

**Rittman City Council Met in
A Regular Meeting
on Monday, February 28, 2011 at 7:00 p.m.**

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

Members Absent: None

Presiding: Mayor William Robertson

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

Approval of Minutes – February 14, 2011

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

Workshop

a. Introduction from Wayne County Municipal Court Judge Carol White-Milhoan Judge White-Milhoan advised she was finishing up her first term as judge in Wayne County Municipal Court. She advised there are two strengths in the court with one being they are very efficient and the other was a strict adherence to the law and they have worked to maintain those characteristics and she felt they have been very successful. Judge White-Milhoan advised there have been a lot of changes in the municipal court as part of a natural progression as the court administrator retired and Judge Miller retired and a magistrate moved to common pleas court so those currently in leadership positions were all fairly new. She advised they all work very well together and coalesce and were like-minded and were going in the same direction and she felt it was the best work environment in terms of personalities meshing well and being able to work through their ideas and move forward in an energetic way. Judge White-Milhoan advised as a judge she was prohibited from talking about a particular case, but she could tell them about court administration and about their programs. She advised she believes the court is more efficient today and the budget in the county as well as the budget in the State of Ohio has forced them to reduce their budgets. Judge White-Milhoan advised when someone has resigned or left the court they have not filled those positions. She advised they have had very few acting judges onboard and that could cut two ways as it was nice to have members of the bar association come in and be familiar with your court and be acting judges, but it costs the court more and they have coordinated their schedules and are almost always able to cover for someone else and anyway they could find to reduce court costs they have (done so). Judge White-Milhoan advised the DRC (Discipline Rehabilitation Center) closed and was a tremendous loss of a sentencing option and they worried about the negative impact on the community, but it did not have the bad impact they expected as they have more people on home arrest, they have more people on probation and they have more room for people in the jail facilities so, they have accommodated for that and the staff and the court were doing more and working more for really less money as salaries have been frozen since 2008. She advised they have started the Mental Health Court and they call it the Hope Court in conjunction with the counseling center in Wayne County. Judge White-Milhoan advised they were very proud of that program and have instituted it without any new monies, or any grant monies or extra resources. She advised the counseling center told them upfront that they know how to deal with serious mental illness when dealing with people who may have schizophrenia or major depression or bi-polar disorders and they know what medications work, they know what therapies work, they know how to treat serious mental illness. Judge White-Milhoan advised the problem was they couldn't get people to comply and so from the court side they have the tools to make people comply because they have probation officers, they track people and encourage people to make sure they were working within the program they were supposed to be working and if they weren't working they have the sanction of jail, which most people want to avoid. She advised they took existing resources from the counseling center and from the court and realigned them with their Hope Court. Judge White-Milhoan advised they started the program in 2007 and had 78 people screened and 32 people actual began the program and the successes have been phenomenal, as there were now people living in the community who have had a number of years in the prison system who were now stabilized and living in the community and were no longer, at least at this point, community problems. She advised it was certainly much cheaper for all of us and much better for those individuals to have them stabilized in the community because they were saving jail days and they were saving hospital days. Judge White-Milhoan advised there were a couple of young men in their 30's who are working for the first time and had been in and out of psychiatric hospitals and jails and problems and were now stabilized. She advised they have an MRT (Moral Reconciliation Therapy) program that has affected more people and was started in November of 2006. Judge White-Milhoan advised the

purpose of all these programs was to reduce the rate of recidivism to reduce the number of repeat offenders to get people out of the criminal justice system. She advised the overtime was paid for out of probation fees for the MRT program and the MRT program was made as a term of probation and they look for chronically repeat offenders for those programs. Judge White-Milhoan advised if someone has 3 or 4 convictions in their court or any other court they would be candidates for the MRT program and they make it a term of probation that they successfully complete that program. She advised they have had 109 men and 41 women for 150 total successfully complete the program and 59% of the people who completed the program did not reoffend and that was terrific when looking at the population they were dealing with (in court). Judge White-Milhoan advised they all knew with the Ohio budget that they weren't going to be building more prisons and they were full and we don't have space for people. She advised so at the misdemeanor level she felt it was really important to try to intervene in people's lives in a way so they become active contributors in our community or at the very least they aren't being problems in our community. Judge White-Milhoan advised the third program they have was the community service program, which has been in existence for some time, but they were making it a lot stronger. She advised they were working with the Common Pleas Judges and were coordinating the community service programs and would like to have one at point of entry so the non-profit organizations throughout the county would have one way to access the community service workers. Judge White-Milhoan advised the community service program was a way to pay back to the community they have wronged and make new associations and sometimes it could lead to employment. She advised last year in their court they had 32 community service sites in Wayne County and they had 800 people perform community service and many of those were court ordered and some were indigent and they allowed them to perform community service to pay their fines/court costs. Judge White-Milhoan advised these programs were really vital to our criminal justice system and vital to our county. She advised they were getting statistics and feedback on the numbers and they were tweaking them where they needed to be tweaked. Judge White-Milhoan advised she felt it was important to make these programs an integral part of the municipal court and she was very proud of the work. She advised she spoke with Larry Boggs earlier about additional community service sites, which may be available in Rittman. Judge White-Milhoan advised many of the people in their court do not have driver's licenses and from the courts perspective it was essential to have good community service sites in each community. Judge White-Milhoan thanked Council for their time and allowing her to come and speak.

b. Presentation by Pandey Environmental

Boggs advised Atul Pandey and Nate Wanner were present to talk to Council regarding the work their firm does and possible ideas regarding the city's Brownfield site.

Atul Pandey introduced Nate Wanner, Project Manager and himself and advised they both represent Pandey Environmental in Columbus. He advised they wanted to talk with Council regarding the Rittman Paperboard site as well as answer any questions they may have about the subject. Pandey advised the firm has been around since 2002 in Columbus and they specialize in assessment and remediation of environmental sites and today's popular term is Brownfield and it was a Brownfield that Rittman has (Caraustar). He advised specifically their experience as it relates to the paperboard site were the Smurfit-stone cardboard plants throughout Ohio that have comparable issues. Pandey advised although they were based in Columbus they are the consultants for the City of Cleveland with their Brownfield work and they have done work for the City of Cuyahoga Falls so, they do a lot of work in this part of the state. He advised a few years ago the industry shifted to grant monies for cleanup and assessment and their firm specializes in site assessment with remediation, but more so in the past they also specialize in getting the assessment grants. Pandey advised to date their record with Clean Ohio grants and the amount of grant monies that we have received for our clients was approximately \$25 million and counting. He advised they believe in not only identifying the problem and presenting a solution, but in helping to obtain funds attached to that solution. Pandey advised they have looked at the site (Caraustar property) and the building from what they could see from the outside was in pretty poor condition and he was sure the inside was even worse. He advised there had to be asbestos in the structures as old as the buildings were and there was obviously the big landfill on the property. Pandey advised he was not intimidated by landfills, as there was one of their projects in Columbus that used to be an old landfill and now was the headquarters of Time Warner. He advised since Time Warner, a medical center and another office building also have been built. He advised while landfills were serious problems, but they were so regulated by the EPA that there was a finite risk and it was scarier for them the stuff that could not be seen as it was hard to put a number on that so, from a risk management perspective it was manageable. Pandey advised with regards to the lagoons on property, he mentioned they worked on a lot of Smurfit properties and they used their lagoons for the same purpose that the paperboard company did here. He advised the potential for soil and groundwater contamination was part of the unknown. Pandey advised based on the information provided him they put together some options for pursuing the reuse of the property. He advised he could answer any questions they might have regarding those options, none of which were perfect.

City Manager Boggs inquired as to when would they (his company) recommend that a city with this type of site try to take possession of the property. He advised the property has been offered to them (the city), but he inquired if it was a legitimate and viable option

Pandey advised in 2005 a rule was passed known as innocent landowner defense for prospective purchaser agreements. He advised the whole idea was if there was a site with a contaminated property and they do their due diligence as far as environmental assessment and they purchase the property, they have not done anything to make it worse then the liability would not transfer and was the whole point of the rule. Pandey advised a lot of property transactions have happened since that time since the law was put into effect and few have been challenged in courts of law and essentially the jury was out as to whether that whole prospective purchaser made it worse or not. He advised if this were a smaller site such as a corner gas station he would say do your phase I environmental site assessment and document that you did not add to the contamination and buy it and he felt that defense should hold. Pandey advised here they had to take into account the size of the property, the environmental conditions and in essence the bona fide prospective purchaser agreement was available to them and they may choose to exercise it, but he would defer them to strong legal counsel before going that route. He advised it was done all the time for smaller properties that perhaps have limited contamination, but they were looking at potentially a larger environmental contamination they as a city may take on. Pandey advised in conjunction with the phase I they could provide and with legal counsel giving them the right advice possibly at that point the city could take ownership of the property.

Mayor Robertson inquired if it would also include the landfill portion.

Pandey advised even including the landfill part. He advised there had to be an exercise commissioned by them (the city) to determine the net liability they would be taking on if they were to buy the property. Pandey advised there were ways to put dollars to that environmental liability within some percentage of risk and they can do that work, but certainly his answer to them would be that they attempt to determine what was the liability they were taking on. He advised once they take ownership of the property all the grant programs from the state and all the loan mechanisms open up to them (the city). Pandey advised Caraustar could not tap into any of that (funding resources) right now, but they could with the city assisting them get the environmental records and getting the money and cleaning it up for them. He advised if they (Caraustar) were not willing to be a party to such an agreement it was virtually impossible. Pandey advised the key was access to the property either through direct ownership or indirectly through the gables of Caraustar or if they (city) have access to the environmental information. He advised access was the key to unlocking this whole problem.

Robertson inquired if he wouldn't recommend a phase II before taking ownership.

Pandey advised he would recommend a phase II however he was speaking under the assumption that access would not be a possibility. He advised the ideal situation would be to do a phase I and a phase II and do an engineering exercise to determine the net liability and then negotiate with the current owner. Pandey advised short of that, the all-important inquiry, the newer untested legal standard, a lawyer could assist (the city).

Council Member Beaumont inquired as to the time frame to assess the site.

Pandey advised phase I for a property this size could be done in 6-8 weeks. He advised the phase II could take as long as 4-6 months because of the size of the property and the issues involved. Pandey advised if there were any way they could have access to any phase records done by Caraustar it could significantly expedite things.

Beaumont inquired if there was an approximate cost.

Pandey advised the phase I was fairly standard and very low intensity work and usually cost between \$3,000-\$5,000 up to \$10,000 for a property this size. He advised phase II he could not predict at this point because the phase I identifies all the problems of the phase II and then those problems were checked out and the scope of that was indeterminate at this time. Pandey advised there were grants and low interest loans available through the Ohio Department of Development that can pay for the phase II. He advised anytime you apply for grants and loans the time frame just gets extended out.

Council Member Russell inquired if they (Pandey Environmental) have ever worked with the EPA out of Hudson area.

Pandey advised Ohio EPA, yes.

Russell advised they were in there (Caraustar) quite a bit during the process. He advised he was sure they had some type of records about what was going on.

Pandey advised as part of the phase I they would be required to interview the Ohio EPA individuals that have seen the site for these many years. He advised there was certainly a lot of history to the property especially with that landfill.

Council Member Workman advised the State Rd. shopping center that you guys done and he inquired if that was the one they had the stores on it and everything and then some kind of gas or something come up through and they had to close the stores.

Project Manager, Nate Wanner advised no, there were stores on the site and they had a 90% vacancy rate and the city got frustrated and took ownership of it. He advised they (Pandey Environmental) removed some contaminated soil around hydraulic lifts in the old Montgomery

Ward garage area and there was some contamination in the groundwater about 35-40 feet down, but there was nothing that get into the sewers and throw people out, but was strictly that the city wanted to see if they could do something with the property.

Pandey advised there was a project in Cuyahoga Falls where they had a leak.

Wanner advised yes, there was a different leak there and a whole story behind that (issue).

Workman advised he was just wondering what would happen in a case like that if they had that happen here.

Pandey advised the Time Warner headquarters built on top of a landfill still generates today methane gas. He advised the generation of gas by itself was not an issue for them, but more how they contain it and how they channel it and how they keep it away for safe occupancy at the site. Pandey advised at papermill sites they have not seen gas as a concern especially a site like this where the composition of the sludge was fairly uniform over time. He advised gas was more of a concern in a regular landfill where people were taking household trash and organic matter that does not decompose. Pandey advised here he would be very surprised if gas was an issue. He advised the landfill here was what is referred to as monofill, meaning one kind of waste went into it over time, and monofills don't typically generate the landfill gases that one associates with a landfill.

Wanner advised that would be part of what EPA was doing presently with their monitoring.

Russell inquired in regards to contaminated soil as to how it was treated and where it was taken.

Pandey advised it was handled in a variety of ways and they determine how much contamination was in the soil and how much of the soil was contaminated. He advised if there was a large area, which was cost prohibitive to move, the EPA would allow them to encapsulate it and keep it in place. Pandey advised if there is a smaller area or there is a hot spot that has to go it makes sense to remove it and take it away.

Wanner advised at the State Rd. facility contaminates in the soil were treated and they are able to reuse it.

Russell advised (Caraustar) was doing something where they were moving part of the landfill over and then set the tubs down in (the ground) and push it all back in and then cover it with some type of hard clay or soil and tamp it in. He advised that was what they were doing when it closed. Russell advised they called it phase II, but he didn't know where they were at on phase II.

Beaumont inquired as to the number of employees they had at their company.

Pandey advised eight. He advised they have a geologist, a scientist and he was a professional engineer. Pandey advised he was also a certified professional VAP and VAP in Ohio was the ground control to assess property such as this and he has been a certified professional since 1999. He advised before he formed Pandey he was with the Ohio EPA Brownfield action program from 1996. Pandey advised they were a site assessment/remediation company and it was what they do and what they have been doing and we do it well.

Boggs inquired as to what he would recommend for how they should proceed if they have a company that doesn't want to cooperate with the city on phase I and phase II.

Pandey advised one option could be if there is an end user that wants to buy the property and do something with it and perhaps they were in a better negotiating position with Caraustar. He advised they had a couple of clients, product developers that he worked with in the past and he spoke to them about this property and they were interested in learning more about the property. Pandey advised in his experience sometimes the end user could drive a harder bargain or actually throw money on the table to make things happen.

Wanner advised in the bigger picture using what they call the carrot/stick they could go in and try to force them to do something and often times that adversarial relationship could backfire. He advised but if you could come in with an end user and have them potentially have them get somewhere using incentives and bargain with them. Wanner advised the other thing about an end user or having someone else step in the middle was it was a bypass for those issues that concern public domain.

Pandey advised he felt it was a win-win for Caraustar because if they bargain with the city or the CIC they could tap into the phase II dollars, which essentially takes care of any problems that may be on the property. He advised the key to all of that was access, short of that it was a very tough thing to work through this issue. Pandey advised he felt if it was explained to them that these funds were available not to penalize anybody, but for redevelopment and only the city or any municipality could tap into those funds they could not. He advised in this day and age if they (Caraustar) were to sell the property to anybody they would ask about the environmental issues. Pandey advised the advantage of going with the city or CIC was they have access to grants that no one else does. He advised he sees it as a win-win and he wonders if it was part of the education that needs to be presented to them and he felt there was nothing for them to lose.

Robertson advised they (Caraustar) was headquartered in Georgia and he didn't know if the EPA rules were different in Georgia that they don't understand about Ohio, but they have tried to educate them as to what was going on and they just don't want to hear about it.

Pandey advised they have an office in South Carolina and they can work in that part of the country and he understood, it was different. He advised they don't have Clean Georgia funds and he felt (Ohio) was much more progressive with Brownfields.

Law Director Bower advised he spoke with Caraustar's attorney last week and he said the landfill and lagoon were in full EPA compliance currently. He advised he was told they have permits, the remediation program was his phrase and all they have to do is monitor it. He advised he was being told there was really no problem. Bower advised he also was told the Clean Ohio funding would not be available because they were at a certain point with EPA and he inquired if that was true.

Pandey advised the Clean Ohio funding is not available to anything that is already under a structured EPA program such as the landfills. However, Pandey advised the Clean Ohio funding would be available for the rest of the 300-acre property.

Bower advised basically the building.

Pandey advised and the associated lands that are not impacted by the landfill.

Wanner advised if the lagoons are currently regulated that regulation would end and they would close those lagoons and finish their obligations to Ohio EPA and they would then become eligible for those funds.

Pandey advised the part that perhaps may not have been mentioned was every lagoon has to have a financial assurance mechanism that EPA would ask for when they issued the permit. He advised they have already somehow committed dollars either through a surety or through a guarantee letter or a bank letter that there is sufficient funds available to close that problem. Pandey advised that was part of the state law and the reason he said the landfills and lagoons don't bother him that much because they were already under a structured program. He advised we have to understand the program was and what was required, but that was a finite risk. Pandey advised the part he was not sure about is the phase II part...what is in the soil, what is in the groundwater and what is getting away from the property if anything, what was going to impact neighboring well fields...on and on and on. He advised the landfills and the lagoons the EPA and Caraustar already knows all about it.

Bower inquired if he was correct in the assumption that his concern was not so much the landfill and the lagoons, but the rest of that 300-acre property.

Pandey advised correct. He advised his concern was all of the property except in terms of investigative work as there was more investigative work on the rest of the property. Pandey advised the landfill and lagoons were more reference, research, file review and catching up to where Caraustar is and what obligations they already have to permanently close that property, which was part of the state law if they want to get a permit. He advised they couldn't get a permit without showing they have xxx dollars to close the landfill in 10, 20 or 30 years, whatever it took and those risks were finite.

Wanner advised with the landfill they know pretty much what's there and everything with the monitoring was structured and the same with the lagoons. He advised the discharge was monitored regularly because they know pretty much what's there because it was documented, but it was the stuff that gets spilled or thrown out the back door that surprises people.

Pandey advised Caraustar is correct in that the landfill is being monitored and the monitoring may show that it has a contaminant and the contaminant has not moved in the last five years and EPA was happy with that (outcome). He advised in their plan there was contingencies for what happens if the contaminant moves or what kind of remedies did they have to implement so, a permanent situation was a much easier situation.

Bower advised he was told the landfill was a class 3, which was Greek to him.

Pandey advised that was the monofill he spoke of earlier.

Bower advised he was told the lagoon was fiber pollution from paper products.

Pandey advised that was consistent with their papermill experience.

Bower advised and then he was told they would gladly let us get on the property and do all the phase II's we wanted if we signed an end user agreement.

Pandey inquired if that meant if they (city) committed to buying the property.

Bower advised yes. He advised to him that was like buying a pig in a poke.

Pandey advised he would say that was a little backward.

Bower advised they even wanted to add an indemnification clause, which would never happen because as a municipality they were prohibited by the Ohio Revised Code to do that.

Pandey advised ideally they would have a phase I and a phase II before you enter into any purchase negotiations.

Bower advised so it was a circle.

Pandey advised it is a circle. He advised with the shopping center site (another city) the city attempted to take it over by eminent domain at just a phase I and ended up buying it for a lot of money, but they were ready to buy with just a phase I and only legal research, an attorney, should advise you if you should go that route because they didn't know what they were buying.

Wanner advised they often get involved in transactions where they go in and say they would buy the property provided all the funding was there and that phase II shows the contamination levels were within government standards and everyone was happy. He advised with a property like this and the landfill present and the lagoons, they needed to do that ahead of time.

Workman advised he felt there must be something wrong if they wanted them to do it backward.

Pandey advised he didn't know if the concern was the public disclosure or what he was not sure. He advised in this day and age he couldn't sell his house an inspector wondering if there were hidden issues. Pandey advised any buyer would request a complete disclosure.

Robertson advised his take on was they view it as less expensive to stay open than to go through the formal closure. He advised he has been working with them for five years and you just mention EPA and red flags go up and they don't want to hear about it and they don't want to hear about closure. Robertson advised they shuffle dirt around at the landfill and as far as anyone was concerned they were still open, they still had a couple of employees who are report there once in awhile.

Pandey advised that was very consistent with large corporations as it was easier for them to not deal with the issue then for them to actively try to figure out what to do to resolve it. He advised ten years ago if there was a problem they were afraid of the EPA coming. Pandey advised now if there was a problem from his perspective it was an opportunity as EPA was giving away grant monies to clean up properties.

Robertson advised there may be EPA issues on that property, but just because they were not known or detected didn't mean it wasn't potentially affecting the groundwater and well water and if this goes on the contamination continues.

Pandey advised that was exactly why they were more concerned about what they don't know. He advised because what we do know rest assured EPA was not letting them get away with anything. Pandey advised he agreed that the lagoons and landfill was compliant, but what was not known was the part that bothers him. He advised they have worked at enough papermills to know and especially since this one was operational since 1903 that was a long time for problems to appear.

Robertson advised he believed there were inks as they had a printing press.

Russell advised all types of chemicals.

Bower inquired if (Pandey) had any suggestions for what to do next, get a good lawyer.

Pandey advised definitely. He advised he would look for an opportunity to engage them in casual conversation about grant opportunities that (city) had to get them out of this with hardly anything. Pandey advised he felt that was the best approach was educating them with the assistance of a good lawyer. He advised it seemed to him that they were doing the same thing that the Smurfit was doing a few years ago and then they realized that selling their assets were essentially liabilities outside of their property. Pandey advised but with the right end user such as a city, such as a private developer tapping into those grant monies this property would be right side up. He advised he felt that was the best avenue. Pandey advised a risky approach in his opinion, but still doable was buying the property after a phase I assessment relying on that all-important inquiry standard, but they didn't even know what they would be taking on. Pandey advised all they were asking for was physical access to the property and access to any information with physical access at the very minimum because they could generate their own information through grant monies, but if they have environmental information already from the EPA it would be nice to have those. He advised if they were concerned about their problem coming to light that would happen no matter who would buy it and there was no way around it. Pandey advised perhaps if a developer buys it, it could be kept private up to a point, but eventually it would still have to go to EPA. He advised he believed a lot of it was education that Ohio is not like Georgia.

Council Member Hanlon inquired if he or someone in his firm would be available to fly with the City Manager to Georgia and meet and discuss (with Caraustar officials).

Pandey advised absolutely.

Mayor Robertson thanked them for coming.

Citizens Forum – No comments.

Old 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.** Third Reading and Adoption. Res. No. 7632 was read on third reading. Carey moved to adopt, all Yeas on roll call and **motion carried.**

New Business

a. **City Manager Boggs advised he would like an Executive Session if Council agrees for the purpose of discussing a Contractual Matter and he would agree with inviting the Mayor, City Manager, Law Director and Finance Director.** Boggs advised they could call the executive session at the end of the meeting if they wished. No opposition was stated to holding the executive session or to it being at the end of the meeting.

City Manager's Remarks

City Manager Boggs advised they may have already heard regarding the floodwater and he believed Wooster was hit harder than us (Rittman), but Waste Management (sustained water damage to) approximately 7 of their vehicles so, there will not be any trash pickup tomorrow (3/01) and they have promised him it would be collected Wednesday, a day late.

Boggs advised several sections of the concrete barriers behind the shopping center have (collapsed). He advised he received a call from the grocery store this morning and he went and looked and one went down on the opposite side of the bank and there were two sections that were kind of in the bend behind where Conley's used to be, where the Goodwill is (located) now and those were about ready to come down. Boggs advised he contacted the owners of both properties as well as sent a copy of a 1963 agreement with the original owner of the shopping center (and the city) in which the City Council (at that time) allowed him to detour the creek in order to maximize the use of his property. He advised (in this agreement) he (the owner) promised to maintain both sides of Landis Ditch behind the shopping center facility. Boggs advised he sent a copy (of the agreement) to the current owner of the shopping center who was going to take it to his attorney so, he wasn't sure what they should expect to hear and he would be discussing it with Kevin (Bower, City Law Director) before he leaves for vacation, but there may be some legal action (forth coming) if need be. He advised he felt they were in a situation where it was not only affecting other property owners, but has the potential for greater backup with those (concrete barrier) slabs now in the ditch.

Boggs advised they received quite a few complaints in the low areas (floodplain) such as Salt St., Front St. and Sterling Ave., had some (storm & sanitary) sewer backups. He advised our sewer plant (sustained) a tremendous amount of water into the system and backed up some of the systems in the lower areas. Boggs advised the utilities department was called out at this morning at 1:30 am and most worked a double shift today and they were pumping and trying to help the situation as much as possible.

Boggs advised (due to a tree falling on a power line at "Charlie's Puddle") City Hall was out of power a good portion of the day and the operations server for City Hall (failed) and it would need repairs and he hoped it would be a simple matter. He advised they planned on that server being replaced in the budget this year, but unfortunately that power (outage) did some damage. Boggs advised he spoke with an electrician about finishing a task set in place a long time ago, of the generator in the police department was capable of powering the three buildings (Police/Fire, EMS, City Hall) in the municipal complex. He advised they have conduit to each building and he was going to see what the costs would be for the electrical line to be completed to the City Hall building to perform the operations and if they were feasible they might look at doing that (project) this year or next year or somewhere in the capital plan. Boggs advised they ended up shutting City Hall down for approximately 2-hours today when they were notified the power wouldn't be back on until approximately 2:30 p.m. He advised a good portion of the (east side) lower section of the city were without power.

Finance Director's Remarks

Finance Director Barbara A. Rissland had no remarks.

Council Remarks

Council Member Bill Workman inquired if the city was going to fill in the holes in the road that you don't know are there such as on Sunset (eastbound) coming down around the curve at night in the rain. He advised there was a spot on Rufener St. at the stop sign as well.

Boggs advised he believed the hole on Sunset was to be filled earlier that day. He advised those holes were cut by the city to do the video surveying of the sewer lines.

Workman thanked everyone for coming.

Council Member Richard Lapehn advised the entrance to the high school and the recreation center there was a 4-5" drop off. He inquired if that was the schools responsibility to fix or the city's. He advised it has been sinking ever since they put the temporary asphalt in during construction.

Boggs advised he wasn't sure, but he would check into it whose responsibility that was to repair. He advised he also had an email to the construction foreman that he would

Council Member Darrell Carey had no remarks.

Council Member Rick Hanlon advised sounded like good news that Clean Ohio increased their funding from \$3 million to \$5 million and he hoped they could qualify for those funds.

Boggs advised if they qualify they have to have cooperation, because we don't own the property.

Hanlon thanked everyone for coming.

Council Member Glen Russell thanked everyone for coming and invited them to come back.

Council Member Lynn Beaumont had no remarks.

Mayor William Robertson advised he became in possession of a set of interesting books from the City of Rittman and he wanted to let us know that on March 6, 1911 the first meeting of

the elected officials of the Village of Rittman, Ohio was called to order by Mayor King on Tuesday evening. He advised roll call was Councilman Foreman, Holm, Maugey, Rabey, Sigler and Switzer responded to their names. He advised he had four full books of sets of minutes and it would be 100 years ago March 6th for Rittman City Council Meetings and he found that interesting. Robertson advised apparently someone had some kind of disagreement with the city many many years ago and took these books in retribution and they have been passed around to a variety of people with the stipulation stating not to ever give them back to the city. He advised Ethel Parker has had them for a long time and she was now in an assisted living facility and said she trusted him and said everyone else was now dead anyway and it was about time they came back into the possession of the city. Robertson advised he would eventually turn them over, but he has been enjoying reading through them and there were some interesting things and the handwriting was unbelievable. He advised Council was welcome to look through them.

a. Approval of Vouchers 54729 thru 54801 Including Then and Now Certificates Workman moved to approve, all Yeas on roll call and **motion carried.**

Motion to Go Into Executive Session for the Purpose of Discussing a Contractual Matter and Invite the City Manager, the Mayor, the Finance Director and the Law Director – 8:06 p.m. Carey so moved, all Yeas on roll call and **motion carried.**

Motion to Come Out of Executive Session – 8:29 p.m.
Russell so moved, all Yeas on roll call and **motion carried.**

Adjourn: - 8:30 p.m.
Workman moved to adjourn, all Yeas on roll call and **motion carried.**

Mayor

Clerk of Council