

**RECORD OF PROCEEDINGS**  
Minutes of Rossford City Council Meeting  
Held December 8, 2014

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

**ROLL CALL:** Staczek, Oberdorf, Eckel, Marquette, Ruse, Wagner, and Minarcin all present.

**APPROVAL OF MINUTES:** Approval of regular council meeting minutes of November 24, 2014. Mr. Ruse moved and Mr. Minarcin seconded the motion to approve the minutes. All ayes. Motion carried.

**APPROVAL OF AGENDA:** Agenda for regular council meeting of December 8, 2014 was presented to council. Ordinance #2014-78 was added to the agenda. Mr. Ruse moved and Mr. Minarcin seconded the motion to accept the agenda as amended. All ayes except Mr. Staczek who abstained. Motion carried 6-1.

**COMMITTEE REPORTS**

Finance & Insurance committee report from November 24th was presented by Mr. Minarcin (see written report).

**REPORT OF MAYOR AND/OR ADMINISTRATOR**

Mayor Mackinnon opened by saying that the unfortunate incident in town last week where an individual tried to destroy a family and ruin some reputations. He said he feels for Mrs. Eckel for having to go through this but said she and Todd held their heads high and maintained their dignity and the people involved in this will be brought to justice soon. He noted the announcement by The Andersons of their new headquarters site and said the city had been trying to land them for the last year and that we were in the running and in fact were told our financial package was the best and most creative but he thinks at the end of the day they wanted to stay in Maumee which is their roots. He said he wanted to personally thank the Andersons for giving us the opportunity. He said the blacktop is down on Hillside Drive but that it may be spring before the sidewalks can be done. He then presented proclamations to RHS fall athletes Maggie Leahey, 1<sup>st</sup> team NBC volleyball; Chase Baney, 1<sup>st</sup> team NBC football; Evan Austin, 1<sup>st</sup> team NBC soccer, Hector Aguirre, 1<sup>st</sup> team NBC soccer; the entire 2014 NBC boys' golf championship team and 2014 NBC boys' soccer team who won it for the second consecutive year.

**CORRESPONDENCE**

None

**ORDINANCES**

**#2014-54** – AN ORDINANCE AMENDING ROSSFORD MUNICIPAL CODE SECTION 505.08 AND DECLARING AN EMERGENCY. *TABLED FOR 30 DAYS ON OCTOBER 27<sup>TH</sup>.*

Mr. Wagner moved and Mr. Minarcin seconded the motion to read by title only. All ayes. Motion carried. Mr. Minarcin moved and Mr. Ruse seconded the motion to table this indefinitely. All ayes. Motion carried. Mr. Staczek questioned why this was being tabled and Mayor Mackinnon said that we have not done any work on this and we are not ready to vote on this and that he has invited Steve Serchuk from the Toledo Humane Society to attend a council meeting and talk about the feral cat issue. Vote on the motion all ayes. Motion carried. Mayor Mackinnon suggested this be a topic for a committee of the whole meeting and he will advise council if Mr. Serchuk is available on January 5<sup>th</sup>.

**#2014-72** – AN ORDINANCE AMENDING ORDINANCE 2013-63 ESTIMATE OF REVENUES AND EXPENDITURE APPROPRIATIONS FOR THE YEAR BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014; AND DECLARING AN EMERGENCY. **THIRD READING**

Mr. Wagner moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said that the anticipated revenue figures increased and that is why council was given new exhibits but other than that there are no real changes. Mr. Wagner moved and Mr. Minarcin seconded the motion to adopt. All ayes. Motion carried.

**#2014-73 - AN ORDINANCE TO AN ESTIMATE OF REVENUES AND APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF ROSSFORD, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 AND DECLARING AN EMERGENCY. THIRD READING**

Mr. Wagner moved and Mr. Ruse seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said this does not include any expense for an additional full time public works employee, full time police officer, and ladder truck replacement. She also said that the roadway budget is a combination of unused money from 2014 and budgeted money for 2015. Mr. Wagner moved and Mr. Staczek seconded the motion to adopt. All ayes. Motion carried.

**#2014-76 - AN ORDINANCE AWARDED A CONTRACT FOR SOLID WASTE AND RECYCLING COLLECTION; AND DECLARING AN EMERGENCY. SECOND READING.**

Mr. Staczek moved and Mr. Wagner seconded the motion to read by title only. All ayes. Motion carried. Mayor Mackinnon said we are trying to get this dialed in further and we would probably like to reject these bids and go out for new bids. Mr. Ruse said that is accurate and that we have an amendment to this ordinance to reject the bids. Mrs. Eckel wanted to know what happened regarding this item at the finance meeting today. Mr. Minarcin said this action is what was recommended and hopefully new bids will come in at a lower cost. Mr. Heban said council needs to amend the ordinance to reject the bids which is the amended ordinance passed out by Mr. Ciecka. Mr. Ruse moved and Mr. Wagner seconded the motion to amend the ordinance and reject the bids for solid waste collection. Vote on the motion all ayes.

**#2014-77- AN ORDINANCE AUTHORIZING AMENDING THE CONTRACT WITH ED KELLY & SONS, INC. ON THE HILLSIDE DRIVE REHABILITATION PROJECT; AND DECLARING AN EMERGENCY.**

Mr. Minarcin moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said that cold weather concrete was needed and thus the cost increased. Mr. Marquette moved and Mr. Ruse 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. Minarcin seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Minarcin seconded the motion to adopt. All ayes. Motion carried.

**#2014-78 – AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE ZONING MAP OF THE CITY OF ROSSFORD AND ADOPTING A NEW ZONING MAP OF THE CITY OF ROSSFORD.**

Mrs. Eckel moved and Mr. Minarcin seconded the motion to read by title only. All ayes except Mr. Staczek who abstained. Mayor Mackinnon said this is in regards to a duplex on Vineyard Dr. and has been reviewed by the Planning commission. He said we have done this before as this zoning is needed before any bank will finance due to being designed and built as a duplex but zoned as single family. Mr. Ciecka said the Planning commission held a public hearing on November 12<sup>th</sup> and then recommended that the zoning on this parcel be changed to R-2. He said the applicant is Michael Staczek which explains the abstention of Mr. Staczek. Mr. Wagner asked if this will affect the whole street or just this property and was told just this property. Mr. Ruse inquired as to when this was built and why the zoning confusion. Mrs. Eckel said at the time this was built everything was zoned residential. Mr. Minarcin 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 except Mr. Staczek who abstained. Mr. Minarcin moved and Mrs. Eckel seconded the motion to adopt. All ayes except Mr. Staczek who abstained.

*Mr. Ruse moved and Mrs. Eckel seconded the motion to amend the agenda to add Ordinance #2014-79. All ayes. Motion carried.*

**#2014-79 – AN ORDINANCE AUTHORIZING THE EXTENSION OF THE CONTRACT WITH WASTE MANAGEMENT OF OHIO INC. FOR SOLID WASTE COLLECTION AND DISPOSAL AND DECLARING AN EMERGENCY.**

Mrs. Eckel moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ruse said this will reject the bids and extend our current Waste Management contract for up to six months from end of December with a 30 day opt out clause. He said as soon as finalize the process of rebidding will be coming back to council with a new ordinance. Mrs. Eckel 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. Mrs. Eckel moved and Mr. Staczek seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Staczek seconded the motion to adopt. All ayes. Motion carried.

### **RESOLUTIONS**

**#2014 – 22 - A RESOLUTION TO APPROVE THE MAYOR’S APPOINTMENT OF MELANIE SAYRE TO THE MUNICIPAL PLANNING COMMISSION; AND DECLARING AN EMERGENCY. SECOND READING.**

Mr. Eckel moved and Mr. Staczek seconded the motion to read by title only. All ayes. Motion carried. Mayor Mackinnon asked that council approve this evening saying Melanie is a proven leader with an excellent resume and he sees no reason not to vote for her. Mr. Staczek said he still maintains his position from the last meeting that the failure to reappoint Bob Densic to this position is a political vendetta and says a message to the community that 15 years of service to the community can be kicked to the curb if you disagree with the new administration and he will vote no even though he has nothing against Ms. Sayre who he thinks is extremely qualified. The mayor responded that this vote is for Melanie Sayre and Mr. Staczek would be saying no to someone who is qualified and that the last person who held this post term is up and Mr. Staczek is accusing him of being political by not reappointing someone whose term is up and saying no to the mayor’s appointment of someone who is extremely qualified. Mr. Staczek said he takes umbrage to being accused of being political and he and the mayor had a private conversation on this of which the two of them disagree on what was said. Mr. Marquette moved and Mrs. Eckel seconded the motion to suspend with the third reading. Audience comments were requested and Jeff Appelhans, 177 Hannum Ave. said he does not know Ms. Sayre and since the mayor had said that Mr. Staczek had never been to a planning commission meeting he did not understand why Ms. Sayre did not have to be here to prove herself. Mayor Mackinnon said it is a mayoral appointment and she is not running for office and his point about Mr. Staczek was that he is a sitting city councilman who has never attended a planning commission meeting but yet wants to decide who should be on it. Mr. Staczek said he took umbrage to the fact that the mayor did not reappoint a certain person. Mr. Appelhans asked if there was an application process and the mayor again reiterated it is a mayoral appointment and that he did seek out interested qualified candidates and requested input from council two or three weeks prior to the appointment and even asked them if they had a name of any interested person. Vote on motion was all ayes except Mr. Staczek who voted no. Motion carried 6-1. Mrs. Eckel moved and Mr. Minarcin seconded the motion to declare an emergency. All ayes except Mr. Staczek who voted no. Motion carried 6-1. Mrs. Eckel moved and Mr. Minarcin seconded the motion to adopt. All ayes except Mr. Staczek and Mr. Oberdorf. Motion carried 5-2.

### **COUNCIL REMARKS**

Mr. Staczek thanked the Rossford Police and Fire departments for their quick response to an emergency at his mother’s home. He then said he believes our Facebook pages should not be used to publicize arrest as it makes the person seem guilty. He said we should only use for items like snow emergencies and Amber alerts and that we need to review our policy regarding the chief’s use of their Facebook pages.

Mr. Oberdorf expressed his agreement with Mr. Staczek regarding the Facebook pages and it is unfortunate that Mr. Eckel’s face was depicted on the Facebook page and perhaps this could have been handled differently and investigation made before any arrest was made.

Mrs. Eckel thanked everyone for their support this week for her and her kids.

Mr. Wagner said it is unfortunate when someone is accused but when you have a situation like this when drugs are found on school property you have to take the students into consideration first and commended the police for doing the right thing and holding the press conference to announce the drop in charges. He thanked the Hillside residents for their patience on this project and said the city made a mistake and commended Chief Goss on working with ODOT to effect the changes on SR795/Crossroads Parkway.

Mr. Minarcin said the Todd Eckel arrest was an unfortunate situation that we need to put behind us, continue to support him and his family, and press on.

## AUDIENCE REMARKS

Ken Szczesniak, 157 Windsor Dr. said he is a former Rossford police officer and referenced the unfortunate event that was covered in the media and said in his perspective he did not see any ill effects reflected on the city or the police department. He said the news coverage appears to have been fair and the department and the mayor handled this in an appropriate manner. He also questioned why a TARTA bus was seen leaving the Colony.

Louis Bauer, 271 Margaret Place, Perrysburg, OH. said the city needs to take a serious look at accepting third party comments on the Facebook pages of the police and fire departments. He said other communities no longer accept third party comments. He said in effect allowing comments some of which are derogatory is in effect a public lynching sanctioned by the city. Mayor Mackinnon asked if he knew anyone who made public comments saying that in fact one of them was made by Mrs. Bauer. Mr. Bauer said that comment was not against Mr. Eckel but questioned whether the arrest was made prematurely.

Bob Densic, 147 Birch Dr. asked if we voted on Ordinance #2014-76 and Mr. Watrol said he was going to bring that up after audience comments as it appears we voted to amend but then never voted the ordinance up or down.

*After some discussion Mr. Ruse moved and Mr. Wagner seconded the motion to suspend the third reading of Ordinance #2014-76 as Amended. All ayes. Motion carried.*

*Mr. Ruse moved and Mr. Marquette seconded the motion to adopt Ordinance #2014-76 as Amended. All ayes. Motion carried.*

Mr. Densic then said his Christmas light display is now running with unbelievable crowds and asked that the media to inform people to be considerate of their neighbors. He said 100% of the donations go to an AIDS charity in Honduras.

Mr. Staczek asked Mr. Heban what is the liability to the city for the arrest of Mr. Eckel. Mr. Heban said the city has insurance that covers all but a \$5000 deductible so that is the monetary issue but he said the city also has immunity where in order for the city to be liable it has to be proven to be an intentional act and in this situation there will be no city liability.

Mayor Mackinnon said there was no rush to judgment on the Eckel situation.

Chief Goss said the arrest was made due to probable cause after the canine unit was deployed and alerted to the presence of drugs and the officers did exactly what they should do. He said the arrest was good and charges were filed only after talking to the Wood County prosecutor and judge. He also said this was good not shoddy police work and that the investigation is still ongoing. He also noted that everyone should know that drugs on school property will result in an immediate arrest and that is the message we are sending. He said through further investigation and good police work Mr. Eckel was determined to not be responsible. He said the investigation is still ongoing and he will not comment on that. Mr. Minarcin asked if the fact that this occurred on school property made this a more serious crime. Chief Goss said the amount of marijuana was only a misdemeanor amount but because it was on school property it makes it a felony per state law.

Kevin Heban said the officer did contact the Wood County prosecutor prior to charges being filed due to this being a felony and received direction to file the charges. It was not just an officer at the scene making that decision. Chief Goss said he also shares the concerns about social media. He said along with the detriment of social media it also did help with resolving this.

Mr. Oberdorf said it was not beneficial to Mr. Eckel or his character by having this on Facebook.

*Mr. Wagner moved and Mr. Staczek seconded the motion to adjourn. All ayes. Motion carried.*

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Neil Mackinnon III  
Mayor

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Robert P. Watrol  
Clerk of Council