

**Rittman City Council Met in  
REGULAR MEETING  
on Monday, October 8, 2012 at 7:00 p.m.**

**Members Present:** Rick Hanlon, Darrell Carey, Steve Johnson, Richard Lapehn  
and Glen Russell

**Members Absent:** Lynn Beaumont

**Presiding:** Mayor William Robertson

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

**Approval of Minutes – September 24, 2012**

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

**Lynn Beaumont arrived 7:04 p.m.**

**Workshop**

**a. Discussion of the 2013 Budget**

Boggs advised the 2013 budget is very similar to the tax budget and very similar to last year's budget although some items were tweaked as necessary.

Rissland advised basically the 2013 recommended budget is set up the in the same manner as the tax budget. She advised she itemized any changes to the revenue and expenditure lines that were made from the tax budget to the recommended budget. Rissland advised she included the money for the income tax credit reduction. She advised they increased some items and decreased items. Rissland advised the biggest item she increased was adding the state grant money in the water fund and also the state grant in capital projects for sidewalks that was not included in the tax budget. She advised she did the same thing with changes to the tax budget on the expense side. Rissland advised many of those were relatively minor items that would affect the changes we made in the (5-yr) capital (improvement) plan and the tax budget was based upon last year's capital plan. She advised this budget is based upon what was discussed last week. Rissland advised it is a status quo budget.

Russell inquired regarding the Chippewa Watershed Maintenance if they were working on a grant concerning the cleaning of Landis Ditch.

Rissland advised that is the special assessment we have to pay. She advised the city pays that same special assessment that everyone in the state pays.

Russell advised (Boggs) was going to check to see since we are paying into that if there was some way to get some funding to help us with the ditch. He inquired if he (Boggs) has made any progress on that.

Boggs advised no.

Russell inquired regarding leisure time capital outlay. He inquired as to what was considered leisure time.

Rissland advised anything in parks and recreation. She advised and it should reflect what was in the capital plan we had last year.

Boggs advised this is the first step and there is a motion to ask that this budget be approved. He advised the annual appropriation ordinance would be on the next agenda for first reading and there will be time for three readings before the end of the year.

Rissland advised if anything would come up between the next council meeting and the December meeting they could still amend the appropriations to adjust or include it.

Robertson advised he liked the summary report as he felt that really helped.

Rissland advised she thought it would be helpful rather than going over every page trying to see where there was a change.

**b. Discussion of a Storm Drainage Study**

Boggs advised at the last meeting Councilman Johnson asked him to locate the storm drainage study that was completed in 1994 and he included it in their packets. He advised he believed the study still pertains to many areas and issues within the city although the estimated costs to complete the projects have certainly gone up since that time. Boggs advised after reading through this (study) some of it has been done like the Industrial Street bridge replacement as recommended in this study. He advised he didn't know if Council had a chance to read it all, but regarding the North State Street area where (those residents) are currently experiencing issues, they have to do 2 things to

correct it. Boggs advised one item is to build a retention pond in the area of the gully between West Sunset and Liberty Street and secondly the storm sewer pipes in the College Street area are too small. He advised he believes they are 24" and this study recommends they be replaced with 54" pipes. Boggs advised each of those (improvements) were estimated to be \$500,000 each in 1994 so, they were looking at a million dollars in improvements. He advised he wanted this workshop to be a starting point and copies of the study are available. Boggs advised he believed they could apply for Issue 2 grant funding for storm sewer drainage improvements in the College Street area. He advised since that is an existing infrastructure area it should qualify. Boggs advised approval for the grant funding is very competitive as they were competing with the other cities and counties in the district and they often want 50-55% (matching) funds to score higher in order to be awarded the funds. He advised a \$500,000 project would cost the city \$250,000 - \$260,000, but it would still be a good start on the overall cost. Boggs advised it was pointed out to him that loans are a viable option. He advised in this particular case, if we qualify, there are zero percent loans available and we could implement a project and apply for one of these loans and (injunction) with the Issue 2 funding we would be able to begin fairly soon. Boggs advised they needed to keep in mind that funding for this round of Issue 2 monies has already taken place. He advised the city has applied for Issue 2 funding this year for the waterline replacement on Home Street and Fairlawn Avenue so, it wouldn't be until next year around this time before they could apply for another project. Boggs advised they would have to do some more research, but there is a possibility that they could apply for a zero (interest) loan. He advised those two major (improvements to the storm drainage issues) probably would not 100% guarantee they would never have flooding again, but he felt it would definitely help that area.

Rissland advised obviously any large dollars they would pay toward storm sewer would be competing in the capital projects fund with the street projects. She advised however with the credit reduction there should be additional monies going into the capital projects fund as well as the general fund. Rissland advised they might consider doing the same sort of thing, like they have with setting money aside for the sidewalks, for storm water (improvements) where every year they put some money (designated specifically) for such. She advised every year they could put some money in and it could either be through debt service and a zero interest loan or start building up and get enough (saved) that they could get their match for a storm water project, if in fact they could get Issue 2 funds. Rissland advised they have a couple of options available.

Robertson inquired if repayment of a zero interest loan would come out of the capital fund.

Rissland advised (Council) would transfer out of the capital into the debt service and it would be paid from there.

Robertson advised so it would be a possibility there would be enough revenue stream to support the debt service.

Rissland advised it might be a viable option.

Russell inquired regarding the Fairlawn gully there is about a 42" inlet and travels through the gully to the 42" outlet on Fairlawn Avenue, if there is a drain that could possibly be plugged up.

Boggs advised it is his understanding that the pipe is right there at the end of that gully and when there is a heavy storm it does get debris in front of it which sometimes causes the water to pool around it instead of into it.

Russell inquired if it was checked very often to see if it's free of debris.

Boggs advised he believed we check it as much as we can, but he feels the problem we run into is that when these storms hit they come in fast and furious. He advised by the time the storm is over from a real heavy rain the damage was done.

Russell inquired as to where does the water go from Fairlawn Avenue when it travels through the 42" pipe to the outlet and he was trying to figure out where the outlet is (located).

Boggs advised he couldn't answer that he doesn't know. He advised his intention with this workshop was to start off the discussion regarding this study and present the options to Council. Boggs advised some of the items have been completed and they don't have to start from scratch. He advised he may know by Council's next meeting if they (qualify) for any type of zero interest loans and they could then discuss how to proceed. Boggs advised the Service Director whose department is in charge of storm sewer (maintenance) could be present at your next meeting to address some of your questions.

Robertson advised he believed it was above ground in the gully and it travels down to Fairlawn and there is a junction located there that it ties into.

Russell advised there might be some debris in there that is causing some the water to run other places.

Hanlon advised it was his understanding the outlet is on Seneca Street.

Russell inquired as to where the water goes from Seneca Street.

Hanlon advised that is where the creek starts back up.

Russell advised maybe that is where some of our problem is. He inquired on this recommended storm water maintenance if there is a record of what has been completed.

Boggs advised no, he doesn't have such a record.

Russell inquired if Dave (Simpson, Service Director) would have such a record.

Boggs advised he's not 100% sure he has a record. He advised he felt it was a good idea to maintain a log record. Boggs advised he could ask if there is such a record although he doesn't think so.

Johnson advised when we get a big storm that grate could be clear, but during a storm the limbs and branches come down it gets plugged up. He advised he has gone done a couple of times and looked and that is what has happened. Johnson advised it's clear before the storm, but the storm brings the debris down and unless you are standing there with a backhoe while it's raining you weren't going to clean it up. He advised he believes if he read the study correctly they recommend two retention basins, one at the bottom of where the outlet is and one at the top of the hill to hold the water. Johnson advised all the water was going into Landis Ditch and Landis Ditch can only hold so much water and the idea was to hold the water back until it could catch up. He advised this study was done right before he came on Council the first time and it was discussed and one of the reasons it never went much further was they didn't have the money. Johnson advised one of Bob's (Kellogg, former City Manager) recommendations at the time. He advised he believed Bob (Kellogg) applied for different (funding) and was never able to get any traction. Johnson advised he (Kellogg) suggested a storm water fund of approximately \$3 on the water, sewer, trash bill to allow that fund to accumulate money. He advised in the grand scheme of things, like the \$50,000 designated each year for the sidewalks, it was about priorities. Johnson advised he would rather spend \$50,000 each year in storm (drainage) improvements than in sidewalks. He advised if money is tight then maybe that was what they should look at. Johnson advised in five year's they would have some money, but it was never started it because they (Council at that time) couldn't get any traction or agreement on funding. He advised basically there is a million dollars of work to do minimum just to get started and if we don't get started we were never going to get there. Johnson advised adding the retention basins at the gully and the College Street storm sewers being brought up to size, were the two big ticket items that would do the most good. He advised he believed the study also recommends basins at Landis Ditch and toward Eastern Road to slow some of that water down because Landis Ditch reaches capacity and can't take any more water, but the study was assuming a more developed area in that direction and we're not there yet. He advised at the Fairlawn gully area he felt we were as developed as we're ever going to be. Johnson advised we have the two new schools now and they have retention basins slowing water that we didn't have before so, it should have helped a little bit. He advised before the built the elementary school that water came right down into the gully.

Russell advised he thought that was where the Chippewa Watershed was supposed to come in on Eastern Road. He advised they were doing a study to see if they could assist us in any way to hold that water back.

Johnson advised when Bob (Kellogg) checked and asked them (the Watershed District) to take over the maintenance and they rejected it because they said it wasn't primary to their (plan). He advised he wasn't sure, but he believes Bob talked to them when we (Council) first talked about cleaning that ditch.

Lapehn advised they (Watershed District) said they weren't going to touch it (Landis Ditch).

Johnson agreed and advised part of it was they (district) didn't want to be responsible for that piece behind the shopping center and they didn't want to assume any responsibility for the creek.

Boggs advised they (Watershed District) want to tax us, but don't want to give us any money back to maintain it (creek).

Beaumont advised he felt the bottom line was that they (council/city) could do all they could to redirect the water the right way and clean it, but as soon as it gets to the watershed we don't have any control. He advised as long as our ditches aren't cleaned out on a regular basis, it was going to come back on us. Beaumont advised he wasn't saying they shouldn't do something, but there was only so much they could do.

Boggs advised one of the things the Service Director set aside for his capital plan to clean out Landis Ditch. He advised he wants to be very very cautious of doing that because he doesn't want to create any liability for the city. Boggs advised if we increase the water flow speed or anything of that nature then those retention walls are going to come down and he was worried the city would be blamed as the reason. He advised he's heard some figures of around a million dollars just for those retention walls to be replaced behind the shopping center. Boggs advised he felt they needed to be very cautious and had to get approval from either the Army Corps of Engineers or the Watershed District to do that. He advised the few classes he attended since coming in this position on water he has been told that you don't just dredge out the ditch like that because it creates further problems. Boggs advised "they were not as apt to allow you to dredge those" and he felt if they were dredged it had to be done in a certain way.

Russell advised sometime last fall he believed (Boggs) was going to try to get a hold of the owner of the shopping center.

Boggs advised Kevin (Bower, Law Director) and he have been in contact with them and everyone wants to "point their finger" in a different direction. He advised one of the owners' attorney's found the ditch was actually approved by Wayne County. Boggs advised he attended a meeting with the Wayne County Engineer and their attorneys and they argued the point that the bottom line was that even though it was an approved ditch and possibly should have been maintained

by the county, they don't want to accept the responsibility. He advised there was no doubt in his mind that it is going to end up in litigation someday, but he doesn't want to increase the city's liability.

Hanlon agreed it would be a good idea to have some kind of funding set aside so we can take care of our storm water problems. He suggested if we seek a grant that we would look at retention first rather than worrying about the storm (drain size) on College Street. Hanlon advised he felt they needed to get that water slowed down before we worry about how to get it away from that.

Boggs advised the problem they have with retention is that these grants are scored by points such as the age of the infrastructure. He advised a lot of points are issued according to how old the infrastructure is and when there isn't existing infrastructure those points are lost. Boggs advised losing anywhere from 5-10 points is a big hit. He advised the competition with other entities is great and in his opinion they wouldn't be able to get a project (approved for grant funding) that is brand new. Boggs advised if we list existing infrastructure "we have a shot". He advised retention basins unless they could tie them into replacing those drainage pipes they may have a shot, but he felt it was a stretch. He advised he agreed with (Hanlon), but felt they wouldn't receive any grant funding for it.

Hanlon advised he felt it wasn't going to solve the problem to have a 54" pipe installed for storm water to go after its flooded their basements. He advised we need to stop it before it gets there or slow it down as the detention does. Hanlon advised if we can't get grant money then he suggested we get a zero interest loan to cover (the costs) ourselves. Hanlon advised he felt they were throwing all their eggs in one basket and say they could come up with \$250,000 to make the pipe bigger, he felt they were wasting their money.

Robertson advised he would be interested in what water that was handling if it was from a different water source.

Boggs advised they needed to remember when water was coming up someone's (sanitary) sewer pipes that storm water has infiltrated the sanitary sewer system. He advised one of the first things they intend on doing this next year was the Utilities Director has set aside money to run cameras through our lines and this (area) is one of the first sections we'll do. Boggs advised as Cary (Metcalf, Utilities Director) pointed out at the last meeting a lot of the older houses in town are not tied in properly, but were tied into the (sanitary) sewers. He advised some of the runoff from their own house could be causing some of this problem. Boggs advised that was what they hoped to find out with some of these cameras. He advised they were going to try everything they could, but he wanted to point out when a property owner has storm water coming into their sanitary sewer it was getting into a place it should be.

Hanlon agreed and advised he just didn't think increasing the pipe on College Street was going to correct any flooding problems.

Boggs advised he would bring this topic back on the agenda for the next meeting and we'll continue the discussion. He advised he would ask the Service Director to attend the next meeting to any questions Council might have for him. Boggs advised he hoped to keep the discussions going to try to get something done.

**c. Discussion of Ballot Issue Information**

Boggs advised there has been some discussion with Council wanting to get some messages across to our general public on what we are trying to do with the ballot issue. He advised Shaun Dente was present to make a quick presentation. Boggs advised Shaun lives in Rittman and is studying public administration and has done some job shadowing with him and graciously agreed to take on the task of being the chairman and treasurer of the advertising for the ballot issue. He advised the goal was to try to get some of the information printed on a postcard mailer to get out before the election. Boggs advised Shaun wants to make sure that Council agrees with the message before sending out a mailing.

Shaun Dente of Windsor Mews thanked Council for giving him the opportunity to speak. He thanked Larry for his trust in being part of Issue #9. Dente advised Issue #9 was pretty important to him because it will give (the city) more flexibility to stabilize the items covered by the General Fund. He advised when he first heard about it he didn't understand all the ins and outs of what the General Fund covers. Dente advised he felt once it was explained to people they would understand how it was going to give (the city) that flexibility. He advised when you look at the General Fund things such as the police department, the recreation center and the parks were all things that he and his family personally use and it was important to him that those things are taken care of and stabilized and the city is trying to be proactive to protect those things and services. Dente advised they have come up with different ways to reach out to the city a postcard is one with some general information. He advised he also thought it would be important to create a website to fill in the gaps from the information on the postcard and provide more detailed information for the voter. Dente advised he was looking for feedback and approval to move forward with implementation.

Boggs advised they've estimated a cost between \$600-\$700 for printing and mailing and he would be happy to accept donations from Council and others. He advised he intends on making a donation and any donations from others are appreciated.

Dente thanked Council for the opportunity to speak and advised he is available for any questions and his contact information was on the flyer he distributed.

Beaumont advised this looked good to him. He advised they could make it as complicated as they want it to be, but the truth is the bare bones of what was presented conveys what they are trying to do.

Dente indicated the difficult part is that the bulk of Rittman is in Wayne County and would vote on Issue #9 and a small portion is in Medina County and would be voting on Issue #5. He advised he welcomes any comments, questions or feedback in how to reach out to the voters in the best way.

It was noted either the Mayor or the City Manager would be addressing the endorsement of the passage of this ballot issue at the upcoming Civic Day luncheon. Also noted was no city funds would be used for the advertising of the issue and checks could be made payable to Shaun Dente.

Dente advised if he is the sole committee member then he could handle everything himself as far as reporting to the Board of Elections to simplify the process.

### **Citizens Forum**

Jack Meadows of N. State St. advised he was at the last meeting and they talked about the flood waters coming down Fairlawn Avenue to Maslak's to his house and on down through the field. He advised years ago he came to a Council Meeting and the intake for that line was clogged with brush and he contacted the city and they cleaned it out. Meadows advised when the water came down all the good asphalt came up and took it to Wadsworth. He advised the water still runs down through there to his house and through the field and then to this guy's (Lowell Tucker) house. Meadows advised one thing he didn't believe anyone has thought of was in front of his (Tucker) house there is a house that was moved (from N. Main to N. Seneca Sts.) and between those houses there is a drain and at the end of the drain there is approximately 18" extra pipe so this (moved) house could have a driveway. He advised that pipe is lower than the drain coming into it and it comes down and forms a pool of water around and around and plugging up the whole line. Meadows advised he and (Tucker) checked it. He advised it has got to be lower from that culvert to the creek and it will help that situation a little bit, but the water off the hill you all will have to handle that (situation). Meadows advised if they go down and clean it out it would help us through the winter at least.

Lowell Tucker of N. Seneca St. advised he tried to tell these people 20 years ago when (that culvert) was 2/3 filled with gravel. He advised over 20 years ago they cleaned it out and he tried to tell the man (City Manager) at that time. Tucker advised he has been around for 68 years and he used to walk through those drains when he was a kid and he has told (city officials) they need to keep them clean when the gravel comes out of that pipe like that.

Meadows advised come down there when a storm comes and walk down there and look at the big suck hole going around filling up the drains all the way up to State Street.

Tucker advised the water just swirls around and it has 1/3 gravel in it right now. He inquired as to why wait 20 years before coming back because it has been over 20 years ago since it's been cleaned out.

Meadows advised they should see how much gravel is washed up that made this whirlpool it was about a foot deep.

Tucker advised he told them to dig a hole at the end of the pipe and the gravel would wash out every time there is a storm. He advised he told Simpson that as he was the last one there to work on it and he was just hired at the time. Tucker advised the reason they came down and cleaned it then was because they wanted to put 8' of plastic pipe in there for Fran Leatherman to move a house there otherwise it probably would have gone over into the creek.

Russell inquired if the water flows into the creek.

Tucker advised it empties into Landis Ditch, but it is open at (the pipe) his yard. He advised it goes about 80' and then dumps into Landis Ditch. Tucker advised he thinks that if you come clean the ditch out in front of the pipe where the pipe comes out they would get all the gravel out of there. He advised 20 years ago there were boulders in it and it took them almost a month to clean it out.

Meadows advised if it isn't done before winter down State St at (Maslak's) house below my house, the sewer line right over the sewer has got cracks up to 2" wide since they resurfaced it. He advised that water goes down through the cracks right into the sewer. Meadows advised the sewer line is directly under it. He advised what he is trying to say is if they don't fix that and get it done now they would have to resurface State St. and also Main St. and we'll still have the water that comes off the hills.

Tucker advised now the water comes down off the hill from where they built the grade school and the playground (rubber pieces) all came down to his house from the storm. He advised now it floods from State Street, Seneca Street and goes toward the south. Tucker advised he tried to tell the city people that. He advised it would help if they come down and dig out in front of where that opening is on that 54" pipe and get a lot of that gravel out of there.

Meadows advised there is 20" of standing water at the end of that pipe. He advised that is 20" of that pipe gone, no good cause the other water has to run over top of it.

Tucker advised they need to dig deeper because last time they dug less than a foot out. He advised years and years ago they dug down 4' to get that gravel out. Tucker advised back then the city said they couldn't do nothin' that they "weren't allowed to take a spoonful", their words, out of that creek.

Robertson thanked everyone for their comments and the city would check into their concerns.

### **Old Business**

None

### **New Business**

**a. Motion to Approve the 2013 Budget**

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

**b. Motion to Approve a Conditional Sign Permit for a Sense of Style Grooming at 78 N. Main St.** Hanlon inquired if there was anything out of the ordinary about this request as far as following our zoning ordinances for signs. Boggs advised the 20' setback requirement couldn't be met because of the tree location. Russell so moved, all Yeas on roll call and **motion carried.**

### **City Manager's Remarks**

City Manager Larry Boggs had no remarks.

### **Finance Director's Remarks**

Finance Director Barbara Rissland had no remarks.

**a. Approval of September Financial Report**

Lapehn inquired with regards to the Local Government Fund Revenue Comparisons if it continues to decrease every year.

Rissland advised the plan they put into place 2 years ago was stepping it down. She advised so they'll continue to see a little bit more decreases.

Lapehn inquired if it was 10% less than last year.

Rissland advised she couldn't remember the percentages. She advised it was setup to step down over time. Rissland advised as it stands right now we'll realize the full effect in 2013 and you'll have another biannual budget by then too. She advised she didn't know if they'll reduce them anymore or not. Rissland advised hopefully not because their (state) surplus is up, but there is no guarantee.

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

### **Council Remarks**

Council Member Steve Johnson thanked everyone for coming. He advised we'll keep working on the storm water issue. Johnson thanked Larry for providing the study from 1994. He thanked Shaun for helping us with Issue #9 and he thanked Barb for the budget.

Council Member Lynn Beaumont advised he feels what Shaun did is great. He advised we can make this as complicated as we want to, but he felt what he (Dente) prepared is very easy to understand and he felt it was incumbent upon them to promote it. Beaumont advised he believed they all felt it is in the best interest of the city and something they all need to do in order for us to keep moving forward and he felt they just need to promote it.

Council Member Darrell Carey had no remarks.

Council Member Glen Russell had no remarks.

Council Member Richard Lapehn had no remarks.

Council Member Rick Hanlon advised he understood what the gentleman was talking about because he watched them put that 80' of plastic in and there was an amazing amount of dirt and gravel in the existing concrete they were abutting it up to although he feels they cleaned out what they could. He advised all the dirt and stones that get into that pipe from all the different catch basins and they end up in the ditch and they help to detain water before it goes downstream. Hanlon advised it may be worth looking into as it was probably one of those things that we need to be careful because we don't want to create a liability. He suggested the liability aspect should be checked into, but advised it would be worth at least looking into if we are allowed or not. Hanlon thanked the Lion's Club for the fountain at Tricomi Park and advised he hoped next year we wouldn't have as much green stuff floating on top.

Mayor William Robertson advised he knew a student at Ashland University who checked the pond water and the pond water was good and the green (substance) was not anything dangerous or biological or causing any problems and he felt that was good news. He advised this student had done the study as a project and mentioned it to him. Robertson advised he wanted to plug Issue #9 and in case people weren't aware the city has an issue on the ballot for the upcoming election. He advised currently 25% of our city income tax collections goes automatically into the water fund. Robertson advised the city has placed an issue on the ballot to request those funds no longer go into the water fund, but into the general fund to cover general expenses. He advised there were a couple of reasons behind it and one is the future finances of the city and they (city administration) needs the flexibility to be able to use that money if needed. Robertson advised the part that hits home for him was the people that are paying income taxes were subsidizing everyone's water bill because it was going into

the water fund. He advised if those funds are taken out of the water fund then people are paying for whatever water they use and the 25% of income tax collections would go into the general fund for operational expenses. Robertson advised they weren't planning on there being any increase in the water bill and it was Council's intention to pay down the debt services on the sewer plant and if there are savings once that's paid, the sewer portion of the bill would be lowered to offset any increase in the water rates so the net would be the same amount the residents see today. He advised the general intention was to give the flexibility to keep the city finances going. Robertson advised to help keep critical services like police and fire and still have our parks to enjoy and get our streets cleaned and our leaves picked up all those services the city provides and could be in jeopardy if we don't have the funds to keep things going. He advised we are looking for a Yes vote on Issue #9. Robertson advised if anyone had any questions they would be more than happy to discuss it and he would be covering it in his weekly article. He advised Civic Day was Thursday, October 25<sup>th</sup> at the Rittman United Methodist Church at noon and it's \$12.00 for a lunch ticket. Robertson advised many elected officials from around the county would be present and it was a great way to learn about the issues and meet your elected officials. He advised Crawford's Trunk or Treat would be held on Monday, October 29<sup>th</sup> and was a free family event.

**Approval of Vouchers 57773 thru 57810 and Memo Expense #'s 120907 thru 120915 w/Then and Now Certificates** Russell so moved, all Yeas on roll call and **motion carried.**

**Adjourn: 7:56 p.m.**

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

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**Mayor**

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**Clerk of Council**