated the system. It will be faster since we will not be sharing the dispatcher and is better in that it provides a photo ID which the dispatcher cannot provide. This directly affects officer safety. Mr. Kovach asked if we know if any other local agencies are using and was told by Mr. Hermes and Mr. Richards that the NORRIS representative said there are 6-8 agencies using this system. Mr. Kovach sees potential problems with this down the road i.e. security, unauthorized use in station. Mr. Richards said the system will show who logged in, time, etc. Mr. Kovach asked who will monitor the use and was told by Mr. Richards that it will follow the chain of command. Mr. Kovach said with all due respect to the safety committee he cannot support this ordinance. Mr. Oberdorf asked if the money to purchase this is from drug related activity and can it only be used for police and was told yes by Mr. Ciecka. Mr. Oberdorf said he is in favor of passing this since the money does not come from the general fund and that previous problems will lead to this having greater scrutiny. He is impressed with the system and it will allow our officers to be more proficient, productive, and safer. Mr. Hermes moved and Mr. Marquette seconded the motion to declare an emergency. Hermes, Richards, Oberdorf, Eckel, and Marquette aye. Kovach no. Motion carried 5-1. Mr. Richard moved and Mr. Hermes seconded the motion to adopt. Richards, Hermes, Marquette, Eckel, and Oberdorf aye. Kovach no. Motion carried 5-1. Mr. Richards told Mr. Kovach said that just because this went against Mr. Kovach he does not want him to think that his expertise is not listened to and appreciated.

#2008-48 – AN ORDINANCE PROVIDING COMPENSATION FOR CERTAIN EMPLOYEES (NON-BARGAINING) OF THE CITY OF ROSSFORD, REPEALING ANY PORTIONS OF ORDINANCES IN CONFLICT THEREWITH; AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky asked council to pass this ordinance as is then look at any changes to specific positions. Mr. Richards said he does not think that uniform across the board increases are appropriate. Mr. Richards moved and Mr. Oberdorf seconded the motion to suspend with the third reading. 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.

#2008-50 – AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE ROSSFORD MUNICIPAL CODE AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky asked Mr. Heban if this was the usual update and was told yes, that it conforms our code to the Ohio Revised Code and codifies all previous ordinances passed by council. He did note that he has not looked at the portion of the code related to fire prevention. Mayor Verbosky asked Mr. Ciecka to have the fire chief review that portion. This was given a first reading only.

#2008-51 – AN ORDINANCE AMENDING ROSSFORD MUNICIPAL CODE SECTION 151.08 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 ordinance was reviewed and worked on with the Recreation committee and director and that it changes the recreation membership provisions. Recreation director Kovasevic said this is being done to try to generate more funds to cover repairs, new equipment, other improvements, and that the last increase was in 2002. Mr. Hermes had several issues related to the change to lifetime passes, the impact on the upcoming levy, how many use the recreation center per week, and our rates as compared to the YMCA. He would like to see a couple days where a head count is taken and does not see how we compare to the YMCA. Mr. Kovasevic said we do lose people to the Y and that's why we need to be more proactive, improve the facility, but still keep our rates less than the Y. Mayor Verbosky asked Mr. Kovasevic to get an informal count to council by October 23rd. Mr. Richards wondered if it was logical for council to be dealing with this legislation and should we not be depending on the expertise of the recreation director and the recreation committee. Mrs. Eckel said she is interested in knowing the cost of increasing the hours. This was given a first reading only.

#2008-52 – AN ORDINANCE APPROVING CONTRACT AMENDMENT NO. 1 WITH SHELLY COMPANY, INC.; 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 an adjustment to the quantity and recommended approval. Mr. Hermes moved and Mrs. Eckel 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 Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Hermes moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2008-53 – AN ORDINANCE APPROVING CONTRACT AMENDMENT NO. 1 WITH HULL & ASSOCIATES INC.; 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 the contract needs to be amended to include a baseline study on leachate monitoring at the landfill with an estimated cost of \$5500. This is required by the City of Toledo via the EPA in order to obtain a permit. Presently we dispose of approximately 75,000 gallons of leachate. Mr. Marquette asked where the leachate has been going up to this point and was told by Mr. Ciecka it has been going into the sanitary sewer system without a permit. Mr. Hermes inquired how we can provide information going back to 2002 as required and was told we file annual reports with the Ohio EPA. Mr. Hermes also wondered about the back charges liability and asked Mr. Heban to check on any applicable statute of limitations. 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.

#2008-54 – AN ORDINANCE AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF ONE USED FORD NEW HOLLAND 555E LOADER BACKHOE FOR THE PUBLIC WORKS DEPARTMENT; 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 the backhoe needs to be replaced and Mr. Jones was able to find a used one that appears to be in very good shape. Mayor Verbosky said he trusts Mr. Jones judgment. Mr. Marquette asked what year this was and if warranted and Mr. Ciecka said it is a 1995 but only has 2100 hours of service and comes with a 100 hour warranty. Mr. Hermes asked what the value of our trade-in was

and was told \$12,000. Mr. Oberdorf 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. Oberdorf moved and Mr. Richards seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Oberdorf moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

#2008-55 – AN ORDINANCE ESTABLISHING FUND 245 VISITORS AND CONVENTION BUREAU FUND FOR HOTEL AND MOTEL REVENUES AND EXPENSES ASSOCIATED VISITORS AND CONVENTION BUREAU ACTIVITIES AND COMMUNITY PROMOTION.

Mr. Richards moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka outlined for council the history of the hotel/motel tax since 1974 and said the city needs to establish a separate fund for ½ of the second allowable 3% as required. Mayor Verbosky said the funds need to be segregated. Mr. Hermes moved and Mrs. Eckel 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 Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2008-56 – AN ORDINANCE MAKING CERTAIN ADDITIONS TO THE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE YEAR BEGINNING JANUARY 1, 2008 AND ENDING DECEMBER 31, 2008, AMENDING ORDINANCE 2007-46; 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 he is asking to increase the appropriation for three funds in order to pay for the leachate reporting, marina dredging, and purchase of new exercise equipment for the recreation center. Mr. Hermes asked if the appropriation for exercise equipment could be less based on Mr. Kovasevic attempt to purchase used equipment from Holiday Park and was told by Mr. Kovasevic yes. Mr. Hermes is concerned that the recreation appropriation is additional to the balanced budget passed for this year. He feels this is a huge increase and that the only reason there is money in the permanent recreation fund is that the building debt is paid by the general fund. Mr. Ciecka said that the building debt historically has always been paid through the general fund and Mayor Verbosky explained the ¾% increase in payroll income tax was intended to pay for the debt but due to decreases in employment never did. Mr. Hermes said he is not comfortable with an additional \$50,000 when we do not know how many people use the recreation center. He is okay with the first two appropriations but feels the third is premature until more information is provided. He said that we are also looking at a large cost for the roof repair and heating system replacement. Mr. Richards respects Mr. Hermes comments but questioned if Mr. Kovasevic would be able to pursue the purchase of the used equipment if this third appropriation was removed from the ordinance. Mr. Marquette said it is time to step out of the dark ages and spend some money on recreation especially since the money is in the permanent recreation fund. He said his family does use the facility, it does need equipment and extended hours, and that we need to support our new recreation director. Mrs. Eckel said the recreation committee has talked about these improvements for months and that Mr. Kovasevic is right-cardio equipment is important to people, as are longer hours. No new members are going to join unless we get new equipment. Mr. Oberdorf concurred with Mrs. Eckel and said we need to keep the appropriation at \$50,000 and let Mr. Kovasevic manage the department and not micromanage him. The proposed cardio room is what people want, the recreation committee agreed, and they back the recreation director. Mr. Kovach said he tends to agree with Mr. Hermes and he would like to see what the membership and usage is and what is anticipated before spending such a large sum. He does not think it is prudent to spend this amount, especially in view of Holiday Park closing. Mr. Hermes said spending this money on recreation means something else will have to be sacrificed from the budget. Mr. Marquette said he appreciates what council is saying but the permanent capital improvement fund is designated for the recreation department and should be used. Mr. Eckel commented that the only thing we have done for the recreation department was paving the tennis courts. She said we need to do more than just building improvements and wages; we need to spend money on equipment for the facility or it will end up just being a gym.

***Mr. Hermes moved and Mr. Kovach seconded the motion to amend the ordinance by reducing the recreation appropriation from \$50,000 to \$5,000. Vote on the motion was Hermes and Kovach aye, Richards, Oberdorf, Eckel, and Marquette no. Motion fails 2-4.

This was given a first reading only.

RESOLUTIONS

#2008-21 – A RESOLUTION TO APPROVE THE MAYOR’S REAPPOINTMENT OF DAN SOVIAR TO THE BOARD OF ZONING APPEALS; AND DECLARING AN EMERGENCY.

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said Mr. Soviar has been an excellent addition to the board and he highly recommends him. Mr. Richards moved and Mrs. Eckel 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. Richards moved and Mr. Hermes seconded the motion to adopt. All ayes. Motion carried.

COUNCIL REMARKS

Mr. Hermes said the Budget, Ways, & Means committee will meet at 5:30 on October 27 to talk about the 2009 budget.

Mr. Marquette said the Recreation committee will meet on Thursday, October 16 and asked Mr. Ciecka to check on a bent telephone pole on Lime City Rd.

Mrs. Eckel said the recent Fire Dept. Open House was a great event. She asked Mr. Ciecka if we will be able to obtain any more road salt and whether the Halloween parade had been authorized. She was told he is looking for other alternatives for road salt and that council had previously authorized the parade for October 26th.

Mr. Oberdorf thanked the city for the planter sent for his brother's funeral, said the fire dept. open house was awesome, and recognized Patrolman Baker for being complimented by the U.S. Secret Service for his assistance in a \$100,000 fraud investigation.

Mr. Richards asked if there are any outstanding petitions for street improvements. He was told by Mr. Ciecka that there is one for Hillside Dr. waiting on cost estimates.

***Mr. Richards moved and Mrs. Eckel seconded the motion to authorize Trick or Treat night as October 31 from 6-8pm. All ayes. Motion carried.

AUDIENCE REMARKS

Greg Reihing, 210 Jennings Rd., said he had previously offered his services as a potential TARTA board member and related to council that in a conversation with Randy Gardner, Representative Gardner told him that his TARTA bill is essentially dead.

Mr. Richards moved and Mrs. Eckel seconded the motion to go into executive session for the purpose of discussing pending litigation with Perrysburg Township and water contract negotiations. All ayes. Motion carried.

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

Mr. Hermes moved and Mrs. Eckel seconded the motion to amend the agenda to add another executive session to discuss personnel related to marina guards. All ayes. Motion carried.

Mr. Hermes moved and Mrs. Eckel seconded the motion to go into executive session for the purpose of discussing marina guard personnel. All ayes. Motion carried.

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

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