

**Rittman City Council Met in a
PUBLIC HEARING
July 8, 2019
7:00 p.m.**

2020 Tax Budget Hearing

Keener explained that there aren't any major changes for 2020 tax budget compared to the 2019 budget. There is one exception, it does exclude the IT position now that we are out sourcing that. Currently the capital outlay expenditures are based on the capital plan from last year. The capital expenditures change every year when we sit down and update our capital plan, it is usually around August – first part of September. When those capital changes are made then they'll be changed with the current budget.

**Rittman City Council Met in a
REGULAR MEETING
July 8, 2019
7:03 p.m.**

Members Present: Ken Park, Brian Smith, Josh Carey, Philip Decker, Dave Williams and Leah Weirick
Members Absent: None
Presiding: Mayor William Robertson

The invocation was given by Philip Decker, followed by the Pledge of Allegiance.

Motion to Use Amended Agenda as Provided. Weirick moved to approve, all Yeas on roll call and **motion carried.**

Approval of Minutes – June 10, 2019.

Weirick moved to approved, all Yeas upon roll call and **motion carried.**

Citizens Forum

Rick Hanlon, 302 W Sunset Drive - Mr. Hanlon addressed Council, by handing out a flyer, regarding the conditions of the City's storm catch basins. The whole purpose of a catch basin is to catch water and the debris. You don't want the debris going into your pipe, so the pipe is always higher. There's a distance below that pipe that is there to allow to trap dirt, sediment, leaves, grass and toys that kids may drop down in there. The whole point is that periodically they need cleaned out. If you don't clean your catch basins they are going to fill up with dirt and sediment and they are not going to work properly. I have lived here 24 years and I have never seen anyone clean one. I have never seen City Services clean a catch basin other than sweep the top off, which means everything falls inside. A couple of examples that I know of would be there is a four-foot diameter pipe next to 134 N. Seneca. It's a big pipe, it's probably got a good 8 inches of gravel in the bottom for who knows how far up. That's where all the water outputs. We had a resident come in here at one point, maybe before I got on Council, letting us know it was only two foot full of rocks. 36 S. Third Street if you happen to drive by there sometime look at the nice grass on top of that grate. It is live grass, not dead from a mower. Dirt is all the way up to the grate and grass is growing out of the grate. It is not functional at all. If you drive down Metzger Avenue all the way down to the guardrail, where it turns into Oak Hill, you have to get out of your vehicle to see the catch basin that is all the way to the right. It is actually in the asphalt but it so covered with gravel you can't see it. I would ask that you guys are the only ones that can make somebody do something about this. It's time to be more pro-active than re-active. This infrastructure is just going down the tubes. Mr. Hanlon stated that he wanted to give a

little education on catch basins and the fact that, yes, they are supposed to be periodically clean out. Most places do it on an annual basis. I don't think we have ever done it.

Allan Emerson, 25 Bauman Drive – I am here for the same reason. I have property on Home Street, elevation quite a bit higher than Main Street. My guess is from Main Street 12 -15 feet and every time it rains, and I get that this was a horrendous rain. But last year I had the same problem. Main Street fills up, all the sewers fill up, all the water comes down Home Street, hits Main Street and has nowhere to go. It just starts backing up, then it starts coming up through the floor drains, comes up through the bathtub. There is a problem between the storm sewer and the sanitary sewer somewhere. I have put back flow valves in, I have put sump pumps in, I try to give these people a nice decent place to live. All the apartments are nice, but they fill up with water, then I have tenants crying all over me. I put \$4,500.00 into this last one. I have insurance, but there is not an insurance company in Ohio that offers relief for a rental property for water that comes up through the floor drains. I checked with my insurance company and that was his quote. I can't keep putting money into it. I have lived here all my life, 58 years, I have put money into this town by buying junkie properties, I build them up to be nice properties and nice homes for people. I just can't keep having this happen. I need to have the answers of what is going to be done.

Old Business

a. **Ord. No. 8110 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 351.03 of the Codified Ordinances and Declaring an Emergency. Third Reading.** Ord No. 8110 was read on third reading. Smith moved to adopt. Williams stated that the feedback that we have had is what was the propellant for this was that there were people parking at the gaming rooms and the hardware store/parts store and there was complaining that people couldn't get to the business without walking a far distance. I think that we were trying to promote business as we should and we put this on and then another business owner was saying that they are contrary to this because their employees have to walk further. So, the quandary is we want to promote business but which business do we want to promote is kind of what it feels like. We are put into a bind, we want to promote the City, promote commerce, however but the parking issue is one in favor and one not in favor. I'm not sure, how I've summed it up that we have a solution for it. I thought maybe collectively if we talk about it. Smith stated that the other concern is that employees will be parked more than two hours on Main Street. If I am looking at a solution. I think we just give them some type of placard, a sticker or whatever that marks them as an employee of a business, a downtown business area. I know the concerns that Jerry has with his shop with the gaming room and they are taking up all of his spaces by his shop and that's a concern. The other business owners' employees that have to park there, it's like having a parking pass at Kent State or the University of Akron or Wayne College. If I park there and I don't have one, I get a ticket. So, maybe we take that approach, it doesn't cost anything, it's just something to identify to our department that these people are allowed to park here. I don't know what you were thinking on a solution standpoint, but that's where I was going. Williams asked the Law Director if this Ordinance covers such an issue? Law Director Simpson replied that it does not contemplate that sort of an issue. Mayor Robertson stated that he wondered how hard the enforcement becomes when you've got stickers or no stickers. Williams stated that it seems from what the legal issue decided in the Appellate Court just recently it said that it's unlawful search and seizure for tire chalking. I guess I wish Ray was here, how do we enforce this? It seems like we are going to pass the ball, if it's not enforceable. Law Director Simpson stated that it's enforceable. There are systems out there that do it, just for our purposes they're too expensive and much more cumbersome. There are solutions out there, just finding the right one that is going to work for us. Park stated that he goes to other places and it's parking lots and that kind of thing. But to assign parking spaces for the hardware store, these two are for Unique-tique. That and the street like that, does that help the problem if the hardware store a space or two that's just for his folks. Everyone else wide open. Law Director Simpson stated that he can't speak as to whether or not it is solving this problem. I suppose we could try to do something like, I don't know how we decide who get gets how many spaces, or

which spaces they get. Decker inquired that this Ordinance made our current signage enforceable, is that correct? Law Director Simpson stated that is what it was specifically designed for to make the signage enforceable. Decker stated so this isn't about whether or not people can or cannot park there, this is ultimately about enforcement. Decker stated so the question of how we enforce it would be phase two of putting this law into effect, but we don't know how we are going to do that yet. It seems then potentially unwise now having some voiced opposition to it, to put it into effect if we are only going to spin the wheels on actually enforcing it. It would be wiser, if we can't enforce it anyway, remove the signs until we know what path forward. Law Director Simpson stated it's enforceable, it's just that we don't have a good method of doing so. At the time the Ordinance was drafted the enforceability was chalking tires and then shortly thereafter it became a no go. It's enforceable if we wanted to put money into a system to take pictures and time stamp and that sort of things like some other cities do. I know Wooster does something like that. We could enforce it we just don't have the right way of doing it. Part of the thought process is to put something on the book so the signs that we have are enforceable, and then figure out a way to do it. That way when that system or process becomes available to us, we have something on the books so we can put it into practice right away instead of having to come back and do this again. Williams inquired if it would be wise to have a committee with the Chamber of Commerce and the Police Chief and a couple of other parties to try to come up with a solution? I don't want to make the Government bigger than what it is but, maybe it could be that the parties, everybody works together to come up with a solution. Upon roll call Williams – Yes, Weirick = Yes, Park – Yes, Decker – No, Carey – Yes, Smith - Yes and **motion carried.**

New Business

a. **Motion to Approve the 2020 Tax Budget.** Weirick moved to approve, all Yeas on roll call and **motion carried.**

b. **Motion to Accept the Resignation of Ken Park, Council Member, Effective July 31, 2019.** Williams moved to approve, upon roll call Decker – Yes, Weirick – Yes, Smith – Yes, Williams – Yes, Park – Abstain, Carey - Yes and **motion carried.**

c. **Ord. No. 8118 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending the Annual Appropriation Ordinance No. 8081, as Amended According to the Attached Sheets(s) and Declaring an Emergency. Three Readings.** Ord. No. 8118 was read on first reading. Decker moved to suspend the rules, All Yeas upon roll and **motion carried.** Smith moved to adopt, all Yes upon roll and **motion carried.**

d. **Ord. No. 8119 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing the City Manager to Convey City-Owned Land Being Lot Number 3451 in the Morning Star Allotment No. 2, in the City of Rittman to the Rittman Community Improvement Corporation, and Declaring an Emergency. Three Readings.** Ord. No. 8119 was read on first reading. Smith moved to suspend the rules. Williams inquired if this was something that we need to act quickly on. Feuerstein replied that it would be nice to have it tonight. Upon roll call Park – Yes, Williams – Yes, Smith – Yes, Decker – Yes, Weirick – Yes, Carey – Abstain, and **motion carried.** Weirick moved to adopt. Smith inquired if this property had any value, this is something we will ever need to use for the City if we ever expand. Ken Mann responded that it is wet land. Williams inquired what the purpose of the CIC is to why they want this. Feuerstein replied that it is to work with a local business to help them expand. CIC is one of its main missions is to work with businesses to help them expand and this is one of the ways we can do that. This is us working with them to work with the business to do that. Upon roll call Park – Yes, Williams – Yes, Smith – Yes, Decker – Yes, Weirick – Yes, Carey – Abstain, and **motion carried.**

e. **Res. No. 8120 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, to Provide an Election to Renew a Five (5) Year 2.3 Mil Levy Commencing Tax Year 2020 (Calendar Year 2021) and Expiring December 31, 2025 (Calendar Year 2026) for the Purpose of Providing Ambulance and Emergency Medical Services and Declaring an Emergency. Three Readings.** Ord. No. 8120 was read on first reading. Smith moved to suspend the rules, all Yeas upon roll and **motion carried**. Feuerstein stated that he wanted to explain the changes to the Agenda and why you have it looks like six of the same kind of thing and why the County Auditor is here to help us and try to understand this. In 2017 there was a law that was passed by the General Assembly in the State of Ohio that says that anytime the municipality wants to put a levy on a ballot that goes over our 10 mil. We have to ask the County Auditor to certify how much that would generate in its first year. Once that is certified then we can put it on the ballot. When we had this at the last meeting, we didn't have that information. We are thankful for the County Auditor to educate us on this. So, what you have is two Resolutions asking for the County Auditor to certify that information for the EMS renewal and Fire renewal. Then two Ordinances putting that language on the ballot for the EMS levy and Fire levy. The last two additional are Resolutions to Medina County asking for the same thing. Chances are we are going to have a special call once we have them certify, because the person we had to speak with at that county is not in the office for right now. To try to understand the process of government this is the best plan of action we had based on the information we had at the time. Jarra Underwood, County Auditor stated that she wanted to make a correction the two meetings did not come along with the law change in 2017. That was probably maybe seven or eight years ago. In 2017 it changed the wording on the Resolutions. They have the same intention but Secretary of State amended the wording. That was what the 2017 changes. You will first need to pass the Resolution asking the Auditor to certify. Then I will certify the levy. I haven't been here for a while; I haven't been here with this Council. I did prepare some instructions for each of you just because I thought it might be of interest. I talk about what the current annual revenue is, what the cost to a \$100,000.00 homeowner is. Your first try at the ballot is the general election in 2019. You have three tries to pass these levies, so you are getting in on your first try. Should something happen that one of these were not successful the next try would be the primary of 2020 and the general election of 2020. I think it is useful information to tell you in your city 1 mil generates \$91,900.00. The levy that I'll certify tonight will include Medina and Wayne county values because you are in the home county of Wayne, so that's my responsibility. Weirick moved to adopt, all Yes upon roll and **motion carried**.

f. **Res. No. 8121 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, to Provide an Election to Renew a Five (5) Year 1.0 Mil Levy Commencing Tax Year 2020 (Calendar Year 2021) and Expiring December 31, 2025 (Calendar Year 2026) for the Purpose of Providing a Minimum of Twenty-five Percent (25%) for the Capital Improvement and the Remainder for the Maintenance and Operation of the Fire Department and Declaring an Emergency. Three Readings.** Ord. No. 8121 was read on first reading. Carey moved to suspend the rules, all Yeas upon roll and **motion carried**. Smith moved to adopt, all Yes upon roll and **motion carried**.

Motion to amend Res. No. 8120 to reflect levying a tax under R.C 5705.19 (U) not R.C 5705.19 (I). Weirick moved to adopt, all Yeas on roll call and **motion carried**.

g. **Res. No. 8122 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Declaring the Necessity a Five (5) Year 2.3 Mil Levy, in Excess of the Ten (10) Mil Limitation Commencing Tax Year 2020 (Calendar Year 2021) and Expiring December 31, 2025 (Calendar year 2026) for the Purpose of Providing Ambulance and Emergency Medical Services and**

Declaring an Emergency. Three Readings. Ord. No. 8122 was read on first reading. Weirick moved to suspend the rules, all Yeas upon roll and **motion carried.** Motion to adopt with the amendment of R.C 5705.19 (I) to R.C. 5705.19 (U). Weirick moved to adopt, all Yes upon roll and **motion carried.**

h. **Res. No. 8123 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Declaring the Necessity a Five (5) Year 1.0 Mil Levy, in Excess of the Ten (10) Mil Limitation Commencing Tas Year 2020 (Calendar Year 2021) and Expiring December 31, 2025 (Calendar year 2026) for the Purpose of Providing a Minimum of Twenty-Five Percent (25%) for the Capital Improvement and the Remainder for the Maintenance and Operation of the Fire Department and Declaring an Emergency. Three Readings.** Ord. No. 8123 was read on first reading. Weirick moved to suspend the rules, all Yeas upon roll and **motion carried.** Decker moved to adopt, all Yes upon roll and **motion carried.**

City Manager's Remarks

I want to highlight the event (flooding) that we had earlier in June. The City crews that helped out especially the fire department for getting out there early in the morning helping cars get out standing water as well as helping IGA. As the only grocery store if they close down for any amount of time it hurts a lot of our vulnerable population and they are the ones we have to worry about the most. Also, Kimble for teaming up with us to help provide dumpsters for people to get rid of any damage that they might have had due to the events. These last two weeks I have been working with a lot of residents looking at different areas in the City, trying to understand where the flood points were. I understand that the storm that we had was a massive event. We are waiting on a few grants from FEMA as well. Then to really study Landis Ditch which will hopefully allow us to work with USGS as well as Muskingum Water Shed to really look at the flood plain and understand where it goes and to help mitigate some of those flood waters from Landis Ditch. The fire department really stepped up and I am really proud of their efforts and happy that we have them here.

Jarra Underwood the County has flood plain map that they can provide to us.

Finance Director's Remarks

Nothing at this time.

a. **Approval of Financial Report for May, 2019.** Weirick moved to approve, all Yeas on roll call and **motion carried.**

b. **Approval of Financial Report for June, 2019.** Weirick moved to approve, all Yeas on roll call and **motion carried.**

Council Remarks

Smith – thank you Ken Park for your service to the community. We very much appreciate it.

Carey – thank you Ken for your time. My wife and I want to say thank you to Don and his EMS Team. They did a fantastic job with our son a couple weeks ago. Not too long ago we were saying thank you for some other things and I said thank you and I am sure we are going to need you soon. Unfortunately, this was much sooner than we had thought. You did a great job handling the medical emergency with him and keeping me from freaking out. You got our little guy to Children's quickly and safely. I want to say thank you to you and your team that was great. Thank you to the folks that came out tonight and discussed the flood situations. That is definitely something that is waning on our hearts and minds as we are going forward as we see things happening.

Williams – thanks Ken for his service to the community. I can always count on Ken for good judgment, just being very logical about things. I too wanted to thank all of the departments for helping out with the flood issue. Thank you Jarra for coming out and preparing what you did. I would think that is going to be something that they're going to publish on the back of the water bills for education as far what it means to the average taxpayer on a \$100,000.00 house. I would like to thank Rick for the education tonight and also Allan for raising concerns. I think that a couple years ago I complained to the street department for the same situations, the grass growing out of the sewer grates on many locations along the neighborhoods where I live causing washout onto Erie Street and it took about a year to get it cleaned out to the point where they put the water jet down in there cleaned them out. I think between this and other issues, the streets, the parks, the lack of equipment going up, just continues to show me that we strategic planning. Ever since I have come back onto Council, we can't afford for infrastructure to keep failing. The lack of people not having priorities in our departments and it infuriates me that we are not more proactive with what we do. I would also like to thank Darrell Carey for being here, it's good to see him back. Thanks, to Joan for being on the spot with our copies tonight.

Weirick – I wanted to thank everyone for coming.

Park – this has been an honor for me to sit up here and represent the Citizens. I know it's a small town, but my roots are even smaller in a little holler down in Pennsylvania, so this is kind of a big deal for me. I don't like the fact that I had to give up early. I had every intention of trying run again and do it again. Situations happen, and circumstances come up and make decisions on that kind of stuff. These folks up here are great. I have great confidence in where the City is going. I think we are going to get there. I know we have got some stuff we need to address, with the flooding and so on and so forth. But I think we have got some people in place that know what we need to do and are going to make every effort to get there. Thank you all for everything up here.

Decker – thank you Mr. Park. It will be a lonely few meetings. Thank you everybody for putting up with what we had up here, patiently. I want to echo the concerns regarding the way our infrastructure is handling the high levels of water. We had this issue last April and we had citizens in here and they were concerned. Our basement flooded in that as well. This time around again, it did as well. We lost furniture, a water heater, several other things not of great value but it was not a welcome way to spend my vacation. It is something that we need to address. I have been with you pushing for a greater or more robust way to approach what we call our departments to be responsible for. I don't doubt anybody's intentions, I don't doubt their motives. But I think the people of Rittman do have questions and I wish we could give you the answer. I have the questions as well. There does need some kind of effort put forward, and not just effort, some kind of results seen. I hope if we are able to do this research on Landis Ditch as well as some of the other waterways throughout and around the community, we can figure out a way mitigate this kind of trouble in the future.

a. **Approval of May Voucher #'s 10059 thru 10149 and Memo Expense #'s 0M5191 thru 0M5196 and M51910 thru M51917.** Weirick moved to approve, all Yeas on roll call and **motion carried.**

b. **Approval of June Voucher #'s 10150 thru 10308 and Memo Expense #'s 0M6191 thru 0M6199 and M61910 thru M61921.** Williams moved to approve, all Yeas on roll call and **motion carried.**

Adjourn: - 8:25 p.m. Park moved to adjourn, all Yeas on roll call and **motion carried.**

Mayor

Clerk of Council