

**Rittman City Council Met in
A REGULAR MEETING
on Monday, March 12, 2012 at 7:00 p.m.**

Members Present: Richard Lapehn, Lynn Beaumont, Steve Johnson, Glen Russell
and Darrell Carey

Members Absent: Rick Hanlon

Presiding: Mayor William Robertson

Invocation was given by Barbara Brooks, clerk followed by the Pledge of Allegiance

Approval of Minutes – February 27, 2012

Beaumont so moved, upon roll call; Carey-Abstain, Russell-Yes, Beaumont-Yes, Lapehn-Yes, Johnson-Yes and **motion carried.**

Workshop

a. Discussion of the 2013 Budget

Finance Director Barbara Rissland advised at the last few meetings they presented several options of either reducing expenditures or increasing revenues. She advised she believed the purpose of the work sessions were to see if Council had any guidance for them or direction on any of the options for them to pursue at this time. Rissland also asked if Council had any questions regarding any of the information previously provided. She indicated a copy of the memo regarding income tax rates or credit reduction was at their desk for review. Rissland advised she could have the extra spreadsheets available at the next meeting, tomorrow or she could run copies tonight if they wished.

Council Member Lapehn inquired if they (the city) were doing the best job possible of keeping expenses as low as possible.

Rissland advised she believed so.

Lapehn advised the books were audited every year and there was no problem with the audit and in fact they get praised for their great work. He advised they have had employees of the city retire and have not been replaced such as a police officer and other city workers who have retired and have not been replaced. Lapehn advised the city departments he believed were threadbare and skeletal work crews. He advised because of union and management rules of who could jump down in the sewer and do the work and who couldn't they needed both AFSCME and management/administration members. Lapehn advised he felt they have to look at ways to raise the income of the city and ways in order to maintain the present services offered by the city. He advised he didn't believe there was anything more they could cut at this time unless the residents wish to give up services they are presently receiving. Lapehn advised they have talked about police services, fire services, EMS services and other things that go on here in the city with the administration building and how they were necessary. He advised there was potential with what the state might do as far as income tax collection. Lapehn inquired if we knew whether or not the state would be taking over our income tax collection.

Rissland advised they didn't know yet.

Lapehn advised that would have a bearing on his decision. He advised for discussions sake he would suggest lowering the tax credit offered to those working out of town, which impacts his family, by .25%. Lapehn advised he believed that decision would be a motion of Council and would not require a vote of the residents; of course they could have their say this fall. He advised at the same time he believed that the 1.5% that the residents pay could likely be raised to 1.75% thus, all residents inside and outside the city would be affected by it. Lapehn advised he knew (that last option) was a voter issue, but that way everyone was affected in the same way because he knew there were residents who work outside the city who admittedly do not pay income taxes to the City of Rittman, but they buy gas at Kwik Fill, they go to the dentist, they go to the IGA and Crawfords Dari Delite and spend a lot of money here in town. He advised they might work in Timbukto and pay 2% where they work and now (if this change is implemented) they would pay 2.25% (with only .25% coming to Rittman) to live in our community and be a recipient of the services we offer. Lapehn advised for discussions sake he would toss out a .25% raise in the local income tax to 1.75% that would require voter approval and the other would be to lower the tax credit for outside of the city workers by .25%, which is an action of Council.

Council Member Beaumont advised they have talked ever since he has been on Council about how the tax code needed to be changed. He advised the tax committee last year did a good job of clearing up some of those areas where the code was very vague. Beaumont advised they have made good steps in making our tax code easier for the administration to deal with and so businesses and

others understand where we were coming from. He advised he felt that whatever they do had to be fair and equitable to everyone in the city. Beaumont advised they all had to acknowledge it really wasn't fair right now because those who live here and work out of town receive all the benefits of those who live here and work here without paying for that benefit. He advised (those tax dollars) go to shredding your brush, to picking up your leaves, to plowing your roads, the EMS and the fire department (services). Beaumont advised all the things that we all hope that we can continue to offer at the high level we do now. He advised he really believes that one of the things we do in Rittman very very well is our city services. Beaumont advised honestly he doesn't know how Larry (City Manager) does it sometimes with the department heads and all the cuts that have been made and the fewer number of employees they have at their disposal. He advised he believes they have to do something and they have tried everything else. Beaumont advised his feeling was that whatever they do had to be fair and equitable for all the residents and he felt it couldn't be something that another municipality might alter their tax code and affect the benefit they thought they would be receiving. He advised one of the scenarios was capping the credit and that impacts everyone who lives and works in and out of the city. Beaumont advised they would still receive a credit, but it would be capped. He advised it would still not even come close to generating enough capital to get us (city) out of the hole, but we all are hoping the economy will change and we hope to generate more than estimated as more people work. Beaumont advised his feeling was that he would like to see the tax credit capped at 1%.

Council Member Carey inquired regarding Lapehn's proposal to reduce the credit by .25% and if they increase the tax rate (.25%) to 1.75% and his desire would be to cap the credit at 1.25%. He advised then all residents living here and working outside the city would pay .5% (to Rittman), which was basically the same (as Beaumont's) proposal. Carey advised he had no idea as to how much income or revenue they were looking at generating by raising the rate .25% and then dropping that credit to 1.25%.

Rissland advised she would have to look at that as it wasn't one of the scenarios she presented. She advised she believed she presented an increase from 1.5% to 1.75% would generate approximately \$300,000 with 53% being paid by the Rittman residents and of that \$300,000; \$150,000 would go to the General Fund.

Carey advised and that was keeping the tax credit at 1.5%.

Rissland advised yes.

Carey advised so if we reduced the credit to 1.25% it would raise even more (revenue).

Rissland advised probably another \$90,000 of which only ½ of that would go into the General Fund.

Carey inquired if Council could change the allocation of that money specifically to the General Fund.

Rissland advised she would say no because it was still based upon the generation of taxes voted.

Council Member Johnson advised he weighs in with Lynn (Beaumont) as he liked the idea of the cap so if other cities raise their rate it doesn't affect us (Rittman) directly. He advised he would be more inclined to do it with the cap (on the credit given for taxes paid to other cities). Johnson advised his negative feeling about it was if they raise the tax rate he believed it wasn't so much our rate that was hurting us, but the amount of residents working out of town. He advised he felt it was more of an incentive for businesses considering coming into town to give them the rate of 1.5%.

Mayor Robertson advised and it was pointed out that any proposed tax increase would have to go before the voters.

City Manager Boggs advised he would like to remind Council that in lieu of the cuts that the unions (AFSCME, OPBA) agreed on a 3 year contract until the end of 2014 with no raises or benefits. He advised there was a clause stating if the General Fund went over a certain amount at the end of the year, the carryover balance, that negotiations for a cost of living increase would "kick in". Boggs advised he wanted it to be recognized that the employees have all "chipped in" on this crisis as well and there haven't been any raises for the second year now.

Council Member Russell advised he would like to point out that several years ago they tried to increase the income tax and the voters turned it down. He advised maybe things have changed and maybe people feel differently, but whatever we do he felt they were going to have to put it before the voters. Russell advised his point was that he feels like they were penalizing the people that work out of town. He advised we don't have jobs to offer people in town so he felt they were punishing them for having to leave town (to work) and he was sure a lot of them don't want to leave town (to work), but they don't have any other choice. Russell advised he felt that was something they had to consider, but whatever they do it must go before the voters.

Robertson advised to change the tax credit they do not have to go to the voters. He advised Council can vote to lower the tax credit.

Russell advised we might vote on it, but it will go to the voters.

Robertson advised that would be an option for someone to place a referendum on the ballot.

Russell advised it will be done because I've been told they will start it.

Robertson inquired of Russell as to what his solution was to the budget if they weren't raising revenue. He inquired if Russell was in favor of the cuts then.

Russell advised we might have to make some cuts some place, but he was not in favor of raising income tax.

Robertson advised they went over the cuts and it wasn't just some cuts.

Carey advised there were very few municipalities in the area that give 100% credit. He advised Akron was one (that does not give 100% credit for taxes paid to another municipality) and Akron was a pretty big city. Carey advised Wadsworth does not (give 100% credit), Creston does not and he wasn't sure about Seville. He advised he felt they almost needed to do this or they would be seeing many of the city services offered get cut. Carey advised this change would affect his family, but he didn't have a problem with that because he knew it was something that needed to be done. He advised he felt the easiest way (to generate revenue) was to cap the credit at 1%. Carey advised the scenario the first 25% coming to Rittman would be too confusing. He advised he felt they should at least consider the legislation so it could be discussed further and it should be brought before this Council. Carey advised something has to give.

Lapehn advised he felt that was a good idea.

Robertson advised he felt they were seeing it in other municipalities as we were all suffering from the state cuts to the Local Government Fund (LGF). He advised it was a huge deficit very quickly and wasn't something they had a chance to slowly adapt to, but was cut out of the current budget and was a problem.

Lapehn advised there was no good solution.

Carey advised this was not a solution that he would ever recommend if there was any other way.

Robertson advised it was other government entities avoiding a tax increase and passing it down and the buck stops here.

Beaumont inquired if they were requesting Kevin (Bower, Law Director) to prepare legislation.

There was general agreement to do so.

Lapehn advised they had to get started as they had three readings to get through and it gives the public a chance to read it in the newspaper and it would be the end of May (before the legislation was adopted).

Beaumont inquired if they needed to have it completed by the end of July.

Rissland advised they probably wouldn't start seeing any benefit until they (taxpayers) file next year and it made sense to her if they did it either effect July 1st or January 1st to implement just for the ease in calculation for people.

Beaumont advised he was good with 1% (credit).

Robertson reiterated that Council was requesting legislation be prepared to cap the city income tax credit at 1%. He advised at least present it for discussion.

Beaumont advised this (proposed revenue) would only cover a little more than half of what was going to be our deficit. He advised we still were going to be in the hole. Beaumont advised it wasn't like they were taking a huge bite out of everyone's apple here. He advised we were getting a little over half way of where we need to be.

Rissland advised the state cuts impacted us by approximately \$300,000 and to petition for the millage for the township to bring some of it back and continue to not fill some of the positions currently vacant. She advised and shift some of the money into the designated funds like the licenses into the permissive tax funds, street construction, maintenance and repair. Rissland advised that should help them at least stabilize it. She advised it would not make everything perfect as they were losing over the course of the two years \$300,000. Rissland advised next year the state would be doing another budget and hopefully their finances would have stabilized so that we don't see additional cuts. She advised in talking with peer groups there was a chance they could lose more government funds.

Russell inquired as to how much money would be generated at 1% (cap on the credit).

Rissland advised if we take the cap down to 1% it would generate \$188,000 and only \$94,000 would go into the General Fund. She advised 25% would go into the Capital Improvements Fund, which is approximately \$47,000 and \$47,000 (25%) into the Water Fund. Rissland advised they were losing overall through accounts impacted and funded by the General Fund approximately \$300,000 of which they transfer some money into the Fire Dept Fund from the General Fund and the city has also lost some monies from the state and the changes that were made like the Tangible Personal Property Tax Reimbursement. She advised the overall impact was close to \$300,000.

Carey advised they would still be \$200,000 short.

Rissland advised they were hopeful to get the inside millage, which would make up another \$45,000 and with the positions that were currently vacant and shifting some of the expenditures from the General Fund into other funds, they would be close. She advised it was not going to be enough to permit any sort of growth, but they should be able to maintain their service level for a while until they see what happens with the economy. Rissland advised income tax collections were up again this month, which is positive. She said we are hearing that the economy was finally turning around, but it was going to take longer than a few months to determine that. Rissland advised they still had the impact of gasoline prices as just about everything they do uses fuel and it also impacts everything

they buy. She advised she couldn't say this would fix it 100%, but it would sure get them a lot closer than they were right now.

Russell advised if they cap it at 1%, but they were paying 1.5% now. He inquired if they were reducing it or are you raising it more than 1%.

He was advised they were reducing the credit (given for taxes paid to other cities).

Carey advised he works in Cuyahoga Falls and pays 2% (to Cuyahoga Falls) and pays nothing to Rittman.

Rissland advised we give him credit (currently 100% up to 1.5% [Rittman's rate] for what is paid to the city where you work, although all those tax dollars stay in the city worked).

Carey advised if we reduce the credit to 1% he would now pay .5% to Rittman instead of nothing.

Russell inquired as to what it was now for working out of town.

Carey advised he gets full credit.

Russell inquired if it depended on the city where you work.

Carey advised yes. He advised if he were to work in Wooster he would be paying .5% here (Rittman).

Russell advised he believed Akron was higher.

Rissland advised 2.25%.

Robertson advised everyone who works in Akron pays nothing here (currently).

Russell inquired if they wouldn't be paying any income tax at all then.

Robertson advised if we lower the credit to 1% then we would give them credit for 1% of the tax (paid to another city) and they would then be responsible to pay .5% to Rittman. He advised the current tax is 1.5% and the current credit is 1.5% and if the credit is reduced to 1% then they all would pay at least .5% to Rittman.

Russell advised so really they were reducing it for the people who work out of town.

Rissland advised we are reducing the credit given.

Carey advised for his personal situation it would increase his local tax paid to 2.5% from 2% because he will pay Cuyahoga Falls 2% and Rittman .5%.

Robertson advised if you work and live in Rittman then you pay the 1.5% to Rittman.

Rissland advised to keep in mind that local income tax does not tax certain types of income such as retirement incomes or interest earnings. She advised those people who aren't currently employed or who have rental properties or Schedule C properties or business properties it wouldn't affect them at all. Rissland advised people that are living in Rittman and working in a non-taxing district, reducing the credit will not affect them at all. She advised people living and working in Rittman it would not affect them at all.

Russell inquired as to what about the people working out of town and those cities raise their taxes, then what happens.

Robertson advised they would still pay (at least) .5% to Rittman (with this proposed change).

Boggs advised he would like to reiterate that those people on disability or retirement income would not owe any tax to Rittman. He advised this (proposed change) would not affect the senior citizens (on retirement income only).

Citizens Forum

Deb Holcomb of Hatfield Rd. advised she was present again to ask about the Jungle Safari that comes to the Rittman IGA each year. She advised she believed Mr. Boggs spoke with the IGA owner and she inquired if the Mayor had a chance to speak to him as well.

Mayor Robertson advised no he didn't.

Holcomb inquired since Mr. Boggs spoke with him if he would expound on their conversation.

Boggs advised after the last meeting he contacted Don Foutty (owner, IGA) to let him know there were some issues discussed at the Council Meeting (regarding the Jungle Safari) and his response was that he (Foutty) didn't want to create any problems. He advised and the petting zoo cost him quite a bit of money out of his pocket and he was just doing it to bring some entertainment into Rittman and if it was going to cause a problem he probably wasn't going to do it anymore since there was some controversy.

Bill Crawford thanked Larry Boggs and Council and all their efforts and advised he felt over the years our Council and City Manager have done an excellent job of taking care of the tax dollars of the citizenry. He advised he would just like to reinforce the letter he gave to have placed in their packet. Crawford advised he would be happy to answer any questions.

Lapehn inquired as to what would be the impact on his business (if ice cream truck vendors were in town).

Crawford advised he didn't know if there was any way to set a number on it. He advised he believed years ago they (ice cream trucks) were denied access to Rittman because of the safety feature and he didn't know if there has been any action taken to prevent an accident from happening. Crawford advised he didn't have any way to know exactly the impact it would have on his business, but it could have an impact on the number of employees he has. He advised over the course of a year if some truck is going around selling ice cream door to door it takes funds away to an outside vendor

who leaves town with it versus ice cream bought in town and tax dollars paid on it that helps to balance the city coffers.

Lapehn inquired if his business was inside the city limits.

Crawford advised yes.

Lapehn inquired of the law director if the proposed ordinance would allow an ice cream truck to park at the ball diamonds and spend the afternoon selling to every little league and baseball team that comes through.

Bower advised in 15 minute increments, so they might have to move from one part of the lot to another.

Lapehn advised so they could just move to the next parking space over.

Bower advised theoretically, yes.

Lapehn advised there likely could be some noticeable impact from the ball teams after the game is over as they wouldn't need to go to Crawford's and get ice cream if they have already had ice cream.

Crawford advised it wasn't only the children from the ball games as the parents usually come too.

Boggs advised as the current ordinance already in place reads, ice cream truck vendors can already be in town they just can't play their music. He advised he believed that was what this proposed legislation was about as to whether or not they could play their music. Boggs advised so they (ice cream vendors) could technically come and sit at the ball fields now and sell their ice cream. He advised when this was first discussed with him he didn't think of the impact it would have on other businesses here in town.

Lapehn inquired if they (ice cream vendors) have to register with the Chief that they are in town.

Boggs advised no.

Carey advised basically the only thing they were talking about changing is the ability to make noise.

Boggs advised and as (Lapehn) just pointed out register with the police.

Russell advised plus they would be paying city tax.

Beaumont advised we also have put in some pretty significant safety features as far as insurance and the police investigation of the drivers. He advised he believed (this legislation covered) more than just the music. Beaumont advised they didn't have an existing ordinance as Kevin (Bower, Law Director) created this ordinance.

Lapehn inquired if we aren't amending an existing ordinance then why aren't there (ice cream) trucks now.

Boggs advised they can't play music.

Lapehn inquired if they refuse to come because they can't turn on their music.

Boggs advised yes.

Lapehn advised he was amazed. He inquired if June through August they didn't park at the ball diamonds and rake in the business.

Boggs advised he has never seen them park at the ball fields.

Lapehn advised they wouldn't want the music in the middle of the ball game, but they could park there and the kids would come to them.

Boggs advised of course we have our concession stands at the ball fields and he wouldn't really want them competing there anyway.

Lapehn inquired if they (concession stand) sell ice cream.

Boggs advised he didn't know.

Lapehn advised so presently a truck could sit down there (ball field) all summer anyway. He advised and they don't.

Robertson advised right now they wouldn't have to register and they wouldn't have to pay.

Lapehn advised he was just shocked that no one sees it as easy money.

Russell advised he believed they wanted to play the music was because of safety of the kids. He advised before that he believed the kids were running the streets and there were some kids who ran out in front of them (ice cream truck) so they want to play their music to at least let the kids be aware they were close by.

Robertson advised Glen (Russell) made a comment that they would be paying city income taxes and he inquired if they would be.

Lapehn advised sure.

Russell advised it would be like a tree trimmer or anyone else earning money.

Boggs advised not unless they file a business license as that would be the only thing to track them working here.

Robertson advised he appreciated those who came out to attend the meeting tonight.

Old Business

a. Ord. No. 7691 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, to Enact Section 513.18 of the Codified Ordinances of the City of Rittman to Prohibit and Regulate Clandestine Drug Laboratories and Declaring an Emergency.

Third Reading. Ord. No. 7691 was read on third reading. Carey moved to adopt, all Yeas on roll call and motion carried.

b. **Ord. No. 7693 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Levying Special Assessments for the Sidewalk Improvement Project from DeCoursey Along W. Sunset to N. Metzger (North Side Where Developed and South Side), N. Metzger (West Side) to Rittman Avenue, Rittman Avenue to Pleasantview (North Side), Saurer, Willard, Warren, Pleasantview and N. Hickin by Replacing Sidewalks in Disrepair or Installing Sidewalks Where Necessary All Together with the Necessary Appurtenances. Third Reading.** Ord. No. 7693 was read on third reading. Carey moved to adopt, all Yeas on roll call and motion carried.

c. **Ord. No. 7697 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Creating Chapter 521.10, Criminal Activity Nuisances, of the Codified Ordinances of the City of Rittman, and Declaring an Emergency. Third Reading.** Ord. No. 7697 was read on third reading. Beaumont moved to adopt, all Yeas on roll call and motion carried.

d. **Ord. No. 7699 An Ordinance of the Council of the City of Rittman, Ohio, Determining to Proceed with Improvements to Douglas Drive by Removal of the Existing Cement Surface and Replacing it with Full Depth Asphalt Altogether with the Necessary Appurtenances Thereto and Declaring an Emergency. Second Reading.** Ord. No. 7699 was read on second reading. Lapehn moved to place on third, upon roll call; Beaumont-Yes, Lapehn-Yes, Johnson-Yes, Russell-No, Carey-Yes and motion carried.

e. **Ord. No. 7700 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, to Create chapter 751, Ice Cream or Confection Vending, of the codified Ordinances of the City of Rittman, and Declaring an Emergency. Second Reading as Amended.** Ord. No. 7700 was read on second reading as amended.

Russell advised he received some calls from some of the local businesses who are concerned that business is being taken away from the local people for example Crawford's and IGA and those that sell ice cream. He advised these businesses who have been here for years selling ice cream and they were concerned that they would lose too much especially from the ball teams and parents.

Johnson advised he agreed with Glen (Russell) and he hadn't considered it until he read Bill's (Crawford) letter, but he doesn't wish to create a situation where they stress an existing business. He advised he didn't want to do anything that might affect that (Rittman business). Johnson advised he liked the idea of regulating something that has been an issue so, he wasn't sure. He advised he wasn't sure if they were making a problem they don't have or were correcting a problem. Johnson advised he believed Crawford has a valid point and he didn't want to do anything that was going to hurt an existing business.

Carey advised if they are already allowed in town he would like to see the parts of this legislation that requires them to register and that type of thing to be put in place. He advised as far as them being allowed to play their music, he didn't care about that. Carey advised he felt they still should regulate the part where they are made to register and not to promote taking away business from anyone else. He advised if there was a possibility to eliminate the music part and maintaining the rest of it.

Lapehn advised his whole question earlier was if this (legislation) is brand new and inquired if then the ice cream trucks were allowed anyway because they were commerce that was allowed in any city. He advised he agreed it would be nice to tighten up the rules about the trucks that aren't allowed here so if they were already allowed he believed somewhere in the ordinance book it had to say they were allowed in town.

Bower advised it was not addressed.

Boggs advised it didn't matter if it was ice cream vendors or sweeper salesman. He advised no one can go door to door (residentially), but the (prohibition) comes from the noise section of the ordinance where vendors and peddlers can't play music through a loud speaker to attract business.

The clerk (Brooks) clarified that all non-Rittman businesses were required to register with the city. She advised tracking (who was working here) was another thing. Brooks advised all businesses (working in Rittman) were supposed to register a business license for a fee for the calendar year.

Lapehn inquired if we collect their social security number so they could be tracked for income.

Brooks advised yes or they provide their Tax ID number.

Lapehn advised so presently they are supposed to do that anyway.

Brooks advised that's correct.

Carey inquired if we had anything in place that checks them to make sure they were legit or anything.

He was advised no.

Carey inquired if we call and verify.

Robertson advised they would get a vendors license.

Brooks advised they (the city) don't issue vendors licenses.

Robertson advised he believed they had to get a vendors license to be issued a Tax ID number.

Carey advised the auditor's office issues vendor's licenses.

Robertson advised this new ordinance has the chief (police) doing a background check.

Lapehn advised with those in place he was not interested in having the music. He advised there was nothing stopping them from being at the parks presently and current Rittman businesses benefit from not having the competition.

Johnson advised he believed Section D (in the ordinance) was what permits the music and if they removed that section they couldn't play their music.

Russell advised if there was going to be a truck going around selling ice cream he felt there should be some kind of (sound) where it was music or a bell or whatever to at least warn the kids to stay out of the street.

Robertson advised he believed it wasn't warning them (children) as much as attracting them.

Carey concurred with the Mayor.

Johnson advised some years ago he believed it was discussed that the danger was because the little kids would hear the music and run into the street.

Russell advised he believed there was a person who didn't want to buy the ice cream and the reason they wanted to get rid of it.

Beaumont moved to place on third, upon roll call; Johnson-No, Beaumont-Yes, Carey-No, Russell-Yes, Lapehn-No and **motion failed**.

New Business

a. Motion to Designate the Clerk of Council to Attend the Necessary Three Hour Training for Open Records Pursuant to House Bill 9 Regarding the Ohio Public Records Law.
Russell so moved, all Yeas on roll call and **motion carried**.

b. Ord. No. 7701 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 981.08 Billing; Delinquent Accounts and Repealing Section 981.09 Rubbish Collection Rates of the Codified Ordinances. First Reading.
Ord. No. 7701 was read on first reading.

Boggs advised the Finance Director was not real happy with what this (legislation) doesn't say. He advised he believed she would like more of a definition of a solid waste fund.

Rissland advised she would like Council to create a solid waste fund or a refuse fund. She advised they could probably do it with a section in this ordinance, in which case they would have to amend it or do a separate ordinance that creates that fund.

Carey inquired as to what would be the purpose (of creating such a fund).

Rissland advised it would be treated like an enterprise fund like your water and sewer funds. She advised anything that was collected for that must go into that fund and only be spent for those purposes.

Carey inquired if they would pay Waste Management out of that fund.

Rissland advised yes, they would pay Waste Management and the leaf pickup and the brush pickup. She advised we need a separate fund to do it.

Boggs advised he believed it would do the same thing as it does now, but it was more defined for audit purposes. He advised they were planning on, if Council doesn't have a problem with this ordinance, first getting rid of (repealing) that last section as it was contradictory and redundant. Boggs advised it was brought to his attention that these (sections of the code) say two different things (conflict). He advised it was their intention to bring something to Council that if there were any overages in that fund that they would be able to use it for solid waste removal of brush and leaf pickup. Boggs advised he wasn't convinced that there would be a tremendous amount (of funds) left with the fuel surcharge "kicking in".

Carey inquired with the fuel surcharge "kicking in" were they going to have to amend this \$16.25 (per household) or would it automatically adjust.

Boggs advised his prediction was that he doesn't think they are going to have to raise the rates again (with the current contract), but he was nervous it wouldn't really do us much good if the fuel surcharge takes up all the (surplus funds). He advised that (paying the brush and leaf pickup costs with the refuse fee and the unknown adjustments with the fuel surcharge) was being proposed to help with this budget (crisis). Boggs advised we received a great contract from Waste Management and there was a possibility they could reduce the (fee charged to the households), although he was nervous about recommending that because he didn't want to have to come to Council 8 or 9 months from now and ask for an increase (in the refuse collection fee) because they were starting to go in the red. He advised he would rather keep it as it is and put it in this proposed (solid waste) fund or give (the households) some money back at the end of the year, but that was up to Council.

Rissland advised she wasn't opposed to either of those discussions and waiting and seeing what happens with the fuel costs because they are increasing rapidly to see if it lasts or if it is extended. She advised she believed typically over the last couple of years they (fuel prices) go up and

then demand goes down and then they (fuel prices) come back down. Rissland advised whether this would be the same was hard to tell. She advised they could watch the economy and reevaluate and see what was happening.

Boggs advised their recommendation was to put it on first reading and if Council agreed they would bring back an amendment if need be and discuss it with Kevin (Law Director).

Johnson moved to place on second with amendments, all Yeas on roll call and **motion carried.**

City Manager's Remarks

City Manager Larry Boggs advised he has started working on liability insurance proposals. He advised he spoke with the Law Director and he would be asking Council to pass some type of legislation allowing the City Manager and the Finance Director to review the proposals. Boggs advised this would be very similar to what they did with the health insurance and he spoke with several agents already. He advised there really were only about 5 different carriers for general liability for municipal government and his feeling was there was no sense in bidding it as they would be flooded with agents and quite frankly most of them wouldn't be able to bid anyway because the district agent would only allow one to make the proposal for the city. Boggs advised they were probably going to get 5 quotes from 5 different companies and maybe 5 different agents, but it would be really hard to come up with actual bid specifications for this and he believed it could be reviewed in-house unless Council wants to review them all and make that decision. He advised it was going to come down to price and making sure the companies were apples to apples along with good coverage.

Boggs advised he mentioned to the Mayor and was hopeful he would put it in his article as well as the press that our income tax administrator volunteered to put in extra time. He advised since a lot of people work the same hours that City Hall is opened, they would be offering income tax assistance for the preparation of city income tax on Thursday, April 12th from 5-8 pm and Saturday, April 14th from 8-11 am. Boggs advised so they were offering extra city income tax assistance to the residents.

Boggs advised he included copies of his thank you letter sent to Morton Salt, but he wanted to publicly thank them for the large donation received of 570 pallets of salt pellets. He advised he felt they work just as good as our salt granules once the vehicles crush them by driving over them. Boggs advised they were lucky this year and didn't have to spend as much for the salt budget or (snow removal) overtime. He advised that was a tremendous donation and would be used into the next year as well. Boggs advised at the same time there was a lot of pressure to get the (pallets of pellets) out of there and he is appreciative of the owner of Altrux for loaning (the city) his switch tractor and a flatbed trailer to be able to haul many pallets at one time. He advised they (the city) also assisted the schools in delivering a few loads to them as well and they were very appreciative.

Boggs advised the current Executive Director for the Chamber was leaving due to her business becoming busier and not having the time to dedicate to the Chamber like previously. He indicated the Rittman Board of Directors for the Rittman Area Chamber of Commerce received some excellent candidates for the position of Executive Director and the new Chamber Director would be starting on March 26th and he was hopeful she would come to the next Council Meeting and introduce herself.

Finance Director's Remarks

Finance Director Barbara Rissland advised the auditors finished up their audit and wouldn't be back until the end of May. She advised income tax collections were up slightly and that was a positive. Rissland thanked Council for their consideration of reducing the tax credit, as she felt that would help to keep things running.

Mayor Robertson advised city income taxes were due April 16th.

a. Approval of Financial Report for February

Lapehn so moved, all Yeas on roll call and **motion carried.**

Council Remarks

Council Member Darrell Carey thanked everyone for coming. He congratulated Patrolman Miller for being nominated for the Officer of the Year award and advised that was outstanding. Carey thanked everyone for their thoughts and discussions regarding the income tax and advised it was a difficult thing to have to do. He advised he appreciated their discussion in trying to come up with a solution.

Council Member Glen Russell had no remarks.

Council Member Richard Lapehn thanked Morton Salt for their contribution of the pallets of salt as it was a very generous contribution to the city and the schools.

Council Member Lynn Beaumont advised he would like to echo Darrell's (Carey) comments regarding Officer Miller. He gave kudos to Miller and advised it was a pretty prestigious award.

Council Member Steve Johnson thanked everyone for coming. He thanked Morton Salt for their donation and advised it was wonderful and he was thankful for the good weather.

Mayor William Robertson advised this Thursday and every Thursday all summer there would be a Family Fun Ride on bicycles on the Rails to Trails. He advised the Orrville bicycle shop has organized it together along with some others and they would be meeting at the Sterling parking lot on Atlantic Avenue and St. Rte. 504 and ride into the Rittman trailhead and turn and ride back. Robertson advised it is intended to be more of a social hour than a physical fitness hour. He advised if you feel like riding a bike and want to do so with a group of people it will be at 6:00 pm on Thursdays. Robertson advised the event is planned for Thursdays the whole summer and it was nice of Orrville to start up such a program using the trail.

a. **Approval of Vouchers 56609, 56691 thru 56756 and Memo Expense #'s 120201 thru 120213 w/Then and Now Certificates** Carey moved to approve, all Yeas on roll call and **motion carried.**

Adjourn: 8:07 p.m.

Carey moved to adjourn, all Yeas on roll call and **motion carried.**

Mayor

Clerk of Council