

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held December 13, 2010

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 the death of the mother of Mr. Ciecka.

ROLL CALL: Oberdorf, Richards, Eckel, Marquette, Hermes, Scott, and Duricek all present.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of November 22, 2010. Mr. Hermes moved and Mr. Scott seconded the motion to amend the minutes by correcting the 2010 deficit from \$50,000 to \$450,000. All ayes. Motion carried. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the minutes as amended. All ayes. Motion carried.

Approval of Committee of the Whole meeting of December 6, 2010. Mr. Hermes moved and Mr. Scott seconded the motion to approve the minutes. All ayes. Motion carried.

Approval of Special Council Meeting of December 6, 2010. Mr. Richards moved and Mr. Duricek seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of December 13, 2010 was presented to council. Resolution #2010-31 was added to the agenda. Mr. Richards moved and Mr. Duricek seconded the motion to accept the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

None

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky thanked the Scott and Yoder families for their assistance at the Christmas tree lighting which was attended by more than 80 people. He also thanked the public works department, girl scout troop, Pastor Ball, Tim Horton's, and Meijer for their contributions to this event. He told council there are several resolutions on the agenda tonight for appointments to the tree and planning commission which he would like approved. He said these are all voluntary positions. He informed council that the planning commission met last Wednesday at that Ken Hicks presented a preliminary site plan review for a potential 4 new businesses on Rt. 20 next to Sonic. The potential tenants were not revealed but believed to be one restaurant and three retail stores. He reminded everyone of the Rudolph 5K run to be held on December 18th and said registration was still open. He said that council has previously discussed the elimination of the treasurer position and that he had Mr. Heban check on the possibility of transferring the duties to the Clerk of Council. Mr. Heban said this could be accomplished by ordinance. Mayor Verbosky would rather the position be eliminated by a charter amendment since the charter created the job and have the duties transferred to the Finance Director. In anticipation of this being the last meeting of the month he wished everyone a Merry Christmas and Happy New Year.

Mr. Ciecka complimented our public works crews for being prepared ahead of the recent snowstorm.

CORRESPONDENCE

A letter from TARTA addressed to Mayor Verbosky regarding the denial by Waterville Village Council of the Perrysburg request to withdraw from TARTA was read into the record.

ORDINANCES

#2010-52 – AN ORDINANCE MAKING CERTAIN ADDITIONS TO AND CHANGES TO REVENUE AND EXPENSE APPROPRIATIONS FOR THE YEAR BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010, AMENDING ORDINANCE 2009-45; AND DECLARING AN EMERGENCY. THIRD READING.

Mr. Duricek moved and Mr. Hermes seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky noted that Finance Director Freeman is here and that this ordinance and the next will have been given three readings. Mr. Hermes said he has one disagreement with the budget on the \$50,000 earmarked for the 2014 roundabout project. He is against that project and against spending money on it and would rather see that money spent on current road projects. Mrs. Freeman said a revised exhibit A has been provided which reduced the projected

\$450,000 projected deficit to \$210,000 primarily through projected increased collections of income tax. Mayor Verbosky noted that we are still looking at a deficit for 2010 but through the efforts of city staff and RITA it is less than originally anticipated. Mr. Hermes moved and Mr. Scott seconded the motion to adopt. All ayes. Motion carried.

#2010-53 – AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF ROSSFORD, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2011 AND ENDING DECEMBER 31, 2011; AND DECLARING AN EMERGENCY. THIRD READING.

Mr. Duricek moved and Mr. Hermes seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said the principal revision to this was the change to the carry-thru balances of the reprojected 2010 year end balances. One another change was in moving the city self-insured vision and dental program to a separate expense account. Mr. Hermes asked if the total revenue and expenses for 2011 had changed and was told by Mrs. Freeman they had changed due to fully funding the vision/dental plan which increased the projected deficit by approx. \$50,000. Mr. Hermes moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2010 – 54 - AN ORDINANCE AMENDING ROSSFORD MUNICIPAL CODE SECTION 151.02 AND DECLARING AN EMERGENCY. SECOND READING

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this ordinance came from the recreation committee and was recommended by them. Mr. Oberdorf moved and Mr. Duricek 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. Oberdorf moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

#2010- 55 - AN ORDINANCE AMENDING ROSSFORD MUNICIPAL CODE SECTION 151.03 AND DECLARING AN EMERGENCY. SECOND READING

Mr. Hermes moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said at the last council meeting a concern was voiced regarding council member attendance and that Mr. Heban has researched. Mr. Heban said he redrafted the ordinance and exempted a council member from removal for missing three meetings.

Mr. Oberdorf moved and Mrs. Eckel seconded the motion to amend Ordinance #2010-55

Mr. Oberdorf moved and Mrs. Eckel 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. Oberdorf moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2010-58 – AN ORDINANCE APPROVING AND ADOPTING AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF ROSSFORD AND NORTHWESTERN WATER AND SEWER DISTRICT, AND DECLARING AN EMERGENCY. SECOND READING.

Mr. Duricek moved and Mr. Scott seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said this a result of a 2-3 year process of talks with providers, committee meetings, and committee of the whole meetings. Mr. Heban said he was given four bullet points to address. He said the surcharge sentence on page 9 was deleted, that in regards to the transfer of records on page 10 NWSD will digitize and return the original records to the city, on page 14 the language on support and endorse was not changed, and on page 16 the language to costs and expenses incurred was explained that on shared lines the city has a license on those lines and can continue to use. Mr. Huffman said that he had reviewed the changes and anticipates that the NWSD board will have no objection and approve the agreement at their meeting on Thursday. Mrs. Eckel questioned the language on page 15 regarding costs incurred in removal from the district and she does not think we are completely protected if we should separate. She is disappointed that after meeting with NWSD for years we have no easy road out despite negotiations and no guaranteed seat on the board. Mr. Oberdorf moved and Mr. Richards seconded the motion to suspend with the third reading. Audience comments were requested and none received. Vote on the motion Oberdorf, Richards, Duricek, Scott, Hermes, Marquette aye, Eckel no. Motion carried 6-1. Mr. Oberdorf moved and Mr. Richards seconded the motion to adopt. Oberdorf, Richards, Duricek, Scott, Marquette aye, Hermes and Eckel no, motion carried 5-2. .

#2010-59 – AN ORDINANCE TO APPROVE COLLECTIVE BARGAINING AGREEMENTS WITH THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION ROSSFORD OHIO UNIT (PATROL OFFICERS) AND OHIO PATROLMEN’S BENEVOLENT ASSOCIATION ROSSFORD OHIO UNIT (COMMAND OFFICERS); 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 agreements are ready to be signed and that council had discussed this earlier and accepted the

recommendation of the fact-finder. Mayor Verbosky said this is the formality of signing the agreement for something that has been in effect since June. Mr. Richards moved and Mr. Oberdorf 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. 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.

RESOLUTIONS

#2010 – 23 - A RESOLUTION ADOPTING A STATEMENT OF FINANCIAL AND DEBT POLICIES. SECOND READING.

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this has been reviewed by the budget committee and is a recommended best practice by the auditor's office. Mr. Hermes questioned the investment policy being included as part of this as that was actually created by #2006-16. He noted the investment policy calls for the treasurer to do things that we do not have him do any longer. Mr. Hermes noted that the three month annual operating cash reserve is something we are striving for as a guideline. *Mr. Hermes moved and Mr. Scott seconded the motion to remove the investment policy portion from this resolution. All ayes. Motion carried.*

Mr. Hermes moved and Mr. Duricek 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. Hermes moved and Mr. Scott seconded the motion to adopt. All ayes. Motion carried.

#2010 -24 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF BETTY WOODS TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said these resolutions are necessary as these terms expire at the end of the year. He requested these be approved tonight. 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. Oberdorf seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Oberdorf seconded the motion to adopt. All ayes. Motion carried.

#2010 -25 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF DAVID MERRELL TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Oberdorf 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. 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.

#2010 -26 - A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF JEANNE ZAJAC TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY

Mr. Richards moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Hermes moved and Mr. Scott 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. Hermes moved and Mr. Scott seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Hermes moved and Mr. Scott seconded the motion to adopt. All ayes. Motion carried.

#2010 – 27 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF ROBERT DENSIC TO THE MUNICIPAL PLANNING COMMISSION; AND DECLARING AN EMERGENCY

Mr. Duricek moved and Mr. Hermes seconded the motion to read by title only. All ayes. Motion carried. Mr. Scott 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. Scott moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Scott moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2010- 28 – A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OF THE CITY OF ROSSFORD TO SUBMIT AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND TO DECLARE AN EMERGENCY.

Mr. Duricek moved and Mr. Scott seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said that within the last week the OPWC notified the city our request for a grant for the Phase V sanitary sewer project was not rated high enough to receive grant funds but was rated high enough to receive loan funds in the

amount of \$187,000 at 0% interest. This loan would be assumed by the NWSD if council approves. Mr. Hermes wondered if NWSD agrees with this project and if they need the money. Mr. Ciecka said they would like 0% money and do agree with the project. Mr. Ciecka said we are only applying for the loan and council would still have to approve if received. Mrs. Eckel noted the NWSD agreement does not say that NWSD will assume any liabilities incurred after the date of the agreement. Mr. Ciecka after concurring with Mr. Cook said they would like to withdraw this resolution so that the NWSD can talk with OPWC and try to get the application switched to their name. Mr. Cook said this is a once a year process so the district will not be able to reapply until next September. His assumption was that instances like this would occur and that the NWSD would assume any financial liability. The district engineer agrees this is a high priority project and Mr. Cook said the city is only authorizing an application not accepting an agreement. The city could still turn the loan down if approved if any concern about NWSD assuming the liability. Mr. Cook said the district would be coming up with the additional money needed for the project above the \$187,000 loan. Mayor Verbosky again reiterated this is only an application and council would still have the final vote on accepting the loan. Mr. Marquette asked how far back the project is pushed without the loan. Mr. Cook said probably it would be delayed by six months. Mr. Duricek moved and Mr. Scott 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 Mr. Scott seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Duricek moved and Mr. Scott seconded the motion to adopt. All ayes. Motion carried.

#2010-29 – A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO SUBMIT AN APPLICATION FOR THE 2011 WESTERN LAKE ERIE BASIN ASH REMOVAL AND CANOPY RESTORATION PROGRAM WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF FORESTRY; AND TO DECLARE AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said this needs to be acted on today as the application is due this week. It provides for 50% funding of ash tree removal are in the city right-of-way. The city has budgeted \$9,100 which is our half. The tree commission has identified thirty-two more trees that need to be removed. Mr. Hermes questioned the cost removal per tree and Mr. Ciecka said this will be bid by the authorizing agency. Mrs. Eckel moved and Mr. Scott 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. Scott seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Scott seconded the motion to adopt. All ayes. Motion carried.

#2010-30 – A RESOLUTION TO APPROVE THE MAYOR’S RE-APPOINTMENT OF JOHN FOLCIK TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Scott 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. Scott moved and Mrs. Eckel seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Scott moved and Mrs. Eckel seconded the motion to adopt. All ayes. Motion carried.

#2010-31 – A RESOLUTION AUTHORIZING THE CITY ADMINISTATOR TO SUBMIT AN APPLICATION TO THE TOLEDO METROPOLITAN AREA COUNCIL OF GOVERNMENTS (TMACOG) TRANSPORTATION ENHANCEMENT PROGRAM FOR THE LIME CITY BIKE PATH PROJECT AND TO DECLARE AN EMERGENCY. .

Mrs. Eckel moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said the deadline for application is this week and this would be for grant funding to construct a bike path from SR65 to just south of Marilyn. Mr. Marquette asked why stop there and was told this is based on the amount of funding available and program parameters. Mr. Marquette questioned if the city 20% could be paid by the property owners and how this works with the Safe Routes to School project. Mr. Ciecka said it is up to the city how they fund the 20% match and this could work in conjunction with the Safe Routes project. Mr. Hermes asked what the cost breakdown was and was told the total cost was \$478,000 of which our 20% would be \$117,000 plus the engineering cost and cost to obtain right-of-way. This is for an eight foot wide path as estimated by our city engineer. Mr. Hermes thinks the price seems also high. Mr. Richards said the process needs to start with an estimate which could be high and that it costs nothing to apply for the grant and then we could decide not to accept if awarded. Mrs. Eckel said we have had several conversations about how dangerous this road is without sidewalks and this is a way to get it done. Mr. Hermes noted that the city would be responsible for keeping cleared of snow. 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 except for Hermes who voted no. Motion carried 6-1.

Mr. Scott moved and Mr. Duricek seconded the motion to amend the agenda by adding Resolution #2010-32. All ayes. Motion carried.

#2010-32 – A RESOLUTION PROVIDING FOR THE MUNICIPAL APPOINTMENT TO THE NORTHWESTERN WATER AND SEWER DISTRICT AND DECLARING AN EMERGENCY.

Mr. Scott moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mayor Verbosky said he has had discussion with Mr. Michaels regarding this position and Mr. Michaels has already attended a NWSD board meeting and that he is a good fit for this position. In response to Mr. Hermes question Mr. Ciecka said Mr. Michaels would have to resign as city treasurer before he could assume this new position. Mr. Heban suggested adding language regarding the resignation of his treasurer position to the resolution.

Mr. Richards moved and Mrs. Eckel seconded the motion to amend the resolution by inserting language in section 1 referencing resignation of the treasurer position and changing the date to January 1, 2011. All ayes. Motion carried.

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.

Mayor Verbosky added to his earlier report of the mayor saying he had received five letter of resignation from the core members of the Rossford Arts Commission in follow-up to the letter in last week's Rossford Record. He thanked everyone who served on this commission over the years and hopes that someday it will be reestablished. He also thanked councilwoman Eckel for her efforts in obtaining the replacement furniture in council chambers which was surplus furniture from her employer.

COUNCIL REMARKS

Mr. Richards said the public works department deserves our thanks for the great job they did on snow removal this weekend.

Mr. Oberdorf said he had received a letter of resignation from Mr. Richards effective 12-31-10. (see written letter attached) Mr. Oberdorf said he appreciates all Mr. Richards has done and is disappointed to see him leave. Mayor Verbosky said he appreciated the work he has done for council and wishes him well. Mr. Oberdorf also thanked Mrs. Eckel for the furniture, expressed his condolences to Mr. Ciecka on the death of his mother, and wished a Merry Christmas and Happy New Year to everyone. He asked for a motion to suspend with the December 27th regular council meeting and the January Committee of the Whole meeting.

Mr. Duricek moved and Mrs. Eckel seconded the motion to suspend with the December 27th regular council meeting. All ayes. Motion carried.

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

Mrs. Eckel said Mr. Richards will be missed, thanked everyone who assisted with the Christmas Tree Lighting, expressed her condolences to Mr. Ciecka, and wished everyone a Merry Christmas.

Mr. Marquette said it has been nice working with Mr. Richards and that he has learned a lot from him as he did from Mrs. Jakubec, Mr. Alexander, Mr. Bauer, and Mr. Watrol and their long service to the city. He said Mr. Richards love for the city has been obvious and appreciated.

Mr. Hermes noted that the November financial report was received on December 3rd which he finds remarkable. He asked if there was anything to report regarding RITA. Mrs. Freeman said she expects to receive an end of month report from RITA and the 1400 letters they sent out to delinquent taxpayers. RITA will also be holding a session here with auditors available to assist taxpayers. Mr. Hermes asked about the CHIP program and was told by Mr. Ciecka that agreement will be on the agenda at the next meeting.

Mr. Scott wished Mr. Richards the best and wished everyone a Merry Christmas and Happy New Year.

Mr. Duricek said he will miss Mr. Richards's wit and candor, thanked Dave Cook from NWSD for his assistance and patience, and wished everyone a Merry Christmas and Happy New Year.

AUDIENCE REMARKS

None

Mr. Richards moved and Mr. Duricek seconded the motion to adjourn. All ayes. Motion carried.

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council