

**Rittman City Council Met in
A Regular Meeting
on Monday, January 24, 2011 at 7:00 p.m.**

Members Present: Bill Workman, Glen Russell, Richard Lapehn, Darrell Carey
and Rick Hanlon

Members Absent: Lynn Beaumont

Presiding: Mayor William Robertson

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

Approval of Minutes – January 10, 2011

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

Lynn Beaumont arrived at 7:05 p.m.

Workshop

a. Discussion of the Brownfield Conference Attended by the City Manager

Larry Boggs, City Manager advised it was a very interesting conference and most of the classes were geared toward everyone (city and business) working hand in hand. He advised the outcome was turning some nasty looking real estate into a nice industrial park or some other useful property for the city or community. He advised he would ask in class “what if there was a company who was uncooperative and doesn’t want to go for Brownfield grants” and he would receive some blank stares from the class instructors who would say, “Well, you’ve got a problem”. Boggs advised he came to the conclusion, after he spent some time talking with some environmental attorneys and consultants, that there were a couple different ways they could go with the property that was labeled a Brownfield and is a problem to our city. He advised he felt they needed to have an expert in Brownfield’s do some research and provide Council with the options with the property in this situation and discuss the pros and cons of going in different directions. Boggs advised he had some ideas how to go about it, but like any action taken there was always a reaction and he felt he was at the point where he couldn’t go farther without professional help. He advised he was seeking Council’s blessing to (hire) an environmental consultant that would assist us in options, ideas, direction to go, pros and cons for Council to (approve the next plan of action).

Lapehn advised he thought that was a great idea. He suggested he take the names and numbers inquire about the services they would provide and the cost for those services. He advised so Council would have some facts and figures and then (Council) could approve up to a certain dollar amount negotiated for these services. Lapehn advised he agreed his (Boggs) frustration was “right on the money” as Caraustar to him was an absentee owner who has no interest in our municipality and it’s sad to see, but we have to keep the interest of the citizens at heart and say something had to be done as it was just a blight on the city at this point. He advised he felt it was a great idea and he would like to see the numbers they would be leaping into.

Russell advised Orrville wasn’t in our exact situation, but they have a plant (in their city) that closed and they might be facing an empty building for quite some time too.

Boggs advised a lot of cities, from the discussions in these classes, took over the properties, but they (Rittman) were in a situation where they were not a large city and didn’t have that kind of budget. He advised they have no clue as to any kind of cleanup costs would be for the city and the reason he believes they need professional help. Boggs advised he felt they needed someone who “talks the lingo” to the environmental attorneys on the “other side of the fence” so we could possibly enter into some type of negotiations. He advised one of the questions he asked several consultants at the conference was if they had ever done this type of mediation where there was a company who was not interested in obtaining any grants and have said they would do the cleanup on their own, but that appeared as if that could be twenty years from now. Boggs advised he found one company who said they have done that kind of mediation and he has been discussing some possible aspects with them, but he wanted to get Council’s opinion and we would want to see what kind of costs we were going to get into. He advised they haven’t appropriated any money as yet, but he was hopeful it wouldn’t cost a tremendous amount to have some minor research done. Boggs advised he felt they would be limited on what they could do as he was assuming they would not be granted access to the property. He advised they couldn’t do a phase two without drilling and Caraustar has been absolutely resistant on anyone taking any type of samples. Boggs advised he felt like it was a worthwhile conference and he spoke with quite a few people about the area and he met one of the frequent voices he and the Mayor have spoken to almost monthly in conference calls, that has been an advisor and provided ideas. He advised he felt their backs were to the wall and

they couldn't go any further unless certain things were done. Boggs advised he didn't wish to divulge those specific things that could be done as yet, but there were things that could be done and they were aggressive. He advised every action has a reaction and he felt they needed a professional give them their opinion on the pros and cons of that aggressive action.

Workman advised he felt they needed to get aggressive with Caraustar and he felt it was time to put our foot down and quit dancing around the issue.

Russell advised they (Caraustar) did some drilling about a year before they closed in the parking lot and he didn't know how they could get a copy of those reports. He advised he didn't know if EPA would release a copy of that report.

Boggs advised unless there was an enforcement action he didn't believe EPA would demand anything.

Russell advised he believed they (EPA) were working with them (Caraustar) on putting stuff in that rubber tub so, he didn't know what all reports were on that.

Robertson advised what they have seen so far from the EPA were good reports that they (Caraustar) were compliant, etc.

Russell inquired if that was the state or federal (EPA).

Boggs advised state.

Robertson advised they were monitoring, but not drilling down 100 feet or whatever.

Boggs advised one of the problems was if they get too aggressive and get US EPA in and if they start an enforcement action then that specific property was no longer available for any type of grants. He advised there were pros and cons and in this particular case they have a property owner who might be able to pay for the cleanup, but if something happened and there really wasn't a property owner in existence and there was some enforcement action then they (city) wouldn't be able to get any grants (for that property). Boggs indicated he didn't really understand that reasoning, but that was what he learned in these classes.

Workman inquired about the property maintenance if they have gotten all the stuff together yet or not.

Hanlon advised he hasn't heard back from the fire chief yet and he knew Larry was busy all week with this conference.

Boggs advised he would speak with the fire chief to see if they couldn't get something moving along. He advised he would also like to get moving on the income tax committee as well to get the revisions finalized for city income tax as they were already into another season. Boggs advised he would also like to get the property maintenance code "off and running" again.

Citizens Forum - None

Old Business

a. **Ord. No. 7631 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Creating Chapter 749, Indoor Firing Ranges of the Codified Ordinances of the City of Rittman and Declaring an Emergency.** Second Reading. Ord. No. 7631 was read on second reading. Carey moved to place on third, all Yeas on roll call and **motion carried.**

New Business

a. **Res. No. 7632 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Determining that Lot Number 3024 Owned by the City of Rittman is No Longer Needed for Municipal Purposes and Authorizing the Municipal Manager to Solicit Bids for Its Sale as Required by Law.** First Reading. Res. 7632 was read on first reading. Russell inquired if it was necessary to have all three readings that night. Workman indicated he didn't see why not as it was just to advertise for bids. Russell advised he didn't feel they should have all their (legislation) read on emergency three readings unless absolutely necessary. Boggs indicated he was torn as the (interested party) wanted to move on this pretty fast, but he didn't know if it was absolutely necessary to have all three readings that night. Lapehn advised if they go three readings (over the course of three meetings) it would be (adopted) at the end of February and he didn't see anyone digging before May or June. Carey moved to suspend the rules and have second and third reading, upon roll call; Carey-Yes, Hanlon-Yes, Russell-No, Workman-Yes, Lapehn-No, Beaumont-Yes and **motion failed.** Carey moved to place on second reading, all Yeas on roll call and **motion carried.**

b. **Ord. No. 7633 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending the Annual Appropriation Ordinance No. 7623, As Amended According to the Attached Sheet(s) and Declaring an Emergency.** Three Readings. Ord. No. 7633 was read on first reading. Carey inquired if the Finance Dept needed this passed right away. Rissland advised yes. Carey moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried.** Ord. No. 7633 was read on second and third

reading. Russell inquired as to why they were already into amendments this early in the year as far as the budget was concerned. Rissland advised by January 31st she needed to certify the ending cash fund balances. Rissland advised they estimated what those would be when they did the tax budget in July and they were slightly less than what she had estimated in carryover and St. M&R for two reasons. Rissland advised the revenues came in less and they also spent a little more with overtime and other reasons throughout the year. Rissland advised when she certifies it to the county auditor she has to have enough cash in estimated revenues to cover the appropriations already passed. Rissland advised she was simply increasing the transfer from General Fund into St. M&R to make that work. Lapehn moved to adopt, all Yeas on roll call and **motion carried.**

City Manager's Remarks

City Manager Larry A. Boggs had no remarks.

Finance Director's Remarks

Finance Director Barbara A. Rissland advised she would entertain any questions about the year-end report although she felt the memo kind of said it all.

a. Approval of Financial Report for December

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

Council Remarks

Council Member Glen Russell had no remarks.

Council Member Richard Lapehn complimented Finance Director Barbara Rissland and advised she represented the city well in an article in the Akron Beacon Journal yesterday. He advised Rittman was mentioned in almost a positive light and he felt that was something.

Council Member Rick Hanlon thanked Rissland for the explanation of needing to pass (the appropriation amendment) and adopt that ordinance tonight. He advised it was a very good explanation.

Council Member Darrell Carey had no remarks.

Council Member Bill Workman inquired as to why we don't ask for bids on gasoline.

Boggs indicated he believed because of the volatility of the prices.

Workman advised he was just wondering, as he knew Wooster requested bids and other towns and he was wondering if the city could get a better price.

Rissland advised she asked that question last year and got quotes from other vendors and we were still lowest with the people who we were using, but it was good to check periodically to see where they stood.

Boggs advised they could check and get back with Council.

Workman advised the street crew did a good job (with snow removal) compared to Wooster and a few other areas he drove over the past week.

Council Member Lynn Beaumont had no remarks.

Mayor William Robertson advised Larry (Boggs) and he had an opportunity last Friday to meet their new State Senator, Ovhof who lives in Montville Twp and he had a lot of legal background and he seemed real interested to hear from them and talk about local issues. He advised he didn't make any promises, but he was pretty energetic and excited about the job and we'll see. Robertson advised reminded us not to forget about the Chamber dinner on Thursday, Feb. 3rd.

a. Approval of Vouchers 54525 thru 54582 & 54622 thru 54625 Including Then and Now Certificates Questions were asked regarding #'s 54533, 54548, 54570, 54572, 54573 & 54574. Hanlon moved to approve, all Yeas on roll call and **motion carried.**

Adjourn: - 7:34 p.m.

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

Mayor

Clerk of Council