

**Rittman City Council Met in  
A Regular Meeting  
on Monday, April 11, 2011 at 7:00 p.m.**

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

**Members Absent:** None

**Presiding:** Mayor William Robertson

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

**Approval of Minutes – March 28, 2011**

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

**Workshop**

**a. Discussion of the Douglas Drive Waterline Replacement and Street Improvement**

**Project** City Manager Boggs advised from the discussion at the last meeting with regards to the grant applied for this project the Finance Director, Service Director and he met and went over some history of similar street replacement projects. He indicated there were four streets from the years 1991 to 2001 where the concrete street was replaced with asphalt after a base was laid and in calculating these projects using 2010 estimated costs these projects were comparable in costs to the property owner per linear foot. Boggs indicated they didn't want to recommend to Council to vary from the existing assessment policy of 50% of the street improvement cost as that would not be fair to those who have paid their portion in the past.

Hanlon indicated the spreadsheet indicates the cost per linear foot to the property owners would now be approximately \$47.65 and he inquired as to why the change from the previously estimated cost of \$51.57 per linear foot of frontage.

Rissland advised the \$51.57 per linear foot included the total construction width of the street at 26', but the city only assesses up to 24' street width. She advised they reduced the cost by the additional 2' and pulled that into the cost per linear foot instead of taking it after the fact. Rissland advised it did not include engineering, design, construction, administration and inspection costs. She advised the \$47.65 estimate does not include the ten percent contingency.

Workman advised a property owner on Douglas has a wide radius of frontage and he inquired if that wouldn't be considered the same as a corner and if there would be some reduction in the cost. He advised this property owner understood the project needed to be done, but didn't know where she was going to come up with the funds.

Russell inquired as to how long it would take for the project to be completed.

Boggs advised he was estimating 3-4 months and from the discussion at the last meeting he assumed they would try to delay it until after the fall sports season although he was not sure that was possible with the grant requirements.

Russell inquired as to how those who live on that street who might have a disability would access their vehicles. He advised it would be hard for them to be locked up in their house for 3-4 months if they couldn't get in and out.

Boggs advised they haven't had the construction meetings yet or discussed a plan for where they would park and how the residents would access their vehicles/house.

Russell advised he felt that should be something that should be brought up because if someone was disabled and couldn't get in and out of their house and walk very far to access their vehicle. He advised he felt it was something they should think about.

Hanlon inquired if the assessment would be broken down over a 5-year term.

Rissland advised historically she believed the city has done just the resurfacing assessments over 5 years, but those projects listed that were comparable were over a 10-year period.

Hanlon advised that would lower the amount of each payment they would make (on an annual basis).

Mayor Robertson inquired if 10 years was the maximum (number of years the assessment could be placed on their tax duplicate).

Rissland advised she believed the maximum would probably be the estimated life of the project.

Workman inquired as to the life of a concrete street.

Boggs advised the estimate life of a concrete street would probably be 20-25 years or longer.

It was noted, this project would be an asphalt resurfacing.

Hanlon advised he believed the Service Director is estimating a 20-year life with the removal of the existing concrete surface and the installation of under drains and a sub-base and then the asphalt surface. He inquired as to how Ritter Dr. was holding up after its first ten years.

Boggs advised he felt it was also on how the road was maintained once the project was complete, as he was a firm believer in sealing those roads periodically and that is what they have been trying to do to extend the life of the road.

Nick Bostos of Douglas Drive advised Council had a copy of his letter and when he wrote the letter he had no conception of what the cost would be and he stated it was not his primary concern. He advised after reading the article in the Daily Record he was totally exasperated as to what it was going to cost. Bostos advised some of those living on Douglas were senior citizens who would not receive a cost of living increase for three years. He advised his personal situation presented a real challenge because they have a retaining wall on their property and since there would be no walking on the sidewalk or the street for his wife, who has difficulty walking on anything but a smooth flat surface, they would have to climb over a retaining wall, up a sloped lot to try to get to their car parked on Third Street, if it was still there in the morning. Bostos inquired as to why Douglas Drive was different than other streets and tear it up to relocate the waterline.

Boggs advised according to the City Service Director and an engineer who indicated the way the concrete pads were shifting and the base underneath has failed. He advised one of his questions was if they couldn't mill the down and put the asphalt on top of it. Boggs advised the problem was they were predicting the concrete slabs were still going to shift and the asphalt would not last as long. Boggs indicated the same was done for S. Hickin Ave., W. Sunset Dr., Ritter Dr. and Rufener St. He advised he was estimating the time frame to be between 3-4 months for the project to be completed.

Bostos advised he was totally against this project.

Marlene Piatt of Douglas Drive advised she understood Mr. Bostos' position, but she also understood there was a problem with the street. She advised probably three times last summer city crews were on Douglas for leaks or repairs due to the bad waterline. Piatt advised two years ago they had a new driveway poured and it was a big inconvenience just for those two weeks parking on the street and carrying groceries to the house, etc. She advised their street was school bus central during football and soccer season so the street does get a lot of use. Piatt advised she understood it needed to be done and there were grants, but they were between a rock and a hard spot as there were only 6 houses on the street and half of those property owners were retired and on fixed income.

Russell inquired if it was possible to replace the waterline under the sidewalk before doing the street improvement portion of the project.

Boggs advised he didn't know and that could be discussed with the successful bidder as to how it would be handled with the issues with the driveways and parking. He advised they were going to have to come up with some kind of plan, but he didn't have an answer right now because he was not an engineer.

Robertson agreed and advised he felt it would be a part of the bid specifications to maintain traffic and so forth.

Piatt inquired if the project could be done in sections.

Boggs advised he believed it was possible so, there would be some access, but he couldn't promise that at this point until they hold the construction meetings.

Robertson advised he believed part of the eroding and shifting of the concrete was due to the waterline problems.

Piatt inquired if it could become a sinkhole.

Boggs advised he didn't believe it was that bad. He advised with regards to the issue of why couldn't they just mill the concrete and asphalt over top as it would be a cheaper alternative, but they are afraid the concrete would shift again and they would be throwing their money away. Boggs advised they were fairly certain there was a base problem underneath probably from the water leaks and until it was fixed that road would continue to worsen.

Piatt inquired if it was a valid point that they have a lot of bus traffic.

Boggs advised the school would be assessed as well since half the street (the east side) is school property.

Lapehn indicated with the schools being located on one campus next year, he felt the school buses wouldn't be an issue on a daily basis.

Boggs indicated the field would be used during football and soccer season and traveling schools would come by bus.

Workman advised he would like to see the project done cheaper some way or another. He advised he didn't know if grinding it down was the answer. Workman inquired if there was any way to have test bores done and (re-evaluate).

Boggs advised he didn't know, but he could ask. He advised Council has the power to change the current policy, but he inquired if that was fair to everyone else (who paid in the past) and that was something Council needed to evaluate. Boggs indicated this project was not different than the other four streets he named with the exception that there are less property owners on Douglas Drive. He indicated he agreed that if they go forward with this same policy they should go

ten years for the time frame the assessment would be applied to the tax duplicate, which would lighten the payments over the life of the assessment. Boggs advised he understood it would not be easy for the retired on a fixed income.

Carey inquired as to how many other roads in town may need to have this (same type of full depth road work) done. He advised if they wanted to talk about changing the policy he felt it would be because there were more (road projects) coming.

Boggs indicated he didn't know the answer, but could ask the Service Director and get back with him. He advised someday soon he felt E. Sunset would need addressed and it was a concrete street.

Hanlon advised last year the waterline was replaced on Industrial Street with grant funds and he didn't know who decided it didn't need resurfacing, but he couldn't imagine it being in better condition than Douglas Drive. He inquired as to why Industrial Street wasn't paved when the waterline was replaced and assessed and yet Douglas Drive is being considered for such. Hanlon advised he has driven on Industrial Street more than he has on Douglas Drive, but as the owner of a pickup truck he would say it was rough and it was rough because of all the water breaks. He advised he felt it was basically the same situation as on Douglas Drive with a concrete street. Hanlon advised Industrial Street waterline was done last year with all new sidewalks installed on the east side of the street and the street (resurfacing) was not even part of that grant.

Boggs advised he didn't know if the waterline was already underneath the sidewalk he wasn't sure, but that might have been the difference.

Hanlon inquired if the grant award people were flexible at all on the city modifying their request and making it just a waterline replacement project like what was done on Industrial Street.

Boggs advised he was assuming they could, but it would cut the grant amount down.

Workman inquired as to what if they just grind it and pave it.

Boggs advised total cost factor would be less thus, lowering the grant amount given.

No further discussion.

### Citizens Forum

No remarks.

### Old Business

a. **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. Second Reading.** Res. No. 7639 was read on second reading. Lapehn moved to place on third, all Yeas on roll call and **motion carried.**

### New Business

a. **Motion to Amend the City Income Tax Filing Deadline from Friday, April 15<sup>th</sup> to Monday, April 18<sup>th</sup> for 2011 to Agree with the Federal Tax Filing Deadline.** Carey advised he agreed since those with a business return might not have the forms necessary in order to file if they wait until the 18<sup>th</sup> to file their federal return. Robertson advised he couldn't think of a reason why the tax collection department would have a problem. Russell advised he felt it would give a couple more days to work with it. Hanlon indicated the penalty would not be applied until after the new due date. Russell so moved, all Yeas on roll call and **motion carried.**

b. **Discussion of Signs and their Location**

Russell inquired regarding the (regulations) for small signs placed (in the right of way) throughout town. He indicated there was one on Main Street near the car wash. Russell advised he felt it was becoming a habit with signs stuck all over in the curbs.

Boggs advised they are supposed to get a permit for any type of sign.

Russell inquired if there was a way for (the general public) to know they got a permit for their sign such as some kind of (city) stamp.

Boggs advised there were to be no signs placed in the tree lawn (right of way).

Russell indicated there seemed to be a growing number placed in the tree lawns over recent months.

Hanlon advised he believed he saw one on a telephone pole at Main Street and Ohio Ave.

Boggs advised there were no signs to be placed on telephone poles. He advised this was an issue for the police department and he knows they have taken quite a few signs down this past week. Boggs advised any sign in the tree lawn the police department should be removing. He advised he believed the street supervisor volunteered to help as well.

Police Chief Burg concurred.

Boggs advised they would communicate to the officers to be more aware and he would also discuss the issue with the service department about removing them as they are found.

c. **Motion to Proceed with the Douglas Drive Waterline and Street Improvement Project and Prepare a Resolution of Necessity for the Street Improvement with a 10 year Repayment Plan on Assessments.** *Discussion for this motion is in City Manager Remarks.* Hanlon so moved, all Yeas on roll call and **motion carried.**

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

City Manager Larry Boggs inquired if Council wanted a resolution of necessity prepared for the next meeting as the next step in the street assessment policy. He indicated they would then need to send out letters to the property owners giving them an estimated cost of their assessment based on the linear feet of their property times the estimated cost per linear foot. Boggs advised he was looking for Council's direction.

Beaumont advised he felt they should proceed with the project.

Hanlon inquired if the property owners would be notified of the estimated cost of the improvement.

Boggs advised yes, the procedure was for Council to determine what streets needed improved then pass a resolution of necessity, then send certified letters to the property owners advising them of the estimated cost and the appeal process. He indicated once the appeal process was complete an ordinance to proceed would need passed and then an ordinance awarding the contract for the improvements. He indicated once the project was complete an ordinance levying the assessments to the properties if not paid by a designated date and finally an ordinance to provide the issuance of notes for the improvements and any unpaid assessments sent to the county auditor for tax collection.

Hanlon inquired as to what point would it be determined a 5 or 10 year assessment.

Boggs advised he believed that would be stated in the resolution.

Russell inquired if there was going to be a consideration made for senior citizens for the cost.

Boggs advised that was up to Council, but nothing has been changed yet.

*Motion to proceed above under - item (c) new business.*

Boggs advised he knew there were some Council Members who wanted a streetlight installed by the recreation center and Saurer St. and it should be in late this week or the beginning of next week. He advised he spoke with the electrician and all the parts were in and it shouldn't be too long.

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

Finance Director Barbara Rissland advised Council had their March financial statements in their packet and income tax collections were down compared to last year and it was primarily in the business profit field. She advised last year when they talked about it they were up quite a bit early in the year and it continued to go down by the end of the year. Rissland advised on a positive note the city's withholding is up almost 3 ½ % as compared to last year and that was going to be a more consistent number than business profit and loss. She advised so that was bad news and good news.

Beaumont inquired if the numbers were offsetting each other.

Rissland advised no not nearly.

#### **a. Motion to Approve Financial Report for March**

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

#### **Council Remarks**

Council Member Darrell Carey thanked everyone for coming. He advised regarding the Rails to Trails in Rittman and there were a lot of people on the trail this past weekend and it was really nice to see some out of town people walking the trail. Carey advised it was a little disappointing that there was nothing available for anyone to buy anything the whole way on the trail and that was disconcerting. He advised the fact it was drawing people to town was a real plus and nice to see.

Council Member Richard Lapehn inquired if the trail had any sort of shelter or public restroom available.

Carey advised there was nothing on the trail. He advised during regular business hours if you know where to go you could visit businesses a short distance off the trail. Carey indicated other trails had places to get some bottled water or use the facilities.

Lapehn advised he was sure those trails didn't have such the moment the trail opened and he indicated it was something they should certainly pursue or encourage.

Carey agreed.

Mayor Robertson advised he was hoping the RCIC would consider placing a port-a-jon somewhere along the Rittman area (of the trail). He advised after 14 miles on a bike that was one thing he felt people would be looking for.

Carey advised there were a lot of people in town that day and it would have been nice if there was some place they could go to grab a bite to eat, etc.

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

Council Member Rick Hanlon had no remarks.

Council Member Bill Workman thanked everyone for coming and invited them to come back. He thanked the Douglas Drive residents for coming and voicing their opinions and encouraged them to continue to let Council know how they felt about the situation.

Council Member Lynn Beaumont indicated they received information from the City Manager regarding the township secession and after hearing the doom and gloom financial outlook at the last meeting he would like Council to be more proactive financially. He advised he would like to have some discussion at a workshop session at the next meeting regarding this issue as well as the income tax credit. Beaumont advised if they don't take some positive steps to increase our (revenue) he felt they would be in a situation a lot of towns are going to be in and he doesn't want to wait until next year and look back and say we should have considered those (issues). He advised he would like to be ahead of the curve. Beaumont advised he felt the others knew his position on the income tax credit because he really feels it was something they need to look at as there were a lot of residents who receive a lot of the benefit of the town without making any financial contribution to the town. He advised he felt the issue with the township secession was something that should definitely be considered and he would like those items on a workshop for the Council Meeting. Beaumont advised he didn't feel they should get too excited about the withholding because a significant part of that could be due to the construction of the new jr. high/high school. He advised those monies would be ending soon and they couldn't count on any big projects like that in the near future. Beaumont advised they were not only looking at the cuts from the state, but the economy and the reality of the decrease in construction and what the income tax collections for next year may look like. He indicated this was his reasoning for asking for workshop discussions on those two issues.

Mayor William Robertson advised the Rittman Area Chamber of Commerce has a Reverse Raffle this Saturday (4/16) at Rawiga Country Club. He advised May 14<sup>th</sup> is the Grand Opening for the Rails to Trails of Wayne County and there would be a ribbon cutting at 1:00 p.m. Robertson advised they were working with the Chamber on making an event out of the ribbon cutting and the trail officially opening. He advised businesses or organizations were invited to put a display up and talk about what they have to offer. Robertson advised there was also going to be a flea market if you have items to donate and they were hoping to get permission to give rail car rides on the tracks and some different activities for the kids and families. He advised they were hoping to make it a community event and get more people aware of the trail and it would be great to see everyone at such an event.

a. **Approval of Vouchers 54961 thru 55042 Including Then and Now Certificates** Russell so moved, all Yeas on roll call and **motion carried.**

**Adjourn: - 7:48 p.m.**

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

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**Mayor**

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**Clerk of Council**