

**Rittman City Council Met in
REGULAR MEETING
on Monday, September 24, 2012 at 7:00 p.m.**

Members Present: Steve Johnson, Lynn Beaumont, Richard Lapehn, Glen Russell
and Rick Hanlon

Members Absent: Darrell Carey

Presiding: Mayor William Robertson

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

Councilman Russell asked for a moment of silence in honor of former Councilman Ralph Leroy Johnson who recently passed. It was noted the calling hours would be Wed. 4-7 pm at Gillman's Funeral Home and the funeral would be Thurs 11 am at the Life Tabernacle Church.

Approval of Minutes – September 10, 2012

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

Workshop

a. MIAP Flag Presentation – Tom Leatherman

Mayor Robertson advised he was out of town when the Western Reserve National Cemetery held a special ceremony this past summer honoring Veterans who were never claimed or given a proper burial ceremony and Tom Leatherman was kind enough to go in his place.

Tom Leatherman advised he is chairman of the Veteran's Association at the national cemetery. He advised on June 30th Mayor Robertson was kind enough to allow him to represent the city for the interment of 13 Veterans who have been "sitting on shelves" in funeral homes for many years. Leatherman advised in November of 2006 a group formed known as the Missing in America Program who search out these Veterans that have gone unclaimed in funeral homes and make certain they get honorable burials. He advised the ceremony was well attended with probably 200 people and notables such as Congressman Renacci and Congresswoman Sutton who both received flags. Leatherman advised Mayor Robertson was invited as a representative of the City of Rittman to receive a flag and was unable to attend so he was honored to take his place. He advised it was a very moving ceremony and he as chairman of the Veterans Association was able to take part in the ceremony by carrying some of the cremains to the shelter as well as receive a flag. Leatherman advised he wanted to make the presentation of the flag to Rittman tonight and he read the framed certificate

"The Missing in America Project proudly presents this United States flag to Mayor William Robertson and the City of Rittman in honor of Private First Class Kevin Patrick Chambers, United States Army. September 16, 1957 - April 12, 1988."

Leatherman advised he was just a young man when he died and Private Chambers date of service was October 19, 1978 through November 17, 1982. He advised Private Chambers died in 1988 and has been sitting on a self in a funeral home since that time. Leatherman indicated Private Chambers along with 13 other unclaimed Veterans received honorable funerals that included the firing squad and taps, etc. He advised each dignitary present received a flag for a Veteran and the City of Rittman received Private Chambers flag. Leatherman presented the flag to Mayor Robertson and the City of Rittman. He advised since Private Chambers had no other family, the City of Rittman is now his family and he felt it was a very fitting conclusion to that and it is sad to think that there are so many of these individuals that did not have families to pick up their remains. Leatherman advised since November 2006 MIAP has visited 2,782 funeral homes and have found cremains of 16,100 people who have not been interred. He advised of those 16,100 people 2,044 were identified through the Department of Defense as Veterans and of the 2,044; 1,854 have been given honorable burials at national cemeteries. Leatherman advised it was an ongoing project and he was sure there would be more ceremonies of this nature at our national cemetery. He advised if anyone was interested in taking part in a very moving ceremony he would encourage people to attend one of these ceremonies. Leatherman advised there were 200 people at this ceremony and no one in attendance knew any of the people who were being given honorable burials. He advised if the city decides they would like to

make a public display of the flag and framed certificate, he would be happy to donate a container to place the flag in for display.

Mayor Robertson inquired if another option would be to donate the flag back to the national cemetery and it could be flown on the avenue of flags. He advised it was a very large flag and probably could not be used on the city's flagpole.

Leatherman advised he would leave the decision up to Council as to what they wanted to do. He advised he appreciated the honor the Mayor gave him to represent the city and receive the flag.

Mayor Robertson thanked Mr. Leatherman for attending in his absence.

Councilman Beaumont advised in that same vein he would like to mention that last Friday (9/21) was POW-MIA Remembrance Day. He advised there have been 81,235 representatives of our country that have not been found and are considered prisoners of war or missing in action. He indicated that was a sobering number of our countrymen.

Leatherman advised the Admiral that spoke at the ceremony was in a POW camp for eight years and he gave a very moving speech at the national cemetery.

b. Discussion of the 5-Yr Capital Improvement Plan

City Manager Boggs reviewed the Capital Improvement Plan for the next five years as follows:

FUND	2013	2014	2015	2016	2017
Division/Project Description					
CAPITAL IMPROVEMENTS FUND					
Administration					
Computer Hardware & Software	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000
Boiler - City Hall	0	0	0	50,000	0
Subtotal	15,000	15,000	15,000	65,000	15,000
Safety					
Patrol Car	0	30,500	0	31,500	0
Misc. Equipment (Computers, MDT's, etc)	5,000	5,000	5,000	5,000	5,000
Range Gate & Fence	5,500	0	0	0	0
Building Security	0	7,500	0	0	0
Subtotal	10,500	43,000	5,000	36,500	5,000
Transportation					
Home Street Sidewalk/Safety Improvements	300,000	0	0	0	0
Tractor/Boom Mower	35,000	0	0	0	0
Landis Ditch Cleaning	30,000	0	0	0	0
Vehicle Lift for Garage	4,000	0	0	0	0
Freed's Alley/State St. Storm Sewer (50% Iss. II)	0	500,000	0	0	0
2 Ton Dump w/ Plow	0	0	90,000	0	0
Salt Storage Building	0	0	0	45,000	0
Industrial St. Pavement (50% Iss. II - Assessments)	0	0	0	0	485,000
Streets **	50,000	0	25,000	25,000	0
Sidewalk	50,000	50,000	50,000	50,000	50,000
Subtotal	469,000	550,000	165,000	120,000	535,000
Parks & Recreation					
Pickup Truck	20,000	0	0	0	0
Bleachers at Ballfields	3,500	3,500	3,500	0	0
Treadmill	0	0	3,500	0	0
Elliptical	4,000	0	0	4,000	4,000
Adaptive Motion Trainer	0	4,500	0	0	0
Subtotal	27,500	8,000	7,000	4,000	4,000
TOTAL CAPITAL IMPROVEMENTS FUND	522,000	616,000	192,000	225,500	559,000

**** Streets**

In addition to the amounts listed above, the following funds are available for street improvement

Permissive Tax Fund (Streets specified by County)	30,000	30,000	30,000	30,000	30,000
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FUND						
	Division/Project Description	2013	2014	2015	2016	2017
	EMERGENCY MEDICAL SERVICES FUND					
	Safety					
	Computer/Communications Equipment	5,000	5,000	5,000	5,000	5,000
	Cardiac Monitor	0	0	30,000	0	0
	EMS Base Radio	0	0	10,000	0	0
	Replacement Cot	10,000	0	10,000	0	10,000
	Station Security	0	7,500	0	0	0
	Command Vehicle Reserve	2,000	2,000	2,000	2,000	2,000
	Ambulance Replacement Reserve **	30,000	30,000	30,000	30,000	30,000
	Facility Expansion Reserve	40,000	40,000	0	0	0
	TOTAL EMS FUND	87,000	84,500	87,000	37,000	47,000
	**Purchase Ambulance in 2016 with Reserve					
	FIRE DEPARTMENT LEVY					
	Safety					
	Replace SCBA (Qty 10)	15,000	0	0	0	0
	Replace SCBA Compressor	0	25,000	0	0	0
	Replace Rescue Tools	0	0	15,000	0	0
	Replace Roof	0	0	38,000	0	0
	Replace SCBA (Qty 10)	0	0	0	15,000	0
	Replace SCBA (Qty 13)	0	0	0	0	19,500
	TOTAL FIRE DEPARTMENT LEVY FUND	15,000	25,000	53,000	15,000	19,500
	CEMETERY ENDOWMENT FUND					
	Health					
	Foundations	5,000	5,000	5,000	5,000	5,000
	New Section Layout/Roads	0	0	60,000	0	0
	One Ton Dump Truck	0	0	0	32,000	0
	TOTAL CEMETERY ENDOWMENT FUND	5,000	5,000	65,000	37,000	5,000
	WATER					
	Utility services					
	Home & Fairlawn Water Line	499,147	0	0	0	0
	Well #7 Maintenance	15,000	0	0	0	0
	Replace 1997 Water Treatment Van	0	30,000	0	0	0
	Metzger Tank Painting	0	133,000	0	0	0
	Truck - 1/2 Ton Pickup - Util. Super. (50% Funding)	0	0	15,000	0	0
	Well # 8 Maintenance	0	0	15,000	0	0
	Decoursey Standpipe Painting	0	0	185,000	0	0
	Frederick & Gish Water Line	0	0	0	315,000	0
	Lawn Tractor	0	0	0	14,000	0
	N. Seneca Water Line	0	0	0	0	180,000
	TOTAL WATER FUND	514,147	163,000	215,000	329,000	180,000

Boggs advised regarding the fire department levy fund it was not listed, but they still are looking at trying to replace the pumper truck. He advised they have saved some money for it, but were not gaining ground very fast, but they were going to have to replace that truck one of these days and they cost between \$400,000-\$500,000.

FUND					
Division/Project Description	2013	2014	2015	2016	2017
SEWER					
Utility services					
Sewer Line Rehab	100,000	100,000	150,000	150,000	150,000
Chemical Feed System for Phosphorus Removal	5,000	0	0	0	0
Septic Receiving Tank	300,000	0	0	0	0
Tank Diffuser Replacemnt	0	10,000	0	0	0
Installation of SCADA System	0	75,000	0	0	0
Replace Influent Pump	0	0	35,000	35,000	0
Replace Air Compressor	0	0	18,000	0	0
Truck - 1/2 Ton Pickup - Util. Super. (50% Funding)	0	0	15,000	0	0
Dump Truck	0	0	0	80,000	0
Truck - 1/2 Ton Pickup - Plant	0	0	0	0	30,000
TOTAL SEWER FUND	405,000	185,000	218,000	265,000	180,000
SOLID WASTE					
Utility services					
Leaf Loader	0	20,000	0	0	0
TOTAL SOLID WASTE FUND	0	20,000	0	0	0
TOTAL CAPITAL - ALL FUNDS	\$1,548,147	\$1,098,500	\$830,000	\$908,500	\$990,500

Finance Director Rissland advised the projections are the same as the last two years. She advised the additional spreadsheets are five years of actual, current year budget and five years of projections to see if in fact they can fund the capital plan as presented. Rissland advised we're alright in the capital improvement fund with a fund balance of \$228,000 at the end of 2017, but that could be used up quite quickly if we have a street problem arise. Rissland advised the next fund spreadsheet was Emergency Medical Services and to keep in mind those levies on both Fire and EMS expire in 2015 and there would have to be a decision made about taking it back to the voters for either replacement or renewal or some sort of new levy. She advised we can fund basically what is shown in the capital improvement plan until the year 2017. Rissland advised if we need additional monies to make it a positive balance they can always use the reserve funds that have been set aside. She advised where the bottom of the spreadsheet says purchase from reserves they are actually talking about using some of the reserves Andy (Baillis, EMS Chief) has been setting aside to purchase an ambulance in 2016 and it is fundable. Rissland advised going back to the capital improvement fund, it is funded with 25% income tax collections and she included the tax credit reduction so, those revenues are showing a little extra money starting in 2013. She advised one of the restrictions on the fire department levy fund was they are required to put 25% of their levy proceeds into capital improvements. Rissland advised if we continue at the same level of operating, we will need to transfer money from the general fund at an increasing rate. She advised in 2012 we put \$25,000 in and by the year 2017 we'll have to put \$63,000 in order for them to maintain that 25% capital level. Rissland advised at the end of 2017 our fire truck reserve will be approximately \$160,000. She advised anytime you do major capital like SCBA's or the roof replacement, it does reduce that fire truck reserve. Rissland advised and again the levy expires in 2015 so, they will need to be planning for that. She advised the Cemetery Endowment Fund was pretty self-explanatory. Rissland advised the Water Fund as it stands right now 25% of income tax collections are going into that fund and she believes a pretty aggressive capital plan and there are some items that could be perhaps pushed back if that amount is reduced from income tax collections if that (ballot) issue passes. She advised we could maybe push some of those projects from 2016 and 2017 back a year or so depending on the need. Rissland advised it shows a deficit fund balance in 2016 and 2017 and hopefully they will be able to realize enough savings in earlier years to cover that (loss) or if need be, push those funds back (a year or two). She advised in the Sewer Fund is able to fund all of their projects and they have a fund balance primarily because of the falling off of that debt service so, we'll need to look at that later on and she included the extra \$20,000 to pay down the principle. Rissland advised the Solid Waste Fund was from the charges on the utility bill and they now have a source to pay for the chipper and the leaf loader with funds from the Solid Waste Program and it was a good thing. She advised she provided prior years and reminded Council this is the third year of the capital improvement plan with a list of planned items in those prior two years as well as actual projects done in the 2011 Comprehensive Financial Report. Rissland advised they try to stick with the capital plan, but needs always arise and there are issues that can't be anticipated for which money needed to be allocated. She advised not shown in this plan, they do have funds available through Perm Tax they can spend on specified streets and they get about \$30,000 a year and the Permissive Tax II Fund, approximately \$50,000 a year, which can be used for transportation/street purposes.

No questions.

Citizens Forum

Celia Maslak of N. State St. advised they have been having a problem with the sewer. She believed she heard that they were going to fix the storm sewer in 2014. Maslak advised 2014 was too long to wait. She inquired as to what she and her neighbors were supposed to do until then. Maslak advised they keep cleaning their basement of the sewage water and it was flowing in from the street. She advised Douglas Drive just received a beautiful new street and she felt it didn't really need it that much and there was enough money to do that (project) and they have been promised since Mr. Kellogg was here that it was going to get taken care of and it has not been taken care of all this time and they have been very patient.

Mary Meadows of N. State St. advised there has been a lot of empty work in Rittman. She advised the Grandview Park property was dug out and no sidewalks installed. She advised all they get is sewer water and no one was giving her money to clean her sewer. Meadows advised there is mud in her basement, it came up out of her toilet, up out of her shower and she had it up to her knees once and this time it was up over her ankles. She advised she had (fecal matter) on her and no one was paying for her tetanus shot and no one paid for her leg that got cut open. Meadows advised one of her neighbors fell in the mud. She advised she spent a week cleaning up her basement. Meadows advised they were told to move out if we don't like it.

City Manager Boggs advised Mrs. Maslak has called him many times and he thought when she talked to him previously it was surface water and it wasn't going into the basement. He advised Mrs. Meadows came in and talked to him and stated it was water coming up out of the sewer.

Maslak advised it was leaves and pieces of wood.

Shirley Johnson of N. State St. advised she had mud.

Maslak advised they used a shovel at Mr. Talbot's.

Boggs inquired if it was coming up through the sewer system.

They replied yes.

Scott Johnson of N. State St. advised they had a company provide an estimate for \$3200 to clean up the problem.

Maslak advised she has had to hire people to clean up her property too and inquired as to who was going to help pay for all this.

Jack Meadows of N. State St. advised he went "clean around" the house with black galvanized corrugated pipe. He advised the day that it came up through their shower, he got on the porch and it's got the same drain in it, his wife was getting the water up and he was doing other things, she hurt her leg, she was carrying the water and pouring it out on the porch which is the same height as his basement where she was carrying the water. Meadows inquired as to where the water come from. He advised it came up out of the shower and it came up out of the commode.

Mary Meadows advised the drain in their porch took the water to back of the yard, the sewer muddy water.

Boggs advised the city has a backflow preventer valve program that we will reimburse you up to \$500 to have a backflow preventer valve installed in your house and it could be a temporary solution until the city can "get this thing fixed". He advised engineering on this (storm drainage study) would probably take a year alone.

Maslak advised then they should have gotten started years ago.

Jack Meadows advised the engineering on this comes from up there on the hill where Mr. Robertson lives and it comes right down and it comes from behind his house from Fairlawn. He advised they (city) run a pipe up through there on Fairlawn and it would get filled up and flood them (Fairlawn) people so they kept after them until they got the pipe cleared up and when they (city) got the pipe cleared up it come down on Main Street to the post office and then goes down the hill from the post office to State Street at his neighbors across the road. Meadows advised the neighbor's basement walls went from corner to corner to corner and he didn't know that until after he bought the house. He advised it (water) came up through his (neighbor's) drains. Meadows advised just a little rain came yesterday and "this" guy and myself went to "her" house while you (city officials) all sent "them" guys to work with that gator. He advised they had a crowbar, a flashlight and a shovel and a big dump truck. Meadows advised they cleaned out the concrete and when it rained that hole filled up and there wasn't one bit of water that went down that drain and he was here to say so. He advised you guys (altered the route of the creek) at the shopping center and instead of sending it to us, send it "up there".

Floyd Talbot of N. State St. advised the storm drains were full of dirt. He advised the couple of houses south of him had grass growing up into the street from the drain and they could see the dirt at the bottom of the drain.

Mary Meadows advised she told different city workers about that too.

Jack Meadows advised it shut Fairlawn down and they finally realized the end of the culvert was full of trash and they finally got that fixed, but the water come on down Main Street and now it was coming on down to State Street.

Scott Johnson advised it was flowing down from Liberty Street.

Jack Meadows advised the water came from the funeral home on Metzger. He advised we get water from "clean up there" like a river all the way down.

Shirley Johnson advised it was like a river flowing down our front yard and it looked like a pond.

Jack Meadows advised you all can sit there and look at me like I'm an idiot and like we have a big car wash.

Maslak advised the water was coming down our driveway so rapidly that it was taking the dirt right out from under her cement driveway. She advised their cement driveway was going to cave in again and this will be the second driveway they've put in.

Russell inquired if it was surface water coming from the shopping center or was it coming down by the post office.

Maslak advised it comes down from the post office.

Scott Johnson advised some of it was coming from the shopping center and some of it was coming down Liberty Street.

Maslak advised it was coming up through the drains.

Clem Bratcher of N. State St. advised it was 10" deep in his yard.

Jack Meadows advised we have had this problem for over 30 years and the shopping center has had a problem for over 30 years. He advised the thing that Council did before our generation was they tried to change the creek on Fairlawn and that does not work. Meadows advised the Lord made the water and put it where He wants it and He stops it. Meadows advised they (city) can change it if they want to, but it won't last. He advised they were at the end of it where it ain't lasting and now do what you want to do.

Mayor Robertson advised it sounds like two different issues as there is sanitary sewer backup and flooding from the storm sewers.

Scott Johnson advised they were getting hit both ways.

Mary Meadows advised there were kids living in a lot of these houses and she didn't think it was safe, but their parents are here tonight.

Maslak advised she had so much mud she was afraid for her husband to walk in it and she was the one who had to clean it because he can't and then, she hired people to help her. She advised she can't do it again. Maslak advised they were at the age they can't do this anymore. She advised we've had it.

Jack Meadows advised this young man right here (Gary Gerspacker) his grandfather worked 43 years at Morton Salt. He advised (this grandfather) paid them scudders that put that drain in put that parking lot in down there and changed the creek. Meadows advised they lived off of his (this grandfather) property and others like that and then they turned it over to you guys (city) and now you got a problem and it was simple.

Talbot advised they had to remove over 7 1/2 5-gallon buckets of sewer that came up through the drain and piled up on his basement floor.

Mary Meadows advised she had a police officer come in and look at her property. She advised he saw the mess around the toilet and he saw her trying to keep up with the cleanup.

Boggs inquired if any of them were interested in the backflow preventer program.

Jack Meadows advised no they were not because when the water comes up out of your sewer and onto your porch and runs off and around the house. He advised he doesn't need a backup, but he needs it to stop coming in.

Boggs advised that was what a backflow preventer does.

Jack Meadows agreed that's what it does and advised but then this man here (gesturing to another man in the room) at his house had the basement walls fall in corner to corner.

Boggs advised that situation has nothing to do with water coming up your drain. He advised the water that hit his (man with caved in basement walls) foundation was runoff water. Boggs advised those are two different things.

Jack Meadows advised the water that hit his foundation was both runoff water and sewer water and it was still sewer water and it came up out of the drains.

Boggs advised if anyone was interested in the backflow preventer program they would explain the program and (reimburse up to the maximum dollar amount) as soon as we could.

Jack Meadows advised he was interested in having a pond built where the schoolhouse (used to) sit. He advised a big pond and run Mr. Robertson's water down into that pond. Meadows advised they should put a valve there and when it rains close that valve and catch that water and stop it from coming down (onto our properties).

Boggs advised when he took over this job in 2006 Bob Kellogg (former City Manager) applied for an Issue 2 grant to put a retention basin at the top of that ravine at the top of Fairlawn where it (the water flow) was coming from, but the fact it was new construction they (city) couldn't get points for the project and the grant was rejected. He advised he can put the information in the Council packet, but if he recalls correctly it was half a million dollars just for that (project). Boggs advised he also has mentioned several times to Council one of the only ways we are going to get some of these issues resolved are engineering studies. He advised we just can't dig up something and replace it without a study to know exactly what the problems are and we just don't have that kind of money. Boggs advised one of the ideas that suggested and what a lot of cities are doing is charging a small fee on the utility bill to compound the money for these types of issues. He advised if we can't get a grant for that retention (project), it would be approximately half a million dollars out of the

budget and he doesn't think we (city) have it available. Boggs advised it was Council's decision where they spend the money.

Robertson advised that was a study on surface water runoff.

Boggs advised yes, that is storm water although he doesn't doubt what (these people) are saying that there is storm water infiltrating the (sanitary) sewer lines. He advised one of the plans next year 2013 was to study the sanitary sewer lines with cameras and see if the infiltration in this area was coming from into the sanitary sewers. Boggs advised there shouldn't be runoff water coming up into the sanitary line.

Jack Meadows inquired as to how many sewer lines were at the school building before they tore it down. He inquired if they plugged all the holes.

Boggs advised there was only one main sewer line.

Utilities Director Cary Metcalf advised he had his crew look at the sanitary sewer line when the school was torn down. He advised he would try to explain and there are two different problems. Metcalf advised when you have storm water infiltrating the sanitary sewer then it begins to run full and overflow. He advised in the early 1990's the video recorded that whole area and found that the catch basins in the shopping center were running into some other sanitary sewers which caused problems in our sanitary lines. Metcalf advised at that point in time we disconnected all those lines that directly impacts those sanitary sewer lines. He advised there is a large trunk sewer running down behind Landis Ditch behind the houses these people are talking about, but he can only speak on the sanitary sewer part and not (storm) water rushing down from the hill. Metcalf advised we did some extensive trunk sewer work coming down through there. He advised he had the same problem at his property when he lived on Washington and many of those houses that were built before 1970, all the footer drains would go into your sanitary line and he is assuming that is some of their issue today on State Street. Metcalf advised his house was built in the 1960's and many of these houses are older than that so you have footer drain running from the houses into the sanitary line, which is storm water and hopefully there are no direct downspout lines going in. He advised but then they get a surcharge of water and the street floods and starts going down our manholes and they are complaining that the storm sewer catch basins are not taking the water away. Metcalf advised it's flooding the street, going down our sanitary sewer and the sanitary in their (State St) fills up as it is low and flat in that area. He advised the combination of their footer drains trying to get out into our sanitary line, which now is illegal to do as all the footer drains now have to be disconnected and have their own sump pumps pumping from the inside of their house out to the street or a curb drain so it doesn't directly impact the sanitary line. Metcalf advised he is assuming that is what is happening when they say they are experiencing a sewer backup and their lines were actually being charged with the storm water. He advised their lines are and our (city) lines are and it was coming both from their properties and from wherever the storm water is running down to. Metcalf advised when Larry (Boggs, City Manager) is talking about the check valve, he can sympathize as he installed one at his house because he was flooded three different times and he lives on the hill and it was thousands of dollars of damage.

Boggs inquired if the check valve has worked for him.

Metcalf advised the check valve does work. He advised you install it right behind the footer and then when the rain, just talking about water from the sanitary line and not storm issues, the check valve then will stop an inrush and shut and hold it back. Metcalf advised it was a way until the rain and the sanitary line can catch up and the pumps catch up and the rain stops and things begin draining out and things open up. He advised there were times when his didn't work such as if you are taking a shower at the same time and you have water going out and you have water coming back from the storm and that check valve is flapping between the two and pressure equals and rises on both sides then, the check valve was not going to do you any good. Metcalf advised but, if there is a sudden inrush of storm water it will at least keep it from coming up out of the toilets and the sewer drains.

Boggs advised he wanted to emphasize we (they city) don't install those check valves. He advised you (the homeowner) hire the plumber of your choice (and ask for reimbursement with receipts up to \$500). Boggs advised he would encourage them if they are having that type of problem as they really were not out any money (up to \$500) to (install) that check valve in and it might help solve their problem until they get can fix (the other storm drainage issues in that area of the city).

Metcalf advised that is the reason we (city) developed this program for those who have frequent backups for whatever reason and it could be some of their own fault. He advised he wasn't placing blame on anyone, but if your (property owner) footer tiles are tied in and you don't have a sump pump in the basement it was an illegal tie-in. Metcalf advised anyone who doesn't have a sump pump in their basement to pump out their footer drains it's (storm water) illegally going into our sanitary line and it just compounds the problem. He advised the check valve helps and he wasn't saying it is a cure all and the program was developed probably ten years ago for situations like this to try to help.

Robertson advised it seems he remembers a lot to them (check valves) being installed at the South Fork allotment.

Boggs advised yes, those (properties) that are at a lower (elevation).

Robertson advised it seems to have solved their issues.

Scott Johnson inquired regarding the check valve if they (property owner) are supposed to pay for it and you (city) reimburse us or do you (city) pay the contractor we (property owner) we hire.

Boggs advised we'll work with people and if you get a quote for \$400 we (city) won't write a check until we know the work has been done, but we'll work with you to try to help get it done if they are short the funds.

Metcalf advised he wanted to emphasize it was just for the sanitary line so, if your basement walls caved in because of water around your house or those kinds of things.

Jack Meadows inquired if what they were telling him was that he needs a check valve when the whole back of his house is not a foot out of the ground. He advised it is not over a foot out of the ground. Meadows advised 2/3 of his basement is on top of the ground and the same with one of his neighbors. He advised people lived in there (these basements) for years until the upstairs was built and they had no problems. Meadows advised he had no problems like this until the schoolhouse was torn down. He advised all that water came down and the grading by Mr. Robertson's, all of that came down on us. Meadows advised he would take them down and dig it up and show them that he "ain't got" a problem around my basement wall. He advised he's got a problem with the water coming up through the sewer.

Robertson advised that was what the check valve should stop from happening. He advised there was no guarantee, but in most cases it stops that water from coming up through the sanitary sewer line.

Scott Johnson advised his was backing up in the basement shooting up in the air. He advised some people from the city came and put 5-gal bucket of paint over the hole, but they couldn't stop it completely. Johnson advised when it recedes outside it goes down in his house. He advised they (city) used to come and pull the sand out (of the storm drains) and it helps a lot when they keep it clean.

Boggs advised he has a note to have the crews use the sewer jet in the area. He advised it was worth a try.

Scott Johnson advised they (city) said if they stop it (the water flow) completely it could bust the concrete.

Boggs inquired of Metcalf if he has heard of the pressure being so great it breaks the concrete.

Metcalf advised if its flowing underneath the basement flow he guessed the water pressure if its trapped underneath the basement there was a possibility it could blow the whole tile apart.

Robertson advised he believed the check valve stops it (water) outside.

Metcalf advised there are people that have excavated outside their house and put in a valve where they can control from the outside of the footer tile, although that may cost more than the \$500 the city allows (for reimbursement). He advised another was to dig in your basement right inside the footer where the sanitary sewer comes through the wall and install a check valve right there and have a sump pump and that will stop it at that point. Metcalf advised the problem being inside the footer drains are still charged on the other side of that check valve and it could cause problems if they leak. He advised if you do it on the other side of your foundation then, any water that comes through there would not be from the sanitary, but just from storm. Metcalf advised there is an issue with footer drains and he wasn't trying to place blame, but if they don't have a sump pump in their basement their footer drains would be surcharged and it won't be pumped out and that water can leak through where the footer tile is located. He advised he put his on the inside of his house and he didn't have any problems.

Jack Meadows suggested they get in their car and drive down behind the shopping center where they are (repairing) that bridge. He advised an 18" pipe went up through that parking lot and to that other bridge years ago. Meadows advised they filled it all in with dirt and the other day they dug out that 18" pipe and the water run for 3 days out of there. He advised that is what tore the back of the wall down.

Talbot advised his property was also experiencing the pressure from the sanitary line being under the foundation and the footer and slowly it was starting to get an angle on it. He advised there is a trickle of water coming out of the cracks. Talbot advised he noticed a while back when State Street was being repaved that there was a drain in front of his house and every time there was a heavy rain it went into that drain and they never had a problem with the water on the street going to the houses and then going underneath the foundation. He advised when the street was (paved) it (catch basin or manhole) was covered up.

Boggs inquired if he was saying we (city) covered up a drain.

Talbot advised yes.

Boggs took down the address and advised he would look into the situation.

Jack Meadows advised he told George (Heater, Service Supervisor) about that drain 3 times and he promised to "hunt it up" and he never did and it is still (covered) today. He advised an 89 year old man used to keep it clean.

Mary Meadows advised they covered it up and it used to keep the water flowing good.

Robertson advised they (property owners) had the option if they wanted to do the check valves and they should check with City Hall regarding the program and make sure you understand the program and make arrangements. He advised Larry (Boggs, City Manager) would have the city crews out with the sewer jet to see what they could do to clean it up.

Council Member Glen Russell advised he sympathizes with these property owners and probably for the last 50 years they have had water problems on State Street. He advised every time

they have a storm they are told maybe next year we'll get something done. Russell advised he was on the fire department in the last 1970's and at that time the fire department would pump out the basements and there were literally basements full of water all the way up to the foundation. He advised over the years they have been told we are going to do something, we are going to do something. Russell advised its 50 years later and we still haven't done anything. He advised he would say that when we built some allotments "on the hill" and he believed at that time it was brought up that we needed to do something correct the water (flow) because all that water was running down to through Landis Ditch and it's coming down State Street and its flooding. Russell advised we need to do something other than just talk and say maybe next year or the following year. He advised we need to do something to correct these problems as quickly as possible.

Maslak inquired whenever she has this muddy mess why does she have to ask and ask and ask to get their street cleaned. She advised it seemed to her that they (city crews) should have the intelligence to clean it immediately. Maslak advised she shouldn't have to beg. She advised the sidewalks were full of mud and she inquired if it was her responsibility to clean the sidewalk or was it the city's job to clean the sidewalk.

Robertson advised he believed sidewalks were the homeowner's responsibility.

Maslak inquired if the city couldn't come spray the sidewalk with water once they get the mud off. She inquired if the city, who made the problem, have the courtesy to at least clean our sidewalk off.

Boggs advised yes.

Maslak inquired if they couldn't do the same for her driveway that is a muddy mess. She advised this has gone too far. Maslak advised her water bill (has increased) because they have used so much water to clean things up. She advised why should she have to pay 350% sewer bill (cleanup from the storm). Maslak advised one time (Boggs) did make a difference (an adjustment) in it (water bill). She advised after that she thought she isn't going to beg.

Russell inquired if there was more mud this time.

Maslak advised she wouldn't say more. She advised it has been an ongoing problem. Maslak advised she did her driveway, her sidewalk and her husband tried to help as much as he could, but she cannot keep this up. She advised as to what kind of cleaning up were people doing around her that they don't recognize (the excess mud on the street).

Mary Meadows advised the buses had to stop at each house to pick up the kids because it was dangerous to walk out in the street because the street was so muddy. She advised she saw a lot of them (children) fall in the mud trying to get to the school bus.

Chris Baker of Strawberry Hill advised the work (paving) at the South Fork (allotment) was looking really well and he appreciates the Council and the City Engineer for seeing that (project) through and he knows there was a setback with some additional work that had to be done and he appreciates that being taken care of. He inquired regarding the cement (curb) that is between the asphalt and the (tree lawn) as to whose responsibility it was to maintain that area.

Boggs advised that was the city's responsibility.

Baker advised there are some nicks and dents and cracks where the curb was damaged.

Boggs advised he would look into the situation.

Baker advised the street was looking really well and he was looking forward to the final coat being completed.

Mayor Robertson thanked everyone for their comments.

Old Business

a. **Ord. No. 7727 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Accepting the Dedication of Scenic View Allotment and Declaring an Emergency. Third Reading.** Ord. No. 7727 was read on third reading. Beaumont moved to adopt, all Yeas on roll call and **motion carried.**

b. **Res. No. 7728 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Directing the City Law Director on Behalf of Council to Petition the Board of County Commissioners of Medina County, Ohio, to Conform to the Corporate Limits of the City within Guilford Township to be Coextensive with the Corporate Limits of the City and to Create a New Township known as Rittman Township. Third Reading.** Res. No. 7728 was read on third reading. Lapehn moved to adopt, all Yeas on roll call and **motion carried.**

New Business

a. **Motion to Approve the 5-Yr. Capital Improvement Plan**
Hanlon so moved, all Yeas on roll call and **motion carried.**

b. **Ord. No. 7735 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Authorizing the Municipal Manager to Accept the Lowest and Best Bid**

of Kenmore Construction, of Akron, Ohio, for the Rehabilitation of the Iron and Manganese Filters at the Water Treatment Plant and Declaring an Emergency. Ord. No. 7735 was read on first reading. Russell inquired if it was necessary to have the three readings tonight. Metcalf advised it would be nice to get going on this project. Metcalf advised they were having some trouble with backwashing the filters. Hanlon moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried.** Ord. No. 7735 was read on second and third reading. Russell moved to adopt, all Yeas on roll call and **motion carried.**

c. **Motion to Appoint Steve Telford to the Recreation Center Board of Directors for the Unexpired Term of Lynn Staley which Expires in 2014.** Johnson so moved, all Yeas on roll call and **motion carried.**

d. **Ord. No. 7736 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Amending the Ordinance No. 7730, Which Accepted the Bid of Karvo Paving of Stow, Ohio, for the South Fork Street Improvement Project and Declaring an Emergency.** Ord. No. 7736 was read on first reading. Boggs indicated they ran into some issues regarding grading and sub-grading and soft spots with this project and there were additional expenses and this is to approve those additional expenses. Beaumont moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried.** Ord. No. 7736 was read on second and third reading. Russell advised he has some concern because we gave these (property owners) an figure and now we are going to add additional money on that and we don't know how much. Robertson inquired if this still fell within the estimated amount for the assessments. Boggs advised the additional funds are to repair the sub-grade of the road. Boggs advised if they kept with the original contracted amount we would just be running asphalt over these soft spots and in a year or two it would be a chuck hole and be falling apart. Boggs advised there is the potential for running into this kind of thing with any project when you uncover something and they found a lot of things they didn't expect on Strawberry Hill and Hawk Ridge and areas that have to be repaired. Robertson advised we sent letters telling property owners what their (estimated) assessment would be and inquired if this was still within that estimate or would it be an increase above the estimated amount. Boggs advised when the final costs come in it will come back to Council for that to be determined. Boggs advised he didn't know if they wanted to get into that conversation now, but it would be his desire that we keep it as it was currently estimated, but that was up to Council. Russell advised if the city pays it, it is going to cost additional thousands of dollars and while the street may cave-in in a couple of years they have these (State St. residents) people here and we are telling them we'll take care of it down the road. Russell advised he felt if they have that kind of money we could use it to help assist these people (State Street residents). Russell advised he wasn't in agreement of doing something and the residents not know what it is going to cost. Russell advised he heard what Larry had to say, but he felt the additional money it was going to cost to do the street they could give these (State Street) residents some relief. Robertson inquired if Russell was suggesting they pave the streets with the soft spots and let it fall apart. Russell advised he would rather do that than spend thousands of dollars (to fix it) or just hold off. Russell advised some of those people out there didn't want that street paved. Robertson advised they already have the street tore up. Johnson advised we can't hold off, we have to do something. Russell advised just pave the street and don't spend any more money. Robertson inquired as to how many thousands that would cost us in the future. Russell advised he didn't know, but he feels this (resurface) money should be used for that (State Street storm drainage) for the additional cost if there is additional cost. Robertson inquired if we can use these funds (this ord.) for that (State Street issue). Rissland advised it depended on whether the problem was a sanitary problem or a storm sewer problem. Robertson advised the road money can't be diverted for that. Rissland advised not to sewer. Boggs inquired if Perm Tax monies were used for this road project. Rissland advised for the South Fork project she put in additional funds from the Perm Tax monies, which can be used for transportation. Boggs advised he would suggest Council pass a motion for a storm sewer fee to be placed on the utilities bill. Boggs advised they would definitely get something fixed because they were designating money specifically for that reason. Boggs advised these are two different things; one is a road they were already in the middle of (resurfacing) and those problems that were brought up tonight. Russell advised but if they come back for additional money he inquired as to where was that money going to come from. Boggs advised that is what they are (approving) now with the additional monies and the accounts they were coming out of and it is Permissive Tax II. Robertson advised Perm Tax money has to be used for the road (transportation). Russell advised he doesn't agree with it and he won't vote for it. Lapehn moved to adopt, upon roll call; Lapehn-Yes, Russell-No, Beaumont-Yes, Hanlon-Yes, Johnson-Yes and **motion carried.**

e. **Ord. No. 7737 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Amending the Annual Appropriation Ordinance No. 7678, As Amended, According to the Attached Sheet(s) and Declaring an Emergency.** Ord. No. 7737 was read on first reading. Lapehn moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried.** Ord. No. 7737 was read on second and third reading. Lapehn moved to adopt, all Yeas on roll call and **motion carried.**

f. **Motion to Approve a Conditional Sign Permit for Laria Chevrolet at 112 E. Ohio Avenue.** Russell so moved, all Yeas on roll call and **motion carried.**

g. **Res. No. 7738 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing the Finance Director to Make Advances and/or Transfers to or from Appropriate Accounts.** Res. No. 7738 was read on first reading. Hanlon moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried.** Res. No. 7738 was read on second and third reading. Hanlon moved to adopt, all Yeas on roll call and **motion carried.**

City Manager's Remarks

City Manager Boggs gave his condolences to the Leroy Johnson family. He advised Leroy was a good public servant for the City of Rittman on the Fire Department and on City Council and will be missed. Boggs advised he also wanted to thank Barb (Rissland, Finance Director) for all her hard work as he knew it was a stressful couple of weeks getting things done in a timely manner preparing the 5-Year Capital Plan. He advised he appreciates her extra efforts.

Finance Director's Remarks

Finance Director Rissland thanked Larry (Boggs, City Manager) and the department heads for getting the information together to be able to put together the Capital Improvement Plan.

Council Remarks

Council Member Steve Johnson thanked Barb and Larry for the information on the capital plan. He advised it was a lot of information presented and it was nice they could look from year to year and see where they've been. He thanked the residents for coming and making us aware of the flooding problems. Johnson advised there are things they have been aware of for a number of years and the issues they've had and he remembers somewhere a storm water study and the retention pond on the top of the hill was one those items. He advised he knows it was a big ticket item, but when Bob (Kellogg, former City Manager) was here one of the things we kicked around and we've done some of the items in the plan, but the reasons we haven't pursued the expensive items was lack of income. Johnson advised they've tried for some Issue 2 money and the problems stem from back when we didn't have the regulations we do now for storm water prevention that are now required. He advised we do a lot more with storm water retention now, but we need to work on correcting what was done in the past. Johnson advised they need to think about doing something like the storm water fund on the utility bill for a couple dollars a month. He advised that way we would have an income stream to pay for engineering to help tackle those projects. Johnson advised he felt they ought to do that because if they don't take some money and set it aside they weren't going to get it done. He advised he would be in favor of tackling that (issue).

Council Member Richard Lapehn advised he agreed with everything Steve said. He thanked all of those who came to meeting to share those issues. He advised he hoped they could hear some feedback after you have backflow preventers and the cleaning of the storm sewers and let us if it slows down or resolves the problem to know what area we need to tackle.

Council Member Glen Russell thanked everyone for being here. He advised the next rain storm they (residents present who complained of storm drainage and sanitary sewer backup issues) would probably be back.

Council Member Lynn Beaumont advised he would like to echo what Steve said. He advised we really don't know the problems until people come and tell us about them. Beaumont advised he agreed money is an issue with everything we do here, but we can put together a plan to deal with things and he hoped the citizens know that as long as they are working toward solving a problem they are on our side to do so. He advised we can't just talk about it, but we have to do something. Beaumont thanked them for coming. He thanked Tom Leatherman for the flag presentation.

Council Member Rick Hanlon thanked everyone for coming. He advised he lives a block away and didn't even know we have a problem there (State St.). Hanlon advised it sounded like the city needs to get out there tomorrow and clean out those storm drains. He advised if they weren't plugged before the storm they are now if they are scraping that much mud off the streets and sidewalks. Hanlon inquired if we have the equipment to clean the storm drains out.

Boggs advised he is assuming the sewer jet can do the job.

Hanlon inquired if the new sewer jet was up and running.

Metcalf advised yes as well as the old one is functional.

Hanlon advised the weather forecast for tomorrow is 70% chance of rain, but he thinks they are wrong and he said, "Let's see the city get out there and do something". He advised "as far as the cap plan, it's a good plan and we don't really need to know what the department heads are spending the money on". Hanlon advised "I don't know if a big machine is worn out or not and if you tell me it's worn out I believe you". He advised "if we need a new dump truck and you say it's worn out, I believe that." Hanlon advised he would like to remind everyone that it (5-yr. capital plan) is just a tool and don't spend \$50,000 on a dump truck just because it's in the cap plan. He advised in 2015 if

you don't need something and you can make it stretch a couple more years that's even better. Hanlon advised it's our money that we are spending and he would like to keep our money in the city as long as we can.

Mayor William Robertson advised the Civic Day luncheon was Thursday, October 25th at noon at the Methodist Church. He advised the Chamber and the Rotary sponsor the luncheon and he hoped many would attend and hear about the issues. He advised he would start writing in his article about our local issue with the allocation of the income tax. Robertson advised he didn't know if Council has thought anymore about putting together a committee to promote the ballot issue.

Approval of Vouchers 57691 thru 57772 w/Then and Now Certificates

Johnson moved to approve, all Yeas on roll call and **motion carried.**

Adjourn: 8:35 p.m.

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

Mayor

Clerk of Council