

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held December 14, 2009

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

ROLL CALL: Richards, Oberdorf, Marquette, Hermes, Michaels, and Duricek all present. Mr. Oberdorf moved and Mr. Richards seconded the motion to excuse Mrs. Eckel due to illness. All ayes. Motion carried.

APPROVAL OF MINUTES: Approval of regular council meeting minutes of November 23, 2009. Mr. Richards moved and Mr. Duricek seconded the motion to approve the minutes. All ayes except Mr. Scott who abstained. . Motion carried. Approval of organizational meeting minutes of December 7, 2009. Mr. Richards moved and Mr. Oberdorf seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of December 14, 2009 was presented to council. Ordinance #2009-50 was added and as a courtesy to the representatives in the audience Mr. Richards moved and Mr. Oberdorf seconded the motion to place ordinance #2009-49 first on the ordinances to be acted upon. All ayes. Motion carried. Mr. Richards moved and Mr. Duricek seconded the motion to approve the agenda as amended. All ayes. Motion carried.

COMMITTEE REPORTS

None

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mayor Verbosky introduced the fourth grade girl scouts in the audience tonight and their leader Mary Zuchowski who said the girls are working on a civic merit badge. He said last week the 3rd grade from Glenwood School had toured city hall and gotten an idea about how city government works.

Mr. Ciecka said he and the asst. fire chief had made a presentation to the 3rd grade at Indian Hills School on what the city of Rossford is all about. He reminded everyone of the Rudolph 5K Run/Walk taking place on December 19th, passed out a new city council roster, and requested he be notified of who are the committee chairman and any other changes.

CORRESPONDENCE

None

ORDINANCES

#2009-49

Mr. Richards moved and Mr. Oberdorf seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said that three bids were opened on November 23rd. He reminded council of his previous memo on the five options considered and that bids were requested to be submitted based on tonnage cost and a pickup cost. He said all three of the bidders provided a bid that contained a rate based on fuel adjustments. He was recommending that the city use the fuel adjustment rate realizing that there is some risk but that it could benefit the city in the future. He recommends that we continue our contract with Waste Management who we have been with for the last ten years. He also said either of the other two bidders would do a good job also. Mayor Verbosky noted that representatives from Waste Management were in attendance if council had any questions. Mr. Richards noticed that the recycling bins were unavailable and was told that Mr. Ciecka had stopped ordering new bins pending a new contract. Mr. Richards asked if there will be any change in the yard bag system and was told by Mr. Ciecka that it would become a subscription program with the choice of a 8 month weekly pickup cost or the use of a tote cart which when filled the homeowner would call and request pickup and be charged per pickup. Mr. Oberdorf asked about the risk in the fuel adjustment rate and asked if it was correct that fuel cost would have to exceed \$3.76 per gallon in the first year before the city would be hurt financially and was told yes. Mr. Oberdorf noted a problem with calling the 800 number and was told by John Manore of Waste Management that they are looking at making improvements in customer service if they are selected. Mr. Marquette asked about the yard waste program and was told a resident would only pay when they requested their tote cart to be picked up. Mr. Manore said the cart is the equivalent of

three yard bags. Waste Management would be in charge of billing for cart pickup. Mr. Scott said the possibility of residences paying or partially paying for refuse pickup was discussed during the public works meeting. Mr. Ciecka said both of the low bidders would be agreeable to amending the contract if the city chooses to go that route. Mr. Richards moved and Mr. Hermes seconded the motion to suspend with the second and third readings. Audience comments were then requested and Jeff Appelhans, Hannum Ave. asked how the other two bidders were handling yard waste and was told by Mr. Ciecka that the other two bidders maintained the bag program. Jackie Brown, Eleanor Ave. said she is aware of problems with Waste Management regarding both refuse and carpet pickup. Paul Rasmussen of Allied Waste said that their customer service is local people answering the phone not an 800 number, that yard waste pickup would still use the bag system, and that his analysis favors Allied Waste over the five year contract period. Jeff Appelhans said that previously he has brought up the tonnage issue and questioned whether the scale tickets have ever been provided. John Manore of Waste Management said that the tickets are available and that a monthly report is provided to Mr. Ciecka. Mr. Richards asked if the county sees the same info and was told yes along with the Ohio EPA. Mr. Ciecka said the other two bidders use Michigan landfills so there disposal fee was less. 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.

#2009-45 – AN ORDINANCE TO PROVIDE APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF ROSSFORD, OHIO FOR THE PERIOD BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010; 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 this is the 2010 Budget and he is asking for adoption tonight. He explained that several financial variables will affect 2010 most especially revenue and that expense will have to be carefully reviewed throughout the year. Mayor Verbosky said that in his 30 years of banking he has never seen it this bad and that in 2010 the city will just be holding on. Mr. Richards moved and Mr. Duricek seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Richards moved and Mr. Duricek seconded the motion to adopt. All ayes. Motion carried.

#2009-46 - AN ORDINANCE MAKING CERTAIN ADDITIONS TO AND CHANGES TO THE EXPENSE APPROPRIATIONS FOR THE YEAR BEGINNING JANUARY 1, 2009 AND ENDING DECEMBER 31, 2009, AMENDING ORDINANCE 2008-60; AND DECLARING AN EMERGENCY .

Mr. Duricek moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Ciecka said these are the year end transfers to close out 2009. These are in line with the original budgeted amounts and mostly involve moving money from accounts being merged. Mayor Verbosky stated that year end transfers are a year to year item. Mr. Duricek 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. Duricek moved and Mr. Scott seconded the motion to declare an emergency. All ayes. Motion carried. Mr. Duricek moved and Mr. Richards seconded the motion to adopt. All ayes. Motion carried.

#2009-47 – AN ORDINANCE AUTHORIZING THE DISPOSAL OF CERTAIN SURPLUS PROPERTY NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY.

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

#2009-48 - AN ORDINANCE AUTHORIZING THE PAYMENT OF DISCHARGE FEES TO THE CITY OF TOLEDO FOR THE WALES ROAD LANDFILL; 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 that for the last ten years leachate from the landfill has been disposed of through the sanitary sewer system and that recently Toledo audited the EPA reports and noted that the city had never entered into a pre-treatment program. Toledo has now notified us that the city needs a pre-treatment permit and has recomputed the amount disposed of over the last ten years and billed us for \$24,673. Mr. Hermes asked if there is time to review this ordinance or does it need to be passed immediately? Mr. Ciecka said he would reserve the money from this years funds to pay the bill but that this can be given a first reading. Mr. Duricek asked what Toledo's policy was in 1999 and was told the same ordinance was in effect and that Hull & Assoc. had recommended we pay the bill. Mr.

Marquette questioned how leachate is addressed in the Hull contract and was told they only analyze the leachate in the wells but that our public works department extracts it, puts in barrels and then disposes of into the sanitary sewer system. Mr. Marquette is disappointed that neither Hull & Assoc. nor our previous contracted firm ever asked about the pre-treatment permit nor was EPA notified when the railroad spur was put in. Mayor Verbosky said the EPA made us close the landfill under the set of rules in place and that if we had waited new rules would have doubled the cost but as it is we are still paying for. Mr. Duricek said we looked at this several years ago and found mistakes in the computing of the cost and we probably should look at this again and verify what Hull & Associates is charging us for. He does not think they are looking out for our best interests. Mr. Ciecka said we have been on a month to month contract with Hull this past year and it is probably time to begin the process for letting a new contract.

#2009-50

Mr. Oberdorf moved and Mr. Richards seconded the motion to read by title only. All ayes. Motion carried. Mr. Heban said this is an ongoing effort to update our municipal penalty statutes to match new ORC sections primarily dealing with certain traffic violations. Mr. Hermes wondered if language could be inserted that said our statutes would match the ORC. Mr. Heban said these changes will come more frequently but we may always want to match the ORC and he does not believe that language could be inserted. 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.

Mayor Verbosky said the following resolutions are requests for reappointments and appointments. He noted that no candidate had run for city treasurer and he wished to appoint former councilman Leonard Michaels to that position. He said he had made Mr. Michaels aware of the possibility that the treasurer position may be eliminated by charter amendment in the future.

RESOLUTIONS

#2009-26 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF BARBARA MONTAGUE TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY.

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

#2009-27 - A RESOLUTION TO APPROVE THE MAYOR'S REAPPOINTMENT OF EDWARD TUCHOLSKI TO THE RECORDS COMMISSION; AND DECLARING AN EMERGENCY.

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

#2009-28 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF JOHN VRABLIC TO THE STREET TREE COMMISSION; AND DECLARING AN EMERGENCY.

Mr. Hermes moved and Mr. Duricek seconded the motion to read by title only. Mr. Hermes noted that all these resolutions concern volunteer positions except for the treasurer who is paid \$1000 annually. Mr. Hermes 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. Hermes moved and Mr. Duricek 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.

#2009-29 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF BETTY WOODS TO THE CIVIL SERVICE COMMISSION; AND DECLARING AN EMERGENCY.

Mr. Duricek moved and Mr. Richards seconded the motion to read by title only. 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

#2009-30 - A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF ANTHONY KOPROWSKI TO THE BOARD OF ZONING APPEALS; AND DECLARING AN EMERGENCY.

Mr. Oberdorf moved and Mr. Duricek seconded the motion to read by title only. Mr. Richards 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. 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

#2009-31 - A RESOLUTION TO APPROVE THE MAYOR'S RE-APPOINTMENT OF JOHN RUST, JR. TO THE MUNICIPAL PLANNING COMMISSION; AND DECLARING AN EMERGENCY

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

#2009-32 – A RESOLUTION TO APPROVE THE MAYOR'S APPOINTMENT OF LEONARD MICHAELS AS MUNICIPAL TREASURER; AND DECLARING AN EMERGENCY.

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

Mr. Richards moved and Mr. Oberdorf seconded the motion to dispense with the regular council meeting on December 28th. All ayes. Motion carried.

Mr. Richards moved and Mr. Duricek seconded the motion to dispense with the January Committee of the Whole meeting. All ayes. Motion carried.

COUNCIL REMARKS

Mr. Richards everyone a Merry Christmas but hopefully not a white one.

Mr. Oberdorf wished everyone a Merry Christmas and hopes to see everyone at the 5K Run Walk and the All Saints Toledo Symphony concert.

Mr. Marquette wished Happy Holidays to everyone and their families.

Mr. Hermes asked if there was any update on the 7-11 property and any progress on the streetlight project. Mr.

Ciecka said he has heard nothing from the state on the light project and has no update on the 7-11 property.

Mr. Scott wished everyone a Merry Christmas and thanked them for helping him get up to speed.

Mr. Duricek said the husband of Linda Bunda who died suddenly wanted to thank the Rossford Fire and Police Departments for their help and said they did everything possible. Mr. Duricek said he will miss the 5K due to his son graduating from college and wished everyone Happy Holidays.

At this time Mr. Michaels was sworn in as city treasurer.

AUDIENCE REMARKS

Jackie Brown, 316 Eleanor Ave. and Rossford school board member suggested that the city look at cooperating with the Rossford School Board in installing red light cameras at several school crosswalks and sharing the cost and revenue. . She said the crossing guards report that cars frequently run the red light. Mayor Verbosky said he will approach Chief Vespi with this question. Mr. Hermes said we had looked at this before and did not have the traffic volume to warrant a camera.

Darlene Stillwell, and Deette Stiles, owners of Tim Horton's on Buck Rd. said they are very happy to be doing business in Rossford and look forward to many more years of doing business in the city. They now have free WiFi and may be remodeling in the near future.

Jeff Appelhans, 177 Hannum Ave. said at the last council meeting it was mentioned that the cables on C dock may be removed and wondered what kind of planning is taking place regarding improvements since there is currently an \$11,000 deficit in the marina fund. Mayor Verbosky said the marina committee will probably discuss this in the spring. Mr. Ciecka said the marina committee looked at some operational changes in November to make sure they stay within budget and had asked the budget committee to look at how long the repayment process could be extended for the deficit. Mr. Appelhans wondered about the effectiveness of the curfew as it appears that young people are violating and it is not doing what it was intended to do. Mayor Verbosky said this has been discussed at a previous command meeting and asked Mr. Heban to make sure it again is a topic. Mr. Ciecka asked Mr. Appelhans if he had reported the curfew violations to the police and was told no.

John Manore of Waste Management thanked council for the vote of confidence in renewing their contract and said complaints will be followed up on. Mayor Verbosky said he understands it is difficult to be perfect but said if problems are reported we need to find out why.

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

William Verbosky Jr.
Mayor

Robert P. Watrol
Clerk of Council