

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held October 26, 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, Richards, and Duricek all present. Mr. Richards moved and Mr. Oberdorf seconded the motion to excuse Mr. Hermes who is out of the country on business. All ayes. Motion carried.

Mr. Richards asked that council and the audience observe a moment of silence in remembrance of Mayor Verbosky's grandmother, Mrs. Connell. Mr. Oberdorf added that our thought and prayers are with the family.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of October 12, 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 26, 2009 was presented to council. Safety committee report, Ordinance #2009-44 and Resolution #2009-24 were added. Mr. Oberdorf moved and Mr. Richards seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

Safety committee report of October 12th was presented by Mr. Richards (see written minutes attached). Mayor Verbosky added that the upcoming fire levy was a renewal of an existing tax and no new taxes were involved. He said it was essential that this pass in view of the budget forecast for next year.

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

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mr. Ciecka said a report from the Wood County Health Dept. regarding the pond on Glenwood Rd. had been placed in council's mailboxes, said the last days for yard waste bag pickup will be Nov. 4th and 18th, notified council that the marina will be closing October 31st and 8 boats are still in, and that leaf pickup began today and that leaves should be at the curb edge not in the street.

Mayor Verbosky thanked the Rossford DECA for a great job in organizing the Halloween parade and then yielded the floor to Andy Douglas and Eric Schippers for a presentation regarding Issue 3 and the possible Penn National casino.

Mr. Douglas said he appreciated the opportunity to appear before council. He is sensitive to Rossford's issues on police and fire protection should the casino issue pass. He explained the reason for the constitutional amendment and said the proposed owners needed that certainty rather than trusting the general assembly to not change the rules. He passed out a handout to council outlining what the impact will be for the counties, cities, schools, and job market. He said he is not here to discuss the moral issues of gaming and said the voters will decide that. He said passage of this issue will prevent up to \$1.5 billion dollars of gambling dollars from going to other states. He then went through the handout (attached) page by page and finished by saying this issue has been endorsed by mayors, police, newspapers, and every labor organization in Ohio.

Eric Schippers, SVP of Penn National, then addressed council. He began by thanking everyone for their attendance tonight on this important issue. Penn National understands that this site is at the gateway to Rossford and wants to be a good corporate citizen and neighbor. They intend to enter into a contract agreement with Rossford to address the police and fire needs. He said that Penn National has a proven track record of working with city's as evidenced by their 19 facilities in 15 different jurisdictions i.e. Bangor, ME., Sioux City, IA., and encouraged contact with them on their relationship with Penn National. He discussed the letter provided to Destination Toledo (attached), said that jobs will be hired locally (95-98%) with an average salary of \$35,000 with full benefits, and said this will be a Hollywood style casino using art deco themes, high tech, and a very exciting dynamic place.

Mayor Verbosky said he had received a letter from Ray Miller regarding the Creekbend sidewalk issue and he will give a copy to council. He also received a report from the Ohio Secretary of State which gives concise information on the state ballot issues. This is available in the office and also on the state's website.

CORRESPONDENCE

Council was notified that the police chief had no objection to the two renewals and one new application for liquor permits and saw no reason for council to request a hearing.

****Mr. Richards moved and Mrs. Eckel seconded the motion that council takes no action on the proposed liquor permits.*

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. THIRD READING.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mrs. Eckel said she had reviewed the information and requirements she had received from the ODNR and would like this to be reviewed by the Public Works committee.

****Mrs. Eckel moved and Mr. Richards seconded the motion to table #2009-37. All ayes. Motion carried.*

#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. SECOND READING.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said if the voters approve the aggregation proposal on Election Day this would be the agreement with First Energy until 2018. It calls for a 6% reduction in residential rates, 4% reduction in commercial rates, and a one time payment to the city. This was given a second reading only.

#2009 42 – AN ORDINANCE APPROVING AN AGREEMENT WITH OWENS COMMUNITY COLLEGE TO SELL TWO SURPLUS FIRE VEHICLES; AND DECLARING AN EMERGENCY.

Mr. Duricek moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this had been discussed at the last council meeting as part of the disposal of surplus property ordinance. He said that the city will receive \$10,000 worth of training from Owens in return for the equipment donation. Mr. Oberdorf noted that the Rossford Record had a good article explaining the agreement. Mr. Oberdorf moved and Mr. Duricek 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. 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.

#2009-43 – AN ORDINANCE ENACTING ROSSFORD MUNICIPAL CODE SECTION 1134.18

Mr. Duricek moved and Mr. Michaels seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this is a wind generator ordinance proposed by the planning commission now that wind turbines are available for residential use. Mayor Verbosky said this is similar to a previous ordinance enacted to regulate satellite dishes. This was given a first reading only.

#2009-44 – AN ORDINANCE AUTHORIZING AMENDING THE CONTRACT FOR THE 2009 ROADWAY IMPROVEMENT PROJECT WITH GEDDES PAVING AND EXCAVATING; 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 that due to additional money being available for road work he is recommending changing the scope of work to add additional paving in the Crossroads. This has been reviewed by the city engineer and public works superintendent. Mrs. Eckel 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. Mrs. Eckel moved and Mr. Michaels seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Michaels seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2009-24 – A RESOLUTION SUPPORTING THE CONSTRUCTION OF A CASINO BY PENN NATIONAL.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. Mr. Michaels asked that he be allowed to abstain due to a conflict of interest.

****Mr. Oberdorf moved and Mr. Marquette seconded the motion to allow Mr. Michaels to abstain. All ayes. Motion carried.*

Vote on the motion to read by title only was all ayes except for Mr. Richards who voted no and Mr. Michaels who abstained on this motion and all further motions on this resolution. Motion carried 4-1.

Mr. Duricek asked Mr. Heban if this resolution would negate any previous agreements made with Toledo regarding this site. Mr. Heban said it has no impact on prior claims. Mrs. Eckel asked what the schedule of construction was and was told by Mr. Schippers that if Issue 3 passes a gaming commission will be formed as appointed by the governor, writing the rules and regulations and doing background checks with an estimate of 6-9 months for approval followed by a 12-14 month period of construction with an anticipated opening in 2012. He referenced the EPA investigation of ground water runoff and said by the time they take possession of the land this will be remediated. Mr. Marquette thanked them for the presentation and questioned why Rossford was not chosen as the site as we already have approved gambling. Mr. Schippers explained that Penn was late to this process and insisted that Northwest Ohio be included. He said that Toledo and urban revitalization process along with unencumbered land was needed to help in the approval process but that recognizing the proximity to Rossford is why they are reaching out to us. Mr. Marquette also wondered about the potential for Indian casinos and was told that there are no tribal lands in Ohio available for gaming but this issue does not enable or disable that. Mr. Marquette questioned why this was a constitutional amendment and that only four sites were chosen thereby shutting out other cities such as Rossford and Youngstown. Mr. Douglas said the constitutional amendment is very clear but that the general assembly could legislate to authorize casinos in other places. Mr. Oberdorf moved and Mr. Richards seconded the motion to suspend with the second and third readings. Audience comments were requested and several received. Larry Bridenbaugh, 822 Lime City Rd. asked if a casino only or what other development may occur causing them to take other property. . Mr. Schippers said the site is sufficient for their use and they have no need for other land. Louis Bauer, 217 Margaret Place, Perrysburg, said that on October 1 he asked how many square feet this building would be and did not receive an answer. Mr. Schippers said they anticipate the building will be in the range of 250,000 to 300,000 square feet. Mr. Bauer said that on October 1 Penn had also said shuttles would run to Toledo hotels but that the letter to Toledo does not say that. Mr. Schippers said the shuttle will run only to the Lucas County Arena. Mr. Bauer said there is absolutely nothing in writing as to any commitment to Rossford and it is not equitable that Rossford gets nothing and Toledo gets it all when it's on our doorstep. Mr. Schippers said they did write a letter to Destination Toledo committing to the shuttle. They are willing to come to the table and reach a fair agreement with Rossford whether the resolution passes or not. Mr. Bauer also asked about the runoff on the property and was told it is the same substance that the EPA was aware of before and it will be addressed before Penn takes possession of the land. Mr. Douglas wanted to make clear there is no quid pro quo for endorsement of this resolution as this is a violation of the law. Robert Ball, pastor of Rossford United Methodist church and living at 5916 Sylvan Ridge Dr. , Toledo asked about the real number of jobs that will be created versus the purported 34,000 jobs and will the social cost be a 8-12% increase in crime will be as related to crime. Mr. Schippers said he respects the pastor's position and that of the Methodist church, that 19,000 of the jobs will be temporary construction jobs and that there will be about 1200 direct casino employees and another 600 indirect employees. He said the social cost is already evidenced by those compulsive gamblers who leave Ohio to gamble and then come back. This proposal will provide money to deal with compulsive gambling. He said that he has studies showing crime actually decreased because of jobs created but rather than debate dueling studies he suggested that contact is made with mayors and clergy of communities where they have casinos to get their opinion. Judy Sikorski, 411 Superior St. said her concern is on the ban on charitable gaming i.e. churches. Mr. Douglas responded that the law director of Toledo indicated that in his opinion the issue does not prohibit the continuation of charitable gambling in Ohio. Jeff Appelhans, 177 Hannum, had a question on the public access to the riverfront as originally planned and a concern for property values across the street and safety of those intersections. Mr. Schippers said he will look into the public access but typically they do bike paths and walkways on riverfront properties. On the safety part they will work cooperatively with Rossford and Toledo on egress and ingress. They have already talked to some of the property owners across the way and believe they may be actually driving property values up. He also said Penn has not taken any tax breaks and will pay all the applicable taxes on any improvements and pay with their own money for any infrastructure improvements. Kathy Carroll, 418 Riverside Dr. asked if the meetings between the city and Penn will be open to the public. Mr. Douglas said if done before city council they will be under the public records law and open to the public. John Fey, 1001 Waddell, Toledo said he is a union carpenter and is looking forward to the temporary construction jobs and that the casino will employ full time employees comparable to the Jeep plant. Mr. Douglas said there are busloads of people leaving Toledo every week to gamble out of state. 18% of Windsor's business comes from Ohio and 15% of Michigan's and a casino in West Virginia said that 72% of their business comes from Ohio. Mayor Verbosky commented that casino issues have failed in the past but that this time at least Northwest Ohio is included. He also

said that although Toledo is the host city we are the host city geographically and informal meetings have been held to address Rossford concerns including our historical past, police, fire, traffic, and downtown issues. If this passes we need to work with Penn to make sure the changes to Rossford that will happen will in the end it is positive for Rossford. Vote on the motion to suspend with the second and third readings was all ayes. Motion carried. Mr. Oberdorf moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

COUNCIL REMARKS

Mr. Richards said the Halloween parade was great and said he had provided two pieces of literature regarding the Creekbend sidewalk situation to council. He has visited the subdivision several times and talked to various residents and thought about this issue for several months.

****Mr. Richards moved and Mr. Michaels seconded the motion to delay this project until reviewed by the public works committee and reported back to council. All ayes. Motion carried.*

Mr. Oberdorf congratulated Mrs. Heather Nissen Smith of DECA for another successful Halloween parade.

Mrs. Eckel also congratulated Heather Smith and DECA for a great job on the Halloween parade, thanked the RBA and Mr. Montague for arranging Meet the Candidate night, welcomed the new produce store to the downtown business district, and said the public works committee will meet on November 9th at 5:30pm

Mr. Marquette thanked the gentlemen from Penn National for coming in and making their presentation. It answered a lot of his questions.

****Mr. Marquette moved and Mr. Richards seconded the motion to suspend with the November committee of the whole meeting. All Ayes. Motion carried.*

Mr. Michaels thanked the organizers of the Halloween parade and said he will be scheduling a marina committee meeting soon after it closes for the season. Mr. Michaels also encouraged anyone with questions concerning our water rates and potential for NWSO to give them to Mrs. Eckel.

Mr. Duricek thanked the Montague's and the RBA for hosting Meet the Candidate night.

AUDIENCE REMARKS

Judy Sikorski, 411 Superior St., said if the casino goes through it will be close to her home, schools, churches, and that Betty Woods and herself will be keeping a close eye on this project.

Jim Mikesell, 1332 Creekbend Ct. encouraged council to come out and see the subdivision and where the sidewalks would go. Mayor Verbosky said he has been in the subdivision.

Andy Douglas representing Penn National thanked council for the opportunity to present their information.

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