

**Rittman City Council Met in a  
REGULAR MEETING  
Monday, May 9, 2016  
7:00pm**

**Members Present:** Dave Williams, Steve Johnson, Rick Hanlon, Brian Smith, Ken Park  
and Darrell Carey  
**Members Absent:** None  
**Presiding:** Mayor William Robertson

The invocation was given by Bud Olszewski, Pastor followed by the pledge of allegiance.

**Approval of Minutes – April 25, 2016**

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

**Workshop**

**a. Discussion of Purchasing a New Street Sweeper**

This item was removed from the agenda until further review.

**Citizens Forum**

Marilyn Hofacre of Rufener St. advised she has lived in Rittman since 1952 and has owned a home here since 1958. She advised she did not want to see her property depreciate any more than it already has due to the economy. Hofacre advised she felt that chicken coops, chicken runs and free range chickens will reduce the value of her home if they are in her neighbor's back yard, next to her back yard. She advised she would not buy a property that has unattractive and offensive smelling chickens next door as her grandmother raised chickens so she is aware how offensive they can be. Hofacre advised yes, the eggs are good, but you can buy the same eggs right here or just outside of town from farmer's who raise free range chickens at a cost much less than what it will cost to construct a mini farm in the backyard. She advised her stepson is a Research Veterinarian and Professor at the University of Georgia, his specialty is Avian Science. Hofacre advised in speaking with him about this matter, he is very much against it stating it is just "trendy", but people do not realize that it takes work, time and can be costly if they get Salmonella in their flock, which is very common when raising chickens in even small amounts. She advised the smell is offensive, manure kills grass, they attract predators such as coon, groundhog & hawks to the city and into our backyards and they also create a tremendous amount of flies. Hofacre advised if people make pets of them and allow their children to hold and kiss the birds, the children can also contract Salmonella. She requested Council to consider keeping their properties valuable by being as clean and attractive as possible and to vote no. Hofacre thanked Council for listening to her reasons for opposing this matter.

Karen Aberegg of E. Sunset Dr. advised she has lived in Rittman since 1978. She advised the smell would be horrendous and 3 are considered a flock. Aberegg inquired as to who you would get rid of the waste. She inquired if it would be set at the curb for pickup by the trash hauler. She inquired if it would be used for compost. Aberegg inquired as to how far away from the other buildings they would have to be kept and advised spontaneous combustion could happen because of the methane gases. She inquired as to the housing if they would need to be inspected. Aberegg inquired if they would be nesting boxes or coops or pens to house these birds. She advised she too was concerned about the disease factor and property values. Aberegg advised while people may have good intentions the potential exists for it to just be let go. She advised she is totally against bringing chickens into our yards.

Rick Schumacher of S. Metzger Ave. advised he agreed with the statements of the others. He advised he felt we need to realize all of the parameters of this (decision) if we allow it in the city. Schumacher advised no one wants to take a chick away from a little child, but he felt it is an enforcement issue and inquired as to how many times people already exceed what is allowed with regards to pets. He advised he also felt it was an issue of cleanliness and inviting predators among other things. Schumacher advised if you buy chicks there is no guarantee one won't be a rooster and then there is the issue of how to dispose of it. He advised he felt there is a reason they are already prohibited as Rittman may have already dealt with this issue a long time ago. Schumacher

advised the city has already struggled with enforcement of its property maintenance code and he could see enforcement being an issue here.

Lindsey Millan of N. Fourth St. advised she felt people start out with good intentions and as the chickens get older they usually get abandoned because they do not produce as many eggs. She also cited reasons of disease and property devalues as reason to not allow them in the city and advised she felt it was not a good move.

Ted Balog of Winkler Dr. advised all of the issues brought up here tonight have already been addressed in previous meetings except for the issue of devaluing properties. He reminded Council of the many municipalities in Ohio, like Wooster, Medina, Brunswick, Canton and Cleveland, where chickens are allowed.

Council Member Steve Johnson advised the sentiments spoken tonight are only a fraction of what he's heard from residents. He agreed enforcement would be an issue and felt it was too unwieldy. Johnson advised he felt it (legislation) was better left the way it is.

Council Member Rick Hanlon agreed and advised he understood chickens are allowed in other cities, but they have better enforcement. He advised we don't even have enforcement of our Property Maintenance Code. Hanlon advised he felt they should step back and listen to the residents who are opposed.

Council Member Darrell Carey advised numerous people are opposed and there are a lot of other issues we need to take care of in this town such as fixing up the downtown. He advised he felt those issues are more important.

Council Member Dave Williams advised he heard a lot from citizens and he contacted 4 independent chicken raisers. He advised the chicken raisers don't think it is a good idea for us to allow chickens in the city based on their experiences. Williams advised originally he didn't have a problem with allowing chickens in the city, but after further research he is now opposed.

Council Member Ken Park advised he too was not against allowing chickens originally, but he would have to say based on the number of citizens opposed that he was leaning toward a no vote.

Council Member Brian Smith advised he heard a lot more no's from the citizens and that would be the reason behind his vote.

### **Old Business**

a. **Ord. No. 7944 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 991.01 (k) General Regulations. Second Reading.** Ord. No. 7944 was read on second reading. Carey moved to place on third, all Yeas on roll call and **motion carried.**

b. **Ord. No. 7945 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 975.04 (b), Amount of Rate Reduction for Garbage and Rubbish Collection. Second Reading.** Ord. No. 7945 was read on second reading. Johnson moved to place on third, all Yeas on roll call and **motion carried.**

c. **Ord. No. 7946 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Amending Chapter 1163.16 (a) Accessory Uses, to Create an Additional Section (E) of the Codified Ordinances of the City of Rittman. Second Reading as Amended** Ord. No. 7946 was read on second reading. Carey moved to place on third, all Nays on roll call and **motion failed.**

d. **Ord. No. 7949 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 377.036, (a) (2) Code Application; Prohibited Operation. Second Reading as Amended** Ord. No. 7949 was read on second reading. Carey moved to place on third, all Yeas on roll call and **motion carried.**

### **New Business**

a. **Proclamation – Emergency Medical Services Week – May 15-21, 2016**

Mayor Robertson proclaimed Emergency Medical Services Week as May 15 thru May 21, 2016 in the City of Rittman and encouraged the community to observe this week with appropriate programs, ceremonies and activities.

b. **Res. No. 7952 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, to Provide a General Election to Amend the Charter of the City of Rittman, by Repeal of Article X, to Amend Section 3.02, 3.08, 5.01, 5.02, 6.05, 12.02 and 12.06 and Declaring an Emergency. First Reading.** Res. No. 7952 was read on first reading.

Carey advised he would just like to understand the change in case of a vacancy with a Council Member. He inquired if the intent was that if the Council vacancy is more than 180 days before the term ends then the person selected would serve only until the next general election and would then need to run as a candidate on the ballot to serve out the remaining term.

Hanlon advised he believed that was the intent.

Charles Copley, who served as the 2016 Charter Review Commission Chairman, advised yes, that was the intent.

Carey inquired if it also meant that if the term expired with less than 180 days until the term ends then the chosen candidate would serve out the remaining term.

Copley advised yes. He further clarified that the Council terms would remain on the same rotation meaning if there were 3 years left of a Council term then that would be the stated term expiration on the ballot.

Mayor Robertson thanked all those who served on that review committee for all their hard work and diligence to bring the recommended changes to Council and ultimately to the voters in November.

Hanlon moved to place on second, all Yeas on roll call and **motion carried**.

**c. Motion to Appoint Brian Blythin of Jasmin to the Civil Service Commission for a 6 Year Term to Expire January 2022** Johnson so moved, all Yeas on roll call and **motion carried**.

**d. Ord. No. 7953 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Chapter 971.01 (c) Water Rates; Service Fees, of the Codified Ordinances, First Reading.** Ord. No. 7953 was read on first reading.

Carey inquired as to what we charge the churches currently.

Bower advised he believed it is \$7.40

Hanlon inquired if churches are metered.

Boggs advised no, he didn't believe they are.

Hanlon advised some churches are using more water and he didn't believe this ordinance is intended for that application. He advised some churches use a lot more water because they have a daycare in their facility and he felt they should have a meter installed and be billed accordingly.

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

**e. Ord. No. 7954 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Chapter 941.05 (b) (5) Sanitary User Charges, First Reading.** Ord. No. 7954 was read on first reading.

Hanlon advised the same was applicable in this instance. He advised if a church is operating a daycare or the like then he felt they should be metered and billed accordingly.

Hanlon moved to place on second, all Yeas on roll call and **motion carried**.

**f. Ord. No. 7955 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Amending Chapter 351.03 (a) Prohibited Standing or Parking Places, to Create an Additional Section (17) of the Codified Ordinances of the City of Rittman, First Reading.** Ord. No. 7955 was first reading. Johnson moved to place on second, all Yeas on roll call and **motion carried**.

**g. Ord. No. 7956 An Ordinance Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$605,000 for the Purpose of Refunding at a Lower Interest Cost Certain of the City's Outstanding Sewerage System First Mortgage Revenue Bonds, Series 1993, Dated as of October 1993 and Declaring an Emergency, Three Readings.** Ord. No. 7956 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**. Ord. No. 7956 was read on second and third reading. Carey moved to adopt, all Yeas on roll call and **motion carried**.

**h. Ord. No. 7957 An Ordinance of the Council of the City of Rittman, Ohio, Authorizing the Municipal Manager to Solicit Quotes for the Renewal for Errors and Omissions Coverage, for all Members of the Fire Department, Property and Casualty, Auto, General Liability, Ambulance Malpractice Insurance, Law Enforcement and Public Officials Insurance for a Period of One (1) Year Commencing June 1, 2016 and to Enter into Agreements for the Same and Declaring an Emergency, Three Readings.** Ord. No. 7957 was read on first reading. Johnson moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried**. Ord. No. 7957 was read on second and third reading.

**i. Motion to Go Into Executive Session for the Purpose of Discussing a Personnel Matter in the Administrative Department and Invite the City Manager, the Mayor, the Law Director and the Finance Director - 8:24 p.m.** Hanlon so moved, all Yeas on roll call and **motion carried**.

**j. Motion to Come Out of Executive Session - 8:52 p.m.**  
Hanlon so moved, all Yeas on roll call and **motion carried**.

k. **Motion to Accept the Resignation of Barbara Brooks as Clerk of Council/City Manager's Secretary with the City of Rittman Effective Sunday, May 15, 2016** Carey so moved, all Yeas on roll call and **motion carried.**

**City Manager's Remarks**

City Manager Larry Boggs commended Chief Baillis on his Annual Report and advised he felt it was well prepared and a good role model for the rest of the departments in the city.

Boggs thanked Clerk Brooks for her 13.5 years with the city and advised she has worked for him for 9.5 of those years. He advised she certainly kept me in line.

**Finance Director's Remarks**

Finance Director Pamela Keener advised there would be a workshop at the next meeting to discuss how to read the financial reports.

a. **Approval of Financial Report for April**

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

**Council Remarks**

Council Member Ken Park thanked Barb (Brooks) for helping him every week as she has a lot of knowledge from those 13.5 years. He thanked the citizens who spoke for voicing their concerns about issues that could affect them.

Council Member Dave Williams thanked Barb for her years of service. He advised she was the face in the city people come to when they needed something. Williams advised he could go to her with questions and she always seemed to have the answers and he thanked her for all her help. He thanked the citizens who spoke for coming to the meeting and voicing their concerns.

Council Member Rick Hanlon thanked Barb for her years of service. He advised he would probably be paying the late filing fee for his financial disclosure statement next May without her reminder.

Council Member Brian Smith thanked Barb for her service and advised in the short time he's been here he has appreciated what she has done to help him and get him situation in his position.

Council Member Steve Johnson thanked Barb for her service and advised she was always professional and prepared and unflappable. He advised she real very well and he is going to miss her.

Council Member Darrell Carey congratulated Brooks on her new position and he thanked her for her service. He thanked the citizens who expressed their opinions and advised he appreciated their input.

Mayor William Robertson thanked Barb for her years of service. He advised he always enjoyed his conversations with her at City Hall and how they have kept up with where their children are in life. Robertson recalled how Brooks kept him on track when he was a new Mayor 10 years ago. He advised we are really going to miss you and he wished her good luck in Avon. Robertson commended Andy on his good report.

a. **Approval of Voucher #'s 4639 thru 4725 and Memo Expense #'s M41610 thru M41619**

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

**Adjourn: 9:00 pm**

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

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**Mayor**

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**Clerk of Council**