

RECORD OF PROCEEDINGS
Minutes of Rossford City Council Meeting
Held December 27, 2017

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

ROLL CALL: Staczek, Oberdorf, Eckel, Marquette, Ruse, Heban, and Densic all present.

APPROVAL OF MINUTES: Minutes of December 11, 2017 regular council meeting were presented to council. Mr. Oberdorf moved and Mr. Densic seconded the motion to approve the minutes. All ayes. Motion carried.

APPROVAL OF AGENDA: Agenda for regular council meeting of December 27, 2017 was presented to council. Mr. Oberdorf moved and Mr. Densic seconded the motion to accept the agenda. Motion carried.

COMMITTEE REPORTS

Mr. Ruse presented the Public Works committee report from December 19th (see written report). Mr. Marquette said he appreciated the interest of Mr. Leary in the Colony project but asked if he is elected to represent the entire Colony. Mr. Ruse said Mr. Leary is president of the Colony Association and that he is trying to work with us to avoid the problems that occurred during the last sewer project in the Colony i.e. destruction of the traffic islands. Mr. Oberdorf said he appreciates the Colony Association offering to help but thinks that sets a precedent for other areas of Rossford and he would not be in favor of treating any other subdivision differently and that that letting Mr. Leary be involved would be a mistake. Mr. Ruse said he does not think this sets a precedent in that anyone can come in and look at road plans and offer comments. Mr. Staczek said at the meeting it was made clear that the public works committee was open to comments but that the committee and council have the final say. Mayor Mackinnon said he thinks the heartburn over this is that Mr. Leary was the one leading the charge for the Colony to leave the city.

REPORT OF MAYOR AND/OR ADMINISTRATOR

Mr. Scott reported the following: the tenth anniversary Rudolph Run 5K was a success with 92 participants, that the rooftop HVAC unit was installed last week at the rec center, public works had a busy holiday weekend, and that work on the police firing range is nearly complete. He said the fire department was asked to resubmit their request for a grant originally approved by council in August that would be used for fire hoods with advanced filtering and a washing machine with special extraction capability. Based on the resubmission the fire department cost would be \$2,650 with the grant covering \$13,500. He noted the finance department is closing out 2017 and getting ready for the new year with work on the 2017 audit already begun. He said Mrs. Freeman has been invited by Vorys, Slater, Seymour, and Pease to be part of a panel presentation at their upcoming Economic Development conference in Columbus and talk about the process for splitting the 2000 Crossroads TIF.

Mayor Mackinnon said Mr. Kolb and Chief Drouard did a fantastic job during the winter weather that occurred on Christmas Eve and offered his congratulations to all those who took part in the Rudolph Run.

CORRESPONDENCE

None

ORDINANCES

#2016-67 – 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. THIRD READING

Mr. Oberdorf moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Staczek said there are residents here tonight and he is speaking for their benefit in saying that he has received numerous emails on this ordinance and he would ask council to listen to their constituents and our neighbors. He agrees this property needs to be rezoned but would like to see a plan first. Mr. Ruse said he agrees with Mr. Staczek and that he did receive a 1993 land use plan today along with an email from the zoning inspector that appears to support this change but he is still a proponent for a new plan. He found it interesting that in the 1993 plan the area seeking to be rezoned was shown as single family residential or planned residential. His concern is with a school at each end of this section of Lime City Rd. and a church in the middle and a road that needs repair this is not a wise choice. Mr. Densic echoed the comments of Mr. Staczek and Mr. Ruse and he recalled the 1993 plan was referenced when the Crossroads was brought into the city and that we are still talking about abutting residences, a substandard roadway and other points made in the 1993 study still being valid and that the planned commercial and planned industrial zoning classifications were created to benefit the Crossroads which did had negligible effect on residential. He said this is not an either or question but we need to look for solutions that can provide for development but also take into consideration the 1993 report. Mr. Marquette said that when Fed Ex added the turnpike spur we did look out for the citizens of the township but he does not feel this was reciprocated when the church and Penta were put on Lime City Rd. and wondered if the Lime City abutting portion could be zoned residential and the remainder going to Glenwood be zoned commercial. Mayor Mackinnon talked about what council and the administration have done for economic development over the last six years and said he is listening to the Rossford citizens who own this property. He said in his talks with township trustees this does not come up and he reiterated that there is no interest in residential development of this property. He said the top developers say this is prime property for industrial. He said Lime City Rd. will not be improved if this remains agricultural or even if residential and that as far as a plan we have on the agenda tonight a resolution for working with a top planning firm. Councilman Heban asked how we can be sure Rossford residents won't be stuck with paying for improving Lime City Rd. and city attorney Heban said that council can impose restrictions that could make a developer for improvements to the road fronting the property. Mr. Marquette said as much as we want to help our neighbors we are elected to help the citizens of Rossford but he does not want to vote for this if going to be Trainco. Mayor Mackinnon said there will be a safety net in place for the planning commission and council for what is allowed. Mr. Oberdorf moved and Mrs. Eckel seconded the motion to adopt. Oberdorf, Eckel, Marquette, Heban aye. Ruse, Densic, Staczek nay. Motion carried 4-3.

#2017-72 - AN ORDINANCE AUTHORIZING THE AMENDMENT OF ROSSFORD MUNICIPAL CODE SECTION 925.04(a) RULES AND REGULATION OF THE ROSSFORD MARINA. THIRD READING

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

#2017 – 75 - AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A STORM WATER UTILITY PROGRAM FOR THE CITY OF ROSSFORD AND ENACTING A NEW CHAPTER 935, STORM WATER UTILITY PROGRAM, OF THE ROSSFORD MUNICIPAL CODE, AND DECLARING AN EMERGENCY. THIRD READING

Mr. Densic moved and Mr. Heban seconded the motion to read by title only. All ayes. Motion carried. Mrs. Eckel said this is one of the three ways talked about to generate road funding and that it is important to establish this and free up some general funds for roads. Mr. Densic said he agrees with the concept and the need but his concern is our current water rates. He would like NWWSD to come in and talk about some ways to offset this increase i.e. removing the monthly minimum charge and he would also like to see a performance audit done on NWWSD and the City of Toledo water department as our water rates are twice that of other areas. Mr. Heban said that even though this is not tied to NWWSD the increase in their water rates coupled with this will cause people to lose confidence in the city. Mr. Staczek said he agrees with Mr. Heban and Mr. Densic and said that this is basically a tax collecting entity and that he is in favor of the concept but with water rates increasing the timing of instituting this fee is bad and we need to get a handle on our water rates first. Mrs. Eckel said there are two points to this 1) we have been talking about this for a long time and why spend two years coming up with funding ideas and then vote down, that at some point we have to back something and 2) this isn't tied to water rates as we are responsible for storm water utilities so we should not tie this together with NWWSD. Mr. Ruse said NWWSD has nothing to do with our storm water utilities, that he instituted a fee like this in Findlay twenty years ago, and that we are already behind as regulations are changing on storm water discharge and we need to continue to make improvements to these systems.

Mr. Ruse moved and Mrs. Eckel seconded the motion to adopt. Ruse, Marquette, Eckel, Oberdorf aye. Staczek, Densic, Heban nay. Motion carried 4-3.

#2017 – 76 - AN ORDINANCE AUTHORIZING THE CITY OF ROSSFORD TO EXECUTE AN LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SR-65 RESURFACING PROJECT AND DECLARING AN EMERGENCY. SECOND READING

Mr. Oberdorf moved and Mrs. Eckel seconded the motion to read by title only. All ayes. Motion carried. Mr. Scott said this is the SR 65 repaving project within our corporation limits, that he has completed the classes to qualify us for the Local-Let, and that this needs to be passed tonight as the paperwork needs to be given to ODOT by January 3rd. Mrs. Eckel moved and Mr. Ruse seconded the motion to suspend with the third reading. Audience comments were requested and none received. Vote on the motion all ayes. Motion carried. Mrs. Eckel moved and Mr. Ruse seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Ruse seconded the motion to adopt. All ayes. Motion carried.

#2017 – 77 - AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO DISPOSE OF CERTAIN SURPLUS PROPERTY NOT NEEDED FOR ANY MUNICIPAL PURPOSE AND DECLARING AN EMERGENCY. FIRST READING

Mr. Oberdorf moved and Mr. Densic seconded the motion to read by title only. All ayes. Motion carried. Mr. Scott said this is a housekeeping ordinance needed to dispose of one surplus two-way radio. Mr. Ruse moved and Mr. Heban seconded the motion to suspend with the second and third readings. Audience comments requested and none received. Vote on the motion all ayes. Motion carried. Mr. Ruse moved and Mr. Heban seconded the motion to adopt. All ayes. Motion carried.

#2017 – 78 - AN ORDINANCE AUTHORIZING THE PURCHASE OF A DUMP / SALT TRUCK BODY AND ACCESSORIES AND DECLARING AN EMERGENCY. FIRST READING

Mr. Densic moved and Mr. Heban seconded the motion to read by title only. All ayes. Motion carried. Mrs. Freeman said council previously approved the purchase of the chassis as part of the 2017 budget and this body and accessories is part of monies budgeted for 2018. Mrs. Eckel moved and Mr. Staczek seconded the motion to suspend with the second and third readings. Audience comments requested and none received. Vote on the motion all ayes. Motion carried. Mrs. Eckel moved and Mr. Densic seconded the motion to declare an emergency. All ayes. Motion carried. Mrs. Eckel moved and Mr. Densic seconded the motion to adopt. All ayes. Motion carried.

RESOLUTIONS

#2017-25 - A RESOLUTION ACCEPTING A PROPOSAL FROM O'BRIEN ARCHITECTS FOR PROFESSIONAL PLANNING SERVICES FOR THE CITY OF ROSSFORD SUBJECT TO AN AGREEMENT AS TO THE COSTS FOR SUCH SERVICES, AND DECLARING AN EMERGENCY. SECOND READING

Mr. Oberdorf moved and Mr. Densic seconded the motion to read by title only. All ayes. Motion carried. Mrs. Eckel and Mr. Densic both requested to see a copy of the proposal and wondered if the hours they would spend versus their local assistance is spelled out. Mayor Mackinnon said that is what he would be negotiating. This was given a second reading only.

COUNCIL REMARKS

Mr. Staczek asked what plan was six years in the making as the mayor alluded to earlier and Mayor Mackinnon said all of it, from Rt. 20 to Miami St. and that he and his team and some members of city council have been trying to bring economic development to Rossford. Mr. Staczek said he received an email today regarding planning commission and the rezoning of property behind Home Depot from planned industrial to R3 with some deed restrictions that may be contrary to council's wishes. Attorney Heban said any deed restriction would have to come to council. Mr. Staczek also asked if our representatives on the NWWSD board get to vote on rate increases since we don't see the minutes. He requested that council receive the minutes from the NWWSD meetings as this is such a hot topic issue right now. Mr. Scott said the votes are in the minutes and he will check about having them sent directly to council mailboxes and that as a former NWWSD board member he can say that rate increases are studied in relation to anticipated cost for the coming year. He noted the water rate increases are being driven by double digit increases put in place by the City of Toledo.

Mr. Oberdorf wished everyone a safe and happy new year.

Mrs. Eckel said she agrees with Mr. Staczek about getting more information as to what is going on at the NWWSD meetings and thanked Mr. Kolb, Chief Drouard, and Chief Goss for their departments work over the Christmas holiday.

Mr. Marquette said that in relation to Ordinance #2017-77 that council should consider allowing the administration to handle the sale of surplus items up to a certain limit.

Mr. Ruse agreed with Mr. Marquette and said we should also look at trade ins. He said that NWWSD will be attending the next meeting of the public works committee on January 3rd.

Mr. Heban said he echoes the comments of Mr. Staczek and Mrs. Eckel regarding the interaction of the NWWSD with us and thanked public works for the good job on Christmas Eve.

Mr. Densic said that Mr. Kolb and the public works department did a great job last weekend, echoed Mrs. Eckel and Mr. Staczek's comments, said maybe the city charter should be reviewed and attorney Heban said that a standing committee could be created to do that. Mr. Densic also apologized to attorney Heban for being mistaken last meeting regarding the motion to reconsider. He would like to see a resolution of support for a performance audit of NWWSD and the Toledo water department and for NWWSD to look at their monthly minimum. He thanked the citizens who have helped raise over \$2400 for charity viewing his light show. He too wished everyone a happy new year.

AUDIENCE REMARKS

James Kinker, 9734 Deimling Rd. complained about the soccer dome that was allowed to be built in his backyard and said the zoning people buried their heads on that and that the city should have made the developer purchase his property. He said his road gets worse every day

and did not get plowed. Mayor Mackinnon said the city's job is not to buy property owners out. Mr. Marquette replied that a year ago Mr. Kinker stood in front of council and said he would never sell his property.

Richard Henz, 29600 Glenwood Rd. said he was deeply disappointed in the reconsideration and revote on the zoning change. He thought that once this was turned down by an unanimous vote that it was over but now he knows that Rossford is no different than anyone else. He just hopes that no accident occurs between a school bus and a truck on Lime City Rd.

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

Neil A. MacKinnon III
Mayor

Robert P. Watrol
Clerk of Council