

**RECORD OF PROCEEDINGS**  
Minutes of Rossford City Council Meeting  
Held October 22, 2012

The meeting was called to order by Mayor Neil Mackinnon III, and was opened with the Pledge of Allegiance.

A moment of silence was observed in memory of Rick Drouard, City Zoning Inspector, who passed away unexpectedly last week.

**ROLL CALL:** Staczek, Oberdorf, Eckel, Marquette, Ruse, Scott, and Duricek all present.

**APPROVAL OF MINUTES:** Approval of regular council meeting minutes of October 8, 2012. Mr. Oberdorf moved and Mr. Duricek seconded the motion to approve the minutes. All ayes. Motion carried

**APPROVAL OF AGENDA:** Agenda for regular council meeting of October 22, 2012 was presented to council. Mr. Duricek moved and Mr. Oberdorf seconded the motion to approve the agenda. All ayes. Motion carried.

**COMMITTEE REPORTS**

None

**REPORT OF MAYOR AND/OR ADMINISTRATOR**

Mayor Mackinnon said it was with a heavy heart he had learned of the death of friend, city employee, and lifelong Rossford resident Rick Drouard who passed away over the weekend. The mayor notified every one of the visitation and service times. He said the greatest Halloween parade in the world will be held next Sunday and also said this week is the start of Red Ribbon week and recognized Cindy Curtis of Rossford who is very involved in this Red Ribbon week and spreading the word of alcohol and drug abuse.

Mr. Ciecka reminded citizens of the charter amendment on the ballot and said it involves bonding of officers and employees of the city. It will provide flexibility as to who needs to be bonded and eliminate a conflict with our insurance and be a cost-saving measure also.

**CORRESPONDENCE**

None

**ORDINANCES**

**#2012-58 - AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE ZONING MAP OF THE CITY OF ROSSFORD. THIRD READING.**

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Heban said that he and the realtor Nancy Baum had talked with the lender last week and that the underwriters will not approve based on current zoning. He said that it will take a super majority of five votes to overturn the planning commission. Ken Szczesniak, 157 Windsor Dr., said that from 1984 to 2008 he resided near the property in question and that it was well-kept and never any problem. Keith Degnan, the realtor for the seller Mr. Fruchey said this is month number three of trying to get this done and that it is not really a change since it has always been a duplex. He said he has checked with three different lenders and that none of them will finance as currently zoned and it is not correct this involves a better interest rate. Mr. Scott said that his fear is that if we do not rezone this will create an inability to sell and cause a decline in the property value of not just this property but the extended neighborhood. Mr. Staczek said he does not like the fact that banks and lenders are determining how we must zone. He does not like the zoning change and said it is just a way to get a lower interest rate. He realized that the property has always been a duplex but was built with the zoning circumstances known and that he would be against this ordinance. Mrs. Eckel said that having purchased a home since the market decline she realizes what a nightmare it can be. She said she agrees with Mr. Scott in that if we do not rezone we could have a building that is not resalable and a bigger problem. She said all the neighbors signed the petition to allow and that we would be doing a disservice by not allowing this sale to happen. Mr. Marquette said this was recommended by the Planning commission, that a majority of the zoning committee was in favor, that there is nothing illegal in spot-zoning, that this is not an eye-sore, and that he would support the change. Mr. Oberdorf said that while he agrees with Mr. Scott and Mrs. Eckel on what happens if we don't allow this that is an assumption and doing so would set a bad precedent even if we are sympathetic to the circumstances. He said it would be a mistake to approve this. Mr. Duricek said we do not know if the property will remain as well-conditioned as it is now and we open ourselves up to possibly ten years from now having to defend ourselves from neighbors who are upset that this change was ever made. His main problem is with

spot-zoning. Mr. Ruse said that all sides of the issue have been voiced and you can see both sides but that his concern is the spot-zoning issue. Mayor Mackinnon said that this has been a great debate and that he likes the fact the city can make this change if need to. He said that urban legend has it that our public works department dug the foundation for this duplex. He said there has never been a complaint about this property, that it has always been a duplex, that the neighbors are fine with it, and that we need to make a decision if we are going to zone a duplex as a duplex. He feels we should get this done and let the buyer and seller complete this deal. Keith Degnan said that if this is rezoned it does not affect the interest rate as Mr. Staczek said it did. Mr. Scott moved and Mr. Marquette seconded the motion to adopt. Vote on the motion was Scott, Marquette, and Eckel aye; Ruse, Oberdorf, Staczek, and Duricek no. Ordinance fails 3-4 but zoning change still takes effect as five votes needed to overturn Planning Commission.

**#2012-60 - AN ORDINANCE AUTHORIZING THE ENACTMENT OF CHAPTER 934, ILLICIT DISCHARGE AND ILLEGAL CONNECTION CONTROL, OF THE ROSSFORD MUNICIPAL CODE AND DECLARING AN EMERGENCY. SECOND READING**

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

**#2012-61 - AN ORDINANCE AUTHORIZING THE REPEAL OF RMC 915.02 AND 918.01 OF THE ROSSFORD MUNICIPAL CODE AND DECLARING AN EMERGENCY. SECOND READING**

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

**#2012-64 - AN ORDINANCE AUTHORIZING THE EXTENSION OF THE AGREEMENT WITH THE ROSSFORD CONVENTION & VISITORS BUREAU; AND DECLARING AN EMERGENCY.**

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Scott said this is a request to extend the original two year agreement with the RCVB and that there are no changes to the original agreement. Mr. Duricek moved and Mr. Staczek 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. Duricek moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Duricek moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

**#2012-65-AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO DISPOSE OF CERTAIN SURPLUS PROPERTY NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY.**

Mr. Oberdorf moved and Mr. Ruse seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is property submitted by the fire department and is a routine matter. Mr. Scott asked if a permit is needed to sell the light bar and arrow stick and Chief Verbosky said that they are not functional. Mrs. Eckel 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. Mrs. Eckel moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

## **RESOLUTIONS**

None

## **COUNCIL REMARKS**

Mr. Oberdorf spoke about attending the workshop for Red Ribbon week and being present when Cindy Curtis was presented the award for twenty years of service to the program. He said this is a needed program in view of the problems of abuse of drugs. Mr. Oberdorf asked if anyone saw a need for a November Committee of the Whole meeting.

*Mr. Duricek moved and Mrs. Eckel seconded the motion to suspend with the November Committee of the whole meeting. All ayes. Motion carried.*

Mr. Marquette asked about the response to the Helen Drive parking problem. Mr. Ciecka said the area was surveyed again and that this is more than a Helen Drive problem and includes Jennings, Windsor, Eleanor, and Eagle Pt. Rd. He suggested that the zoning committee meet again to discuss this further.

Mrs. Eckel expressed her condolences to the Drouard family. She noted the upcoming Halloween parade and reminded the public works department to get the no parking signs up.

Mr. Ruse expressed his condolences also to the Drouard family. He questioned if council would meet on November 12<sup>th</sup> as that is the Veterans Day holiday. Mr. Ciecka said the city offices are closed. Council took no action to change the meeting.

Mr. Ruse said he had attended a TMACOG with Mr. Ciecka on shared services that he felt was very productive. One of the examples he cited was possibly sharing the vacuum truck which is only used a few times a year by us.

Mr. Scott offered his condolences to the Drouard family. Mayor Mackinnon then asked his about the most recent Chautauqua meeting and Mr. Scott said they had held the initial general committee meeting and begin handing out

assignments. He said at the meeting he learned how impressed the Ohio Humanities Council was with the great turnout for the performance at Owens Community College.

Mr. Duricek expressed his condolences to Mr. Drouard's family, said that as of today there were five boats remaining at the marina, that Honor Flight will be leaving tomorrow with a flight for Vietnam Vets and encouraged those who could to go to the airport and greet them when they returned tomorrow night between 8:00 and 9:30pm. Mayor Mackinnon and Chief Verbosky both spoke highly of the program and how emotional it is to witness in person.

Mr. Staczek said the Safety committee will meet this Thursday at 10:00am., wondered if it was possible to have both sides of the street cleared for the Halloween parade not just one, and said the Habitat for Humanity house was worked on today and an excellent job is being done and that the new owners are extremely excited to be coming to Rossford. He also said it is wonderful to be back from Bangladesh and that while it was a good cultural experience it makes you appreciate what we have in this country. Chief Goss said that both sides can be marked no parking for the parade.

**AUDIENCE REMARKS**

Debbie Zuchowski, 202 Hillsdale, said that Kim Morelock's father will be on the Honor Flight of Vietnam Veterans.

Jeff Appelhans, 177 Hannum Ave. noted that three vehicles were broken into on Hannum Ave. and that he had noticed on this way to work that there was a police car parked in front of Mr. Heban's building at 3:00am and wondered why it is there. Mayor Mackinnon and Chief Goss both responded that the RPPA rents a room in that building and possibly the officer was taking his lunch break at that time using that room.

*Mr. Duricek moved and Mr. Staczek seconded the motion to adjourn.*

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*Neil Mackinnon, III*  
*Mayor*

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*Robert P. Watrol*  
*Clerk of Council*