

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

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

Members Absent: Mayor William Robertson

Presiding: Acting Mayor Lynn Beaumont

Invocation was given by Dr. Richard Lapehn, Pastor followed by the Pledge of Allegiance

Approval of Minutes – March 14, 2011

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

Workshop

a. David Todaro, Candidate for Wayne County Municipal Court Judge, Requested Permission to Address City Council Dave Todaro advised he was a lifelong resident of Wayne County from Shreve and his wife Lisa and six children as well. He advised he graduated Triway High School and then graduated from Kent State University with a degree in accounting and then graduated with his Masters in Business at Cleveland State. Todaro advised he then received his Law Degree from Cleveland Marshall School of Law. He advised he has worked in the business world for 17 years before going to law school in his mid to late 30's and since that time has been practicing law in Wooster in Wayne County, but also in northeast Ohio. Todaro advised he practiced in many courts and tried many cases around northeast Ohio in several counties. He advised he spent a little over a year in the Canton Municipal Prosecutor's Office where he prosecuted over a hundred cases and those very same kinds of cases are tried or handled in Wayne County Municipal Court. Todaro advised he would like to be the Judge in Wayne County Municipal Court. He advised municipal court is where smaller civil cases were heard and where misdemeanor cases like DUI's, assaults and small thefts, etc. were heard. Todaro advised the commissioners, the county auditor, the Wayne County Prosecutor as well as many of the assistant prosecutors and the Wayne County Clerk of Courts in this election race support him. He advised it was an important race and the only Wayne Countywide race this year on November 8th. Todaro advised he has been attending Trustee Meetings and other City Council Meetings for approximately six weeks now and he felt he has been received very well. He advised he is a Republican and a Republican Candidate. Todaro advised this was a non-partisan race and according to the Supreme Court he was allowed to tell us who his party affiliation was however, he was not permitted to discuss political issues. He indicated the reasoning behind that is a political issue might come before them some day and what the Supreme Court means by non-partisan. Todaro advised the official kickoff was last Friday (3/25) and at 6:45 am he was in Doylestown at a local coffee shop then they met at The Depot Restaurant in Rittman and visited twelve cities in Wayne County that day before getting back to Wooster at 5:00 pm and had their kickoff. He advised it was a great day and they covered a lot of ground and met over a hundred people and then over a hundred and fifty people came to the event. Todaro advised he was going to run hard and work hard as a municipal court judge. He thanked Council for allowing him to come and speak.

b. Discussion of the Waterline Replacement and Resurfacing Project on Douglas Drive City Manager Larry Boggs advised Council permitted him approximately 6 months ago to apply for a grant for the final phase on the water study done years ago where Douglas Dr., Home St. and Fairlawn Ave. were areas where the waterline needed replaced. He advised they applied for a grant from Issue 2 and the grant advisor wants a resolution passed by City Council authorizing the City Manager to enter into contracts for this project. Boggs advised this project was estimated at about \$364,000 with the grant covering \$74,720.00 and local match was estimated at \$189,280.00. He advised this project would replace a worn out heavy maintenance area of waterline on Douglas Drive (abutting) the football stadium beginning at Liberty and ending a short distance onto N. Third Street. Boggs advised the waterline was currently underneath the concrete street and the street was becoming very (eroded) because of all the water breaks in the past five years. He advised part of the project was to dig up, cut and salvage the curbs, replace the waterline and place it underneath the sidewalk to avoid digging up the street in the future if they have a water break. Boggs advised they would place down a base and then resurface the road. He advised the city's current policy is to assess (property owners) for resurfacing of roadways. Boggs advised in this particular case the street portion alone was a large sum of money. He advised as Council was probably aware there

were not many (property owners) on the west side of the street and the east side was all school property. Boggs advised he was concerned about the high cost of assessment for this project if they continue with the same assessment policy as in previous years. He advised they needed to know if Council planned to continue to assess according to the current practice or if they wanted them to come back with a formula that might be more in tune to the assessed costs in recent years.

Council Member Workman inquired regarding the waterline if they have to remove the sidewalk or could they cut the waterline and bring it in a different way.

Service Director Dave Simpson advised they were going to have to lay a whole new water main line. He advised installing the waterline under the sidewalk areas serves two purposes as the property owners get a new sidewalk out of the waterline project, which was not assessed. Simpson advised of the \$364,000 for the total project, the assessed portion was \$162,500.00 the rest would come directly out of the water fund and the sidewalk would be part of the portion from the water fund for the waterline project and he believed they would be installing a 6" waterline. He advised they have to dig a trench to lay a new 6" waterline. Simpson advised from Liberty St. at Douglas Dr. all along Douglas Dr. and up Third St. to Clover St.

Boggs clarified the existing waterline was under the street and they would be installing the new waterline under the sidewalk. He advised some of the existing sidewalk was in bad shape and he advised one property owner not to replace their sidewalk with the voluntary program because he knew this project was pending.

Council Member Glen Russell inquired if they would be removing all the existing concrete out and then (install) a base underneath.

Simpson advised they would remove all the existing concrete and additional six inches of the base material and place in 6" of limestone and compact it and then install the asphalt similar to what was done on W. Sunset Dr. and Ritter Dr.

Council Member Rick Hanlon advised when the waterline was replaced and installed under the sidewalk on Industrial St. with Issue 2 monies he inquired if those property owners were assessed for that project.

Simpson advised there was no assessment.

Hanlon advised a similar project was completed on Ritter Dr. where the curbs were cut and the concrete was removed and the waterline replaced and he inquired as to what the assessment was for that project for those property owners.

Simpson advised he believed it was in the neighborhood of \$24.50 a linear foot and again the waterline was not a part of the assessed portion, only the street portion.

Hanlon advised currently this project was estimated at \$51.57 per linear foot. He inquired if that included the tear out of the concrete or the replacement of the stone and the layers of asphalt.

Simpson advised yes it did. He advised the project included clearing and grubbing, saw cutting the pavement, pavement removal, sidewalk removal, curb removal, excavation, subgrade compaction and proof roll, erosion control, 4" pavement underdrains and concrete curbs and gutters where needed. He continued with subbase repair, aggregate base, 5" bituminous aggregate base, 1 3/4" intermediate asphalt and 1 1/4" asphalt surface for \$162,500.00.

Council Member Lynn Beaumont inquired as to why was there no assessments for the property owners on Industrial Street.

Simpson advised the city has only typically assessed street projects and not waterline replacements.

Hanlon advised it seemed they could probably replace this waterline and outside of doing a couple patches such as was done on Industrial Street in which case there would be no cost to the homeowners. He advised it didn't seem fair to assess the homeowners any more than we would assess them if we were to grind and pave that street. Hanlon advised he felt regardless of what was done in the past and there was some grant money for this project as a lot of the time the grant money covers a big portion of the removal and replacement. He advised he was in total agreement the road needed repaired, but he felt they could grind and pave it without actually taking the concrete out and putting a new base down and asphalt, which doubles the cost.

Beaumont advised they would be adding drainage to get rid of surface water and he inquired if that was a real problem in that area.

Simpson advised it was in certain areas as there was a lot of fill under the concrete such as large boulders that was conducive to letting water run through the existing aggregate. He advised he was fairly certain they would run into some places where sub base repair would be necessary and the \$8,000 contingency money would probably be used to do more base repair than was listed in the contract. Simpson advised the joints in the concrete now were pretty wide and they have been patched with asphalt and they have tried using crack sealer, but the cracks were too wide for the crack sealer to be effective. He advised the concrete's useful life was over. Simpson advised the plans for the original construction were done in 1959, but wasn't paved until 1960 or 1961.

Beaumont inquired as to the time frame of this project.

Boggs advised they anticipated receiving the official notice of the grant award in the first part of July. He advised currently they were requested a resolution be passed to allow the City Manager to enter into contracts as part of this grant. Boggs advised if Council decides to assess there was a list of procedures required and it was time consuming and they probably should start at

the next Council Meeting in order to get this project done this fall. He advised he would recommend they continue with the project because he didn't believe it was good business practice to apply for grants and then (reject) them. Boggs advised with the state budget due to come out we could see it happen in several cities where grants are rejected because they can't cover their share of the matching funds. He advised he didn't want the City of Rittman to be on the list of applying for grants and then turning them down if it was not 100% necessary. Boggs advised the project needs to be done and he would recommend some type of assessment be applied. He advised he believed the staff wanted to hear Council's opinion on this issue before going further and before doing a lot of work on providing you formulas by putting this assessment in line with others done in recent years they wanted to hear from Council.

Council Member Richard Lapehn inquired if they grind down the pavement as Hanlon suggested and pave the road it would cost half as much.

Simpson advised the usable life of the asphalt surface would be less because of the freeze/thaw over the winter.

Lapehn advised he would love to start from scratch and clear out everything, but he would never be comfortable with assessing these property owners at these rates by asking some of them to pay \$7,400 or \$6,200. He advised he understood Mr. Hanlon to inquire if there was another possibility of moving the waterline, but not completely removing the road.

Hanlon advised he would like to see them go with the project the way it was submitted, but he would like to see it assessed as though it was the same as was assessed those property owners on Ohio Ave. and S. Main, which was nothing more than grinding and resurfacing.

Simpson advised he believed the paving assessment for S. Main was \$4.92. He advised he has a little bit of problem with considering such because on W. Sunset Dr., Ritter Dr., S. Hickin Ave. where the full depth repair was done and the property owners were assessed 50% of the full depth repair. Simpson advised he didn't know if Council would be leaving the City or themselves open to a lawsuit if we don't assess the same as other projects done in a similar fashion.

Lapehn advised he doesn't remember this high of numbers being presented as something they would be sending out bills for \$7,500 for their frontage (of their property assessed).

Simpson advised he believed W. Sunset was \$24.50 a linear foot and most of those lots were 100'. He advised there was one lot in particular that has a lot of frontage on Douglas Dr. of 170'.

Finance Director Barbara Rissland advised where she worked previously had an assessment policy where they determined an average cost of asphalt resurfacing on your average residential street with some full depth repair. She advised they came up with a formula for a linear foot cost and that cost was applied across the board. Rissland advised any cost in addition the city paid, which was consistent. She advised before a project started a homeowner would be able to take their frontage and determine the cost of their assessment and they didn't have to wait for the whole project was complete. Rissland advised it was done for multi years and indexed it for cost of living increase and it wasn't something they had to revisit all the time and they indexed for the cost of fuel. She advised they could take into account what a full depth repair would typically be done on this type of project. Rissland advised this was an option they could look into, but they didn't want to spend the time preparing something if Council was not interested.

Workman inquired if a property owner has a corner lot if the long side was divided in half.

Simpson advised yes, the city picks up 50% of the long side.

Workman inquired if the same would be done with the radius on Douglas.

Simpson advised there were three properties with long sides in this project that would receive a 50% reduction. He advised the school property on Douglas was not their long side.

Russell inquired if the rate (per linear foot) was figured, as it would normally be done.

Simpson advised the figures were directly taken from the engineer's estimate of the project and then dividing it out into the amount of foot frontage available. He advised it is the same as they have always done in the past.

Hanlon advised he would be willing to look at the numbers that Barb (Rissland) was proposing.

Beaumont advised he would like to see those as well. He inquired if those could be provided to Council before the next meeting.

Rissland advised she would try.

Boggs advised Rissland presented the idea at the staff meeting and he thought it was an excellent idea.

Hanlon advised he didn't see someone being able to come up with \$7,400 or the school coming up with \$22,000.

Beaumont inquired if they were all in agreement to have the numbers before the next meeting and then they would act on it at the next meeting.

Boggs advised regarding the assessment, yes. He advised he felt if they wanted to move forward with the project he felt there was no reason to not pass the resolution on the agenda tonight.

Hanlon inquired if they have a tentative completion date for the project.

Boggs advised he believed it was this fall.

Simpson advised that presents another issue with football season beginning at the end of August and running through September, October he would be hard pressed to tear that street out right next to the football stadium. He advised they could apply for an extension on the grant and do the project in the spring due to mitigating circumstances to save a lot of grief.

Boggs advised we could apply for an extension, but if the state doesn't give it then we are going to have to move on it. He advised the school has been made aware of the project and the assessment probabilities and the football/soccer season was discussed as well. He advised there was no way to start before receiving approval in July because they would risk losing the grant and then they couldn't afford to do the project.

Citizens Forum - No comments

Old Business

a. Status of the Sewer Problem on Terrace Drive

Workman inquired.

Boggs advised he believed it was resolved. He advised they trenched to the property line and the property owners were advised of the assistance the city would provide and he doesn't believe the city has received an invoice for sewer repair at this location. Boggs advised the city did their portion of the work and made the offer of XXX amount of reimbursement.

New Business

a. Proclamation – Public Safety Telecommunicator's Week – April 10-16 2011

Acting Mayor Lynn Beaumont proclaimed April 10 thru April 16, 2011 as National Public Safety Telecommunicator's Week in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

b. Res. No. 7638 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio Authorizing the City Manager to Prepare and Submit Application to Participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required. Three Readings. Res. No. 7638 was read on first reading. Workman moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried.** Res. No. 7638 was read on second and third reading. Russell moved to adopt, all Yeas on roll call and **motion carried.**

c. Res. No. 7639 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Accepting the Recommendation of the Rittman Recreation Center Board to Increase Fees for Non-Residents of the City for Their Use of the Rittman Recreation Center. Three Readings. Res. No. 7639 was read on first reading.

Carey inquired if raising the fee for non-residents going to be enough funding.

Lapehn advised no, the city was looking at losing a lot of money when the state budget comes out and the recreation center is the gem of our amenities in our community. He advised parks don't make any money. Lapehn advised the recreation center does very well at what it does and he doesn't know a public recreation center in the world that makes money. He advised our recreation center had great projects and great programs. Lapehn advised this was just a way to tweak the money up just a little bit and bridge that gap that will exist and they (rec board) were looking at other opportunities this spring to propose. He advised the price for an adult non-resident for the year was \$302.25 at the increased rate he figured was maybe \$.80 day. Lapehn advised for \$.80 a day you were a member of the Rittman Recreation Center as a non-resident and you couldn't buy basic cable for that price and he felt it was great deal and there was no comparison at that rate. He advised the "Y" or Orville, Dalton, Medina County Recreation Center were probably double that amount or at least 50% more. Lapehn advised this was one way to ease the burden.

Russell inquired as to how the rest of the rec board felt about this increase.

Lapehn (who serves as the Council Representative on the rec board) advised no one in attendance at this meeting were in disagreement with the vote.

Hanlon inquired if this needed to be passed tonight as it was on the agenda for 3 readings tonight.

Boggs advised he didn't know, as the intention was that this would not take place until a certain date.

Lapehn advised they were looking at January 1, 2012 for the rate increase to take effect and he felt there was plenty of time (to have the three readings over three meetings).

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

City Manager's Remarks

City Manager Larry Boggs advised Rachel Powell was present tonight and she is a 2006 graduate of Rittman High School and is attending the University of Toledo and working at finishing up her Master's Degree in Public Administration. He advised Ms. Powell contacted him recently inquiring if she could job shadow and he jokingly told her if she had a box of "No Dose" that she was certainly welcome. Boggs advised Rachel spent time with him this afternoon as well as the Finance Director Barbara Rissland as she had some specific financial questions. He advised they enjoyed their visit and he wished her well in her career endeavors.

Finance Director's Remarks

Finance Director Barbara Rissland advised currently in 2010 the city was slated to receive \$341,000 from the state. She advised they were talking about cutting 50% of that and it would impact the city a little more than \$42,000 this year starting in July and probably \$128,000 next year and the final \$42,000 decrease in 2013. Rissland advised the city receives Tangible Personal Property Reimbursement money from the state and she has heard it was slated to go away over the next 5 to 6 years and she has also heard they were going to accelerate that schedule for the schools and she didn't know whether that would impact the city as well and that equates to approximately \$118,000.00 a year and it may start going away faster than they anticipated. She advised the combination of those two numbers they were looking at losing a total \$300,000 when the full impact hits and was probably 7-8 % of our governmental fund budget. Rissland advised the full impact would not hit until 2013. Rissland advised this hasn't gone to a vote in the house yet, so perhaps they would get a little relief. She advised this was something they needed to be aware of when making decisions.

City Manager Boggs advised this was one reason they have not replaced personnel who have retired. He advised they had one retirement last week in the service department and the police department were two officers short and he has been holding off because he doesn't want to hire personnel and then have to lay them off. Boggs advised there was an employee in the (city hall) office retiring this summer and the part-time employee would become full-time and they have no intention of hiring a part-time employee to replace that position vacated. He advised they were trying to prepare and they were hoping for the best. Boggs advised he has heard over the last fifteen years discussions on losing the local government funds and they have always had a reprieve at the last minute, but they are anticipating the cut. He advised he and the finance director attended the governor's address in Wooster and the state has a tremendous problem and has to do something with their deficit. Boggs advised he wasn't sure that pushing the problem onto the local governments was the answer, but they were trying to prepare. He advised Council to please keep that in mind if there were any grumblings from the departments about him not replacing personnel, that was the reason why. Boggs advised it would be an issue for all the departments.

Beaumont inquired if they were not going to hire summer help.

Boggs advised they haven't got that far yet. He advised the state anticipates passing their budget about the same time we will be working on our budget for the city for the following year. Boggs advised they couldn't decide until they know for certain.

Rissland advised Council to keep in mind during our budget discussions that 70-72% were personnel because we are a service organization and if we have to take a cut of that magnitude it was fairly certain what they were going to have to cut was people.

Council Remarks

Council Member Glen Russell thanked everyone for coming. He thanked Rachel (Powell) for attending and advised he hoped she learned some things to carry back to college. Russell thanked the candidate for judge and his wife for coming and he wished him the best of luck in the election. He thanked Rittman EMS for their fine report.

Council Member Richard Lapehn advised in the EMS report the response times were listed and he commended our EMT's for their amazingly fast response times to get onsite to help those in need. He advised it was a real credit to our EMT's and the City of Rittman.

Council Member Rick Hanlon thanked everyone for coming. He thanked Chief Baillis for all the time spent on the EMS report. He inquired regarding EMS and the Rails to Trails if there were to be a problem (emergency) on the trail if there is a (vehicle) that would be able to provide Emergency Medical Treatment such as a Gator or a 4-wheeler.

Boggs advised he and the EMS Chief have not discussed this issue, but the city has a Gator they purchased for snow removal around city buildings and maintenance in the parks and ballfield's during the summer. He advised the Gator has the potential of doing such (emergency response vehicle), but he has not discussed it with the EMS Chief.

Fire Chief Sweigert, who also serves on EMS advised he and Andy (Baillis) and Sterling, Canaan Township, Creston have discussed applying for grants to purchase a (suitable vehicle for responding to the emergency needs of someone on the trail). He advised a lot of times they give grants more to joint jurisdictions. Sweigert advised so yes, it was being looked into.

Hanlon advised it just seemed like the domino effect because if we get a Gator to store at EMS then, we would need a bigger building cause it wouldn't fit...

Sweigert advised or you store it somewhere where there was more room.

Hanlon advised in speaking with Larry and Dave earlier he was guessing they were going to remove the stop signs on W. Sunset Dr. at Fairlawn Ave. and just have a two-way stop once school was out for this year.

Boggs advised if there were no objections from Council he intends to do so right after school is out, as he didn't believe it would be necessary any longer (now that the schools were all going to be centrally located on Metzger Ave. and Saurer St.) on W. Sunset Dr. at Fairlawn Ave. He advised another issue he and Dave discussed and brought to their attention by Councilman Russell, but he would like to install stop signs at Krabill and DeCoursey making a three-way stop. Boggs advised the (traffic) coming out of the church parking lot as well as vehicles heading westbound it was hard to make a left hand turn as the visibility was down due to the rise in the road and he believed that would make it safer. He advised the specific procedure for traffic control devices was chptr 305 and the City Manager has discretion on those decisions. Boggs advised he would advise the Police Chief as well as Council in writing and if there were no objections he would make those changes.

Russell inquired regarding the traffic light on N. Main St. at College.

Boggs advised they would leave it on flash and eventually remove it as well.

Russell inquired if a traffic light would be installed at Sunset and Metzger.

Boggs advised he would like to as he felt it would eliminate the need for a crossing guard at that intersection, but whether or not they could afford it was another question, but he didn't know the costs at this point, but he thinks it would be a good idea. He advised they would need to follow in accordance with the traffic control signage regulations established by the state. Boggs advised they would need to install at least two poles and maybe four if they were going to keep that left turn lane. He advised they haven't really studied it yet or in depth discussed it.

Russell advised maybe they should start thinking about it anyway.

Workman advised he didn't know if a traffic light would help any (at that location).

Boggs advised it probably was not going to help the congestion, but as the budget gets tighter and tighter for the schools and the city he didn't anticipate they would be able to afford crossing guards either.

Council Member Darrell Carey thanked everyone for coming. He wished Rachel Powell luck in her academic/career endeavor and for coming all the way from Toledo just to keep Larry awake. Carey inquired as to the status of the light at the recreation center.

Boggs advised he believed the pole was ordered, but he would check.

Council Member Bill Workman thanked Rachel for coming and advised he didn't realize she had to come from that far away as he thought she was just down the street (from him where her parents reside). He thanked the candidate for judge for coming and the rest of those who attended the meeting.

Acting Mayor Lynn Beaumont thanked everyone for coming. He thanked candidate Todaro for coming and wished him luck with his campaign. Beaumont thanked the Recreation Director for coming to the meeting albeit late.

Di Salvo apologized for being late and advised it was softball season.

Beaumont advised he was excused.

a. Approval of Vouchers 54849 thru 54960 Including Then and Now Certificates A question was asked regarding # 54909. Hanlon moved to approve, all Yeas on roll call and **motion carried.**

Adjourn: - 8:03 p.m.

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

Mayor

Clerk of Council