

**Rittman City Council Met in
A PUBLIC HEARING
on Monday, July 11, 2011 at 7:00 p.m.**

2012 Tax Budget

Finance Director Barbara Rissland advised this was a working budget and a starting point for the department requests and estimates for revenue. She advised the city will be losing approximately \$185,000 in the General Fund next year and will probably lose \$70-80,000 this year due to the cuts in Local Government Funds and Tangible Personal Property Tax. Rissland advised that leaves them with an estimated balance of -\$224,000 for the end of 2012 currently. She advised they would need to do some work throughout the rest of the summer as she and the City Manager would be meeting with the department heads to see where they could make some cuts. Rissland advised their choices were either to increase revenues or reduce expenditures or some combination of both. She advised they would be coming to Council with some suggestions probably at the next meeting.

Council Member Hanlon inquired as to when this tax budget needed to be submitted.

Rissland advised the Wayne County Auditor needed to have it by July 15th. She advised this was not the budget as far as what they would do later on in the fall and did not have the legal status as far as an appropriation ordinance. Rissland advised these were the estimates right now and as they go a little further through the year they need to legally make it come into balance. She advised they typically have done so by the end of the year and they would probably come back in September or October with the real budget. Rissland advised the county auditor would receive this copy this week and she and the City Manager would have a budget hearing with the Wayne County Budget Commission on August 1st.

Mayor Robertson advised this basically justifies to the budget commission that we (Rittman) need our taxes collected and our share of the Local Government Fund and those kinds of things.

Rissland advised it probably wasn't used so much for that purpose any more as they have an alternative formula in place in Wayne County so it was already pretty much established as to how much local government funds they would be receiving and they (cities) were all getting less. She advised they need it (tax budget) for property tax levies and support debt and they don't have any of those.

No further questions or comments from Council or the public in attendance.

REGULAR MEETING

Members Present: Glen Russell, Rick Hanlon, Lynn Beaumont, Richard Lapehn and Steve Johnson

Members Absent: Darrell Carey

Presiding: Mayor William Robertson

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

Approval of Minutes – June 13, 2011

Lapehn moved to approve, upon roll call; Hanlon-Yes, Russell-Yes, Beaumont-Abstain, Lapehn-Yes, Johnson-Yes and **motion carried.**

Workshop

a. Discussion of Acquiring the Property Located at 75 N. Main St. from the School District City Manager Boggs advised Council President Beaumont asked him to do some research on this subject. He advised the schools would like to move on this property as soon as possible as the open house for the new school building would be later this month. Boggs advised there were plans of an open house for this building during the Sleepwalker Festival for tours of the property and the contents of the structure. He advised there is an auction planned around the first part of August and they anticipate tearing the building down some time this winter or early spring. Boggs advised the school officials hoped to minimize the dust and noise to the neighbors as the windows would most likely be shut during that time of year. He advised in discussing this with the superintendent of the schools, they were very willing to give it to the city; however, he felt it came with a price tag because “free” means they would have to remove the asbestos, which could cost upwards of \$80,000. Boggs advised the city would assume the cost of either renovation or

demolition. He advised currently the schools have a grant that will pay \$.60 on the dollar for the demolition costs. Boggs advised the Mayor and he met with the schools approximately 3 months ago regarding the property and at that time expressed that the CIC board had interest in the property once the structure was razed and if the price was affordable they would consider purchasing the land. He advised the property has a large hill (that fronts Main St.) and depending on what they could attract as far as a business for that location there might have to be some major renovations. Boggs advised the good news was it was out of the floodplain as most of the CRA properties east of Main Street were in the floodplain, which presents different problems. He advised he spoke with one engineer regarding what it would cost for them to look at the property and give ideas as to what could be done (with the property), but never really received any (concrete) answers. Boggs advised he spoke with the new Director of the Wayne County libraries who eventually want to do a renovation or new building for the Rittman branch and have shown some interest in the old middle school or North Street Elementary school building, but often times the cost of renovation is more than new construction. He advised he didn't know if Council had any information to add or had any ideas they want him to pursue, but that was where the situation stood at this point. Boggs indicated with the tax budget deficit they were all doing more with less and they were going to have to make even more cuts. He advised this (request) was very untimely in the budget process.

Hanlon inquired if the plan was to tear down the old middle school and leave the old elementary (North Street) school.

Boggs advised yes unless they find a buyer for the old elementary school the plan was to build locker rooms for the football players.

Hanlon inquired if he discussed with the school board should the building not sell at auction and be demolished as to how much property the school be willing to part with. He inquired if they would go all the way up Liberty Street with the property that would be for sale including the ball field or would it be limited to the North Main Street area.

Boggs advised he believed from their conversations it was only the old middle property. He advised although there was some interest at one time for a nursing home to purchase the property and if that would have (materialized) they would have purchased the entire "chunk" of property on the condition the (school) had enough property for a locker room to be installed for the football team.

Hanlon inquired if the building was old enough to qualify for any historical grants should the City or the CIC obtain the building.

Boggs advised he would assume it would be although he didn't know for sure as he was not aware of such a grant. He advised he knew you could get historical designation, but he didn't know there were any grants available for historical basis alone.

Robertson advised part of the building was old and the other part was science labs, gymnasium and offices that were quite a bit newer so he didn't believe the entire building would qualify.

Council Member Beaumont advised his reason for bringing this issue up (for discussion) was there is currently a viable structure with classrooms/meeting rooms, a cafeteria, a gymnasium and an auditorium as opposed to a piece of vacant land sitting on our Main Street. He advised he felt it was incumbent upon them to look at all the possibilities. Beaumont advised he wasn't suggesting they should absolutely do this, but he felt they would be remiss in their responsibilities if they didn't at least look at the possibilities. He advised there are a number of communities that have taken old structures and made them into community centers or daycare centers or meeting rooms with various organizations taking part in the use of the building. Beaumont advised he understood the economic situation, but he felt they should pursue it just to see if there was any possibility (in making use of the structure), as he would hate to be 2 or 3 years down the road with the Council saying, "...if we could have just used that old middle school for a purpose". He advised he would like for them (fellow Council Members) to say at the end of the day that they pursued all the opportunities, they looked at every (avenue) before saying they couldn't afford it and there was no viable purpose for that building and that they truly could not do it. Beaumont advised he understood there were issues with the terrain and parking and he wasn't an engineer or an excavator. He advised he walked the property and a lot of our kids went to school there and that whole front area of the building could be parking, as he felt there was plenty of room to do so they just needed to see if it was viable. Beaumont advised he didn't know if there was a possibility of the school removing the asbestos, but he felt if there was any possibility of them making a good use out of that building for our city they really should do that and maybe he was wishing for something that couldn't happen. He advised he would really love to see years from now that building being used by various groups. Beaumont advised they were hearing all the time that there was not enough area at the rec center for various organizations to meet or what have you and he was also of the understanding that the school board wants to tear down the old high school (Saurer St.). He advised he understands the concept of it being cheaper to build something new than it is to renovate old, but these structures mean something. Beaumont advised that old middle school was like a fortress and if the kids were not able to destroy it over the years, it must mean something. He advised there was a basketball court and all sorts of things he believed a community could use if it could be channeled in the right direction. Beaumont advised he didn't know if they had the money to do it, he didn't know if they

would be able to get grants to do it, but he felt they were remiss in their responsibilities if they don't actually pursue it and see if there was a way to do it. He advised he understood the time frame was crunched, but if there is a way to do it and give them time to look at it. Beaumont advised if they have to hire someone to do a viability study he would like to see them be able to do so if they could economically afford to do so. He advised then if they come back in a few months and say it wasn't going to work then he would be all for "washing our hands" of it. Beaumont advised they might have to spend some money to do it and if we can afford to do it, let's do it. He advised he can't imagine driving down Main Street and looking at a vacant piece of land and he felt it looked bad for our community and he understood the reality of the circumstances, but let's at least investigate it.

Hanlon advised when the Poggemeyer Design Group did the downtown revitalization plan the old middle school was included in the plan and he inquired if anyone remembered their comments or recommendations were as they obviously knew this would transpire.

Robertson advised he knew they (Poggemeyer) hated to see Hauenstein Hall demolished, as they (Poggemeyer) were all in favor of saving the buildings whenever possible.

Boggs advised he could call (Poggemeyer) and see if they knew of any grants available. He advised he believed they (Poggemeyer) envisioned something being there (old middle school building) as part of that (overall study). He advised it was an overall plan (the downtown study) that had to be massaged, but he felt that the bottom line for them (city) was that if it (school building) had no potential uses he didn't see how they were going to get grants if they were even available.

Beaumont advised he didn't know if people were interested in coming to Rittman. He advised we don't have a daycare in Rittman and inquired as to where do young families that live in town take their children. Beaumont inquired as to how we know if there were businesses, organizations or groups that need places to go unless we have them available and could let it be known. He inquired as to how we know that there were organizations or businesses that want to come into Rittman if there was no place to go. Beaumont advised maybe it had to do with community development and outreach. He advised he understood it was all about viability. Beaumont advised he agreed that if they could get an outside source to look at this to see if there was some viability and in five years they might be glad they did.

Russell inquired if there was enough time to do some of the things suggested because he believed the school wanted to tear it down sometime in the winter.

Boggs advised by law the school had to hold an auction and someone could buy it.

Beaumont advised they could be looking at senior citizen housing in two years.

Boggs advised he hoped they weren't looking at low income housing.

Beaumont advised they may be looking at a lot of things unless they use some of their exertion or moral suasion or legal authority that we have. He advised he understood why the state wants to do this and he understands they call the shots with the school and like it or not the state dictated what would be built at the new school. Beaumont advised he didn't know if they have the time to do this, but he felt they should pursue it just to see what they could do. He inquired as to what difference would it make to the state if an old building in Rittman gets demolished or sold in August or if they take 6 months to look at a way of making the building useful for the community. Beaumont advised these were just his feelings on the matter.

Johnson advised he would assume there is a lot of scrap value to the building.

Robertson advised the school has set a minimum bid.

Boggs advised the ones he spoke with earlier regarding acquiring the building didn't seem interested in it for the scrap value. Boggs advised a company that converted old school buildings into nursing homes came to him and originally were interested in the old middle school, but when they saw "North Street School" they were more interested in that (property). He advised then for whatever reason it just fell through.

Russell advised he knew of one high school (in another city) that was completely renovated for use by senior citizens and it "turned out real good".

Boggs advised he believed the school board was planning on keeping the administrative area, the office complex and the gymnasium and the multi-purpose room of the old high school, but they would be tearing down the classroom area. He advised from the conversation he had with school officials it sounded as if those would be rented out or made available.

Beaumont advised that was another thing he really didn't understand because there were 22 classrooms in the old high school and they were moving into a new school that has 11 classrooms. He advised they were going to tear down a building that was a stone's throw from our recreation center, which in his mind there could be a connection between our recreation center and the old high school building. Beaumont advised there wasn't enough room at the recreation center and the idea that there is a building right there that they (city) might be able to use in conjunction with the recreation center and yet it was going to be torn down. He advised to him that did not make any sense and he didn't mean any criticism of anyone on the school board or any school official. Beaumont advised he didn't have all the facts to understand why it was happening and if the state was dictating it along with the construction of the new building then so be it, but he didn't really understand the rush to tear down a building.

Robertson advised he believes the state dictates it through their funding. He advised their (state) funding includes the demolition and it has an ending date as to how long the money was available. Robertson advised if they don't demolish then they have to maintain it.

Johnson advised last he heard was they were not going to tear down the old high school because it would be too expensive to tear down part of the old high school and segregate utilities and things they were going to need. He advised he believed there was a push to tear down the old middle school because of the time limit on funding and if the school didn't accept the state's money then it was on the school board's nickel and the state was paying the lion's share of it.

Boggs advised he would contact Poggemeyer and see if they were aware of any grants.

Beaumont inquired if the August date was set or did they have some leeway.

Boggs advised he couldn't answer that question.

Citizens Forum

Joe McNeill of W. Sunset Dr. advised sent a letter into the city in response to the certified letter regarding the sidewalk project and assessment. He advised there were some very specific items addressed in regards to their individual properties as well as some general statements regarding the timing of the assessment. McNeill advised his house was the farthest west on the north side of Sunset before DeCoursey beside the vacant lot owned by the Diocese of Cleveland. He advised there was nothing (no development) between his house and DeCoursey. McNeill advised the sidewalk currently ends halfway through his neighbor's yard and his (own property) has a ditch and does not have curbs. He advised his letter cited that the definition of "if they would like their own contractor to complete said sidewalk for his property" was that the sidewalk needed to start 6" from the curb and needed to be 42" wide. McNeill advised 6" from the curb would be close to the culvert and 42" wide would be a total of 48" from the curb, which they don't have and would completely encompass the ditch that has been in their yard since they bought the property almost ten years ago. He advised the definition of this project seems to include W. Sunset and they and other property owners in his area are wondering why because they don't have some of the amenities, as the rest of the city since they don't have a curb and they still have a ditch in their front yard. McNeill advised geographically he didn't know where anyone would be walking on Sunset because as you continue to go west there was really nowhere to go. He advised he was assuming that the Diocese of Cleveland and their efforts to sell property they own when the market turns around and at some point he was sure development costs of that land would include sidewalks. McNeill advised when they were given the voluntary option (last year) to complete those sidewalks, which he believed was six months ago or a little longer they were going to (have them done at that time) because they were given a cost and were told that cost would include the cost of putting the pipe in and covering the ditch. He advised later they were told that the cost of the (culvert install) would not be included and would be an additional \$600. McNeill advised his response was what if they don't pay the extra \$600 and we just do the sidewalk and he was told they would just put the sidewalk next to the ditch. McNeill advised his frustration lies in that he felt it was odd that a sidewalk would be installed to walk directly into a field. He advised if he were a betting man he would be willing to bet that not very many citizens were going to be using that sidewalk. McNeill advised he also had concerns for some of his neighbors that have double lots and are on a fixed income. He advised he understood it was never a good time to pass an assessment such as this, but he would owe over \$1700 and have 60 days to pay or it would be placed on the property taxes. McNeill advised he could only imagine the cost to his neighbors (with larger frontage) as they were retired and he would estimate their cost to be at \$3,000 to \$4,000. He advised he didn't feel that now was appropriate as it was inarguably one of the worst economies since the great depression. McNeill advised passing a mandatory assessment such as this without giving anyone the ability to say yea or nay was not right. He advised he understood it could be placed on the property taxes, but it was only a 3 year plan, which he felt was odd since the life of sidewalk was longer than 3 years and if it were spread out (over a longer period of time) it might be more manageable. McNeill advised his house was for sale and the day before his family left for vacation, which was three days after signing a contract they received the letter (from the city) for the assessment. He advised they negotiated the sale down because they (purchasers) were a young couple who is really excited about starting a family here in Rittman. McNeill advise his letter indicated it (sidewalk assessment) was going to make it impossible for (this young couple) to afford the house. He advised while they were on vacation he talked with (the City Manager) and had numerous conversations with the buyers and while the house remained under contract they had to bring a little more into the closing to make it so they (young couple) could afford the house. McNeill advised he felt if they wanted young families to come here or retired people to stay here he felt they were making it rather difficult. He advised his house sold and this was not going to affect him personally, but he felt it was right when he has the opportunity to stand up and voice his concerns.

Connie Sharpton on behalf of her father Wm. K. McComas on W. Sunset Dr. advised she didn't know anything about this (project) until she received the registered letter. She advised with property taxes due in August she felt it was a little difficult and objected to the quickness of (the assessment) as people didn't have that kind of money right now.

Dave Tabaka of Pleasantview Dr. advised he wanted to talk about the resolution (No. 7645) itself and he inquired if any (Council Members) voted against the resolution.

Lapehn advised he believed it was unanimous.

Tabaka advised it was his understanding that it would be enforced citywide. He inquired of Council if they actually read the resolution. Tabaka advised the only reference in Res. No. 7645 he could find to other parts of the city was in section one where it describes the phase I area and the last part of the sentence it says, "*And permitting voluntary participation in this project for those who choose in other parts of the city as funding allows*". He advised that was pretty clear and it makes no mention to the rest of the city.

Robertson added...at this time. He advised the Council Members had some workshops and discussed a citywide program. Robertson advised City Council has financial obligations when the sidewalks are put in and there is only so much money that could be budgeted so, Council in their discussions talked about targeting an area close to the schools most used by the children walking to and from school. He advised the overall plan, the way he understood it, was to implement a citywide program that would (include a new phase) each year as the city had money in their budget and eventually complete the entire city.

Boggs advised almost 8 months ago possibly longer, Council amended (legislation) that required subdivisions that did not have sidewalks to be put in. He advised and that does not include any language regarding phases, but could be enforced immediately. Boggs advised Council wanted to do this program in phases and they wanted to start with their most important pedestrian area, which is the schools and work outward. He advised as mentioned, the city only has approximately \$50,000 per year for this project and hope to recycle those funds (as payment is received) to keep the program going.

Tabaka inquired as to what they (City/Council) would say to those in phase I to make them feel that this (program) was going to eventually be enforced throughout the rest of the city. He advised this is the ordinance and it says that other parts of the city would be voluntary and he wasn't calling anyone dishonest, but inquired if they could really make that promise. Tabaka advised they were talking about seven years and some of you might not be on Council any longer. He advised this thing could fall through a court challenge or a referendum for all they know. Tabaka advised he believed there were enough people upset at phase I as he walked the neighborhood and he inquired if any (on Council) did that. He inquired if any of them talked to their constituents and see how it was going to affect them.

Russell advised he did.

Tabaka inquired as to what kind of reception he found.

Russell advised it wasn't very pleasant. He advised along that line he would like to say that he did see a couple of sidewalks (marked for replacement) that he felt was questionable whether it should be replaced at this time. Russell advised he thought maybe in a couple of years they might need replaced.

Tabaka passed around some photos of some of the sections of sidewalk that have been earmarked for replacement in phase I. He advised according to the resolution this was passed as an emergency resolution.

Robertson advised he believed it went through three readings. He advised the emergency clause is placed on almost every resolution.

Tabaka read the emergency clause "*That this resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in said city*".

Robertson indicated that was standard procedure and advised it allows the resolution to go into immediate effect rather than having to wait 30 days.

Tabaka advised he was focusing on the words peace, health and safety and he inquired if someone could articulate how some of the sidewalks in the photos jeopardize peace, health and safety. He advised some of the sidewalks only had a hairline crack in them and were not even a trip hazard. Tabaka advised there was one in front of his house that has a crack that has not changed in 15 years and the same with his neighbor. He advised Underation's on Warren Ave. were being assessed two sides of their property and it was practically every section of sidewalk. Tabaka advised it was some of the most level sidewalk he has ever seen. He advised he felt it was ironic that the meeting was opened with talking about budgets and the city has to cut back. Tabaka inquired as to how they (Council) think things were going for them and advised a lot of people were suffering right now. He advised the city had to make cuts and he was willing to live with that, but at the same time you were telling us we have to increase our budgets and come up with extra money. Tabaka advised some people are being hit hard and he walked the neighborhood and went to every door and he has signatures from 63 households who are upset about this (assessment).

Hanlon inquired as to how they could tell from the pictures what sidewalks were marked for replacement.

He was advised they were marked with white paint dots.

Tabaka advised he felt it was very significant that this resolution does not cover the entire plan and he has no guarantee that it would be enforced throughout the whole city. He advised as far as children walking to school yes, they were the area that was closest to the school. Tabaka advised

there were areas not being assessed that were closer to the school such as on North St. or the other side of Metzger.

Robertson advised he was right this Council has made the commitment to do the citywide sidewalk program and elections come and go and people get upset about sidewalks and it could change the entire program.

Tabaka advised they were being asked to cooperate with this program and it he was being hit with (a substantial amount) and he lives at the corner of Saurer and Pleasantview and when they bought the house there was a field that is now the development (Hills & Dales). He advised there was no sidewalk when they bought the house and now he was being (forced) to put one in, but Chapter 1135 of Codified Ordinances Ord. No. 4826 passed in 1971 it explicitly covers developments and what would be (installed) curbs, sewer, streets and sidewalks. Tabaka advised when his house was built in 1978 that ordinance was in effect and we could debate all day about why they never were installed and what really happened. He advised the fact remains that the sidewalk was never put in and his contention is that for whatever reason the city didn't enforce its own ordinance regarding that development and the ordinance states they had 6 months to put that sidewalk in. Tabaka inquired as to what did they have to say about that and advised right now they were imposing an ordinance and telling people they needed to follow it and the City Manager has got to enforce it.

Russell advised his house was built in 1979 and the contractor didn't put the sidewalks in and it was his (own) responsibility and that was the way it has been over the years.

Tabaka inquired as to how it would be (Russell's) responsibility if the city has an ordinance.

Russell advised he wasn't told to put it in, he volunteered.

Tabaka advised that was different. He advised he was being told to do it.

Russell advised he believed things have changed and he believed now when contractor's build they automatically put the sidewalks in, but "back during that time they didn't do that".

Tabaka advised there was an ordinance saying they had to.

Russell advised there wasn't enforcement.

Tabaka inquired as to why they were enforcing this ordinance. He advised just because it was a different time the law was the law.

Hanlon advised he (Tabaka) wasn't alone because there was a development on Olds Ave and Oak Hill in the Oak Hill Estates and he indicated there was the same problem where Metzger Ave stopped at Hillcrest and when the development was added the sidewalk was not extended to those properties where Metzger Ave continued southward. He advised when the sidewalk program gets to that phase of town they would have to comply with the sidewalk ordinance. Hanlon advised it was similar to what he was describing as they didn't feel the need to install sidewalks that would be going into nothing. He advised it was a catch-22 situation as back in the 1970's they said maybe they didn't need to extend the sidewalk past the driveway as it was not going (to lead) anywhere except a walk in the woods.

Tabaka advised what was said in 1971 with this ordinance was "*sidewalks shall be required on both sides of the streets. Sidewalks must be installed within 6 months after a structure is completed on a lot in a subdivision or as hereafter provided, whichever first occurs according to city specifications*". He advised the language was pretty clear must be installed and he was going by the letter of the law and was not trying to argue hardship stories. Tabaka advised if that sidewalk wasn't installed it was because this ordinance wasn't obeyed or better yet was not enforced by the city. He advised so 33 years later they come to him and say he was going to pay for the sidewalk that someone else should have paid for when the house was built. Tabaka inquired if that was fair, if it was legal. He advised the rest of his point was in agreement with (McNeill) that this is a really poor time to be doing this to people. Tabaka advised you as Council your job was to represent the people and not aspirations of the city. He advised they (Council) were to represent the people and their best interests and he did not believe this was in their best interest. Tabaka advised if they go to that area they (Council) could not tell him that was an emergency that had to be dealt with especially when they walk the rest of this town and look at some of the other sidewalks and let's face it kids just don't walk through our neighborhood to get to school, but they walk from all over town. He advised most of the kids he saw walking were on Ritter and Home Street and the kids would be walking in the winter out in the street because there are no sidewalks at all in that area. Tabaka advised he felt that was more of an emergency.

Hanlon advised with regards to replacement of sidewalks he agreed with Mr. Tabaka as far as concrete was going to crack and saw cuts were just to help it crack straight. He advised if they don't crack on the saw cut didn't make them unsafe. Hanlon advised he thought what was discussed in Council was if it was a trip hazard of $\frac{3}{4}$ " or greater. He advised they were never going to get every piece of concrete to crack along the saw cut and if they were asking people to replace them because they didn't like the zigzags and they were not a trip hazard, his opinion was to leave it the way it is as it was just a visual thing.

Tabaka advised he could take them to Hills & Dales and show them a four year old sidewalk that has cracks in it.

Hanlon advised concrete was going to crack wherever it wants. He advised it was going to shrink and crack and if it doesn't crack straight didn't mean it was a hazard. Hanlon advised it may not look nice, but it was not a hazard. He advised he thought the sidewalk replacement was because of hazard conditions such as tree roots have shifted slabs and he agreed with that issue.

Tabaka advised he would invite any member of Council to talk an hour and walk the streets in his neighborhood and look for those sidewalks that were marked. He advised he felt there was a good bit of overkill.

Beaumont inquired if he (Tabaka) had any sidewalks at all.

Tabaka advised he currently has sidewalks in the front and one section was (marked for replacement).

Beaumont indicated there were no sidewalks on the side of Tabaka's corner lot.

Tabaka concurred and indicated the city would have to relocate a fire hydrant for the sidewalks to be installed.

Beaumont advised he believed the city committed to moving the fire hydrant.

Tabaka advised that was fine, but he was still standing with his position that the city should have enforced their ordinance and put that sidewalk in (when the house was built).

Lapehn inquired as to the length of the pay off as he believed it was to be longer than three years.

He was advised three years.

Robertson inquired if that was set by the county auditor.

He was advised it was set by the ordinance.

Lapehn inquired as to the discussion regarding 5 or 10 years to pay.

Boggs advised perhaps that was the discussion of the Douglas Drive project.

Hanlon advised there was an ordinance passed (recently) that included the areas that do not have sidewalk and the sidewalk replacement ordinance that has been in place (for a long time). He advised he could understand the replacement of sidewalks being the three year (repayment through property taxes if not paid upfront). Hanlon advised he felt someone who might need 100' or 250' of sidewalk installed should be granted a little extra time than just the three years.

Lapehn inquired if the voluntary program last year was three years.

Russell advised he thought they talked maybe last year if the crack was raised an inch or more in grade that it would be replaced.

Boggs advised that was what he thought.

Russell advised unless it was a trip hazard; if just a corner of it (was cracked) didn't necessarily mean they would have to replace the whole thing.

Boggs advised they marked sidewalks that were cracked that they felt were going to deteriorate further. He advised they received a few phone calls questioning some that were marked and they reviewed them again and there were some mistakes.

Hanlon advised his concern with removing a sidewalk (section) that is only cracked is with removing a slab and inserting a slab without pinning together then it was more susceptible to freezing and thawing causing problems than if it was just cracked. He advised it could although not necessarily, but it could.

Boggs advise if it was the wish of Council to reassess that issue, they would certainly do that.

Hanlon advised it was his understanding last fall that if they were trip hazards or deteriorated and pitted from salt or something, but not just a crack.

Russell advised he believed that originally they were going to do the sidewalks that looked like a hillside and then they decided as a whole to start at the high school and (work) out from that (point).

Beaumont advised they also built into it an appeal process so that if someone was told they have to get their sidewalk replaced or installed that they have the ability to come to the city and say they feel it was the wrong decision. He advised what they say was not the rule of law, but everyone has the opportunity to come and they have discussed this at length. Beaumont indicated there were areas that did not conform such as the Grandview park area where there were trees and unusual terrain. He advised there were properties with huge embankments or retention walls where serious excavation would be necessary and was not realistic to expect someone to expend a significant amount of money to totally change the conformity of their property. Beaumont advised they built into the legislation the ability for someone to come and say they didn't believe it was right. He advised they weren't dictators and saying they have to do this.

Russell inquired (of Beaumont) if he also said that once the program started they weren't going to accept any exceptions.

Beaumont advised he never said that, but he said that once the program starts they needed to be fair everybody. He advised if we say we are going to start at the school and do it in phases that we would continue and move along phase by phase and be fair to everybody. Beaumont advised if someone said they have a property that was not realistic to have to do this or they don't their sidewalk was in that bad of condition. He advised that would be when they would ask someone to look at it because they didn't believe that it was right. Beaumont advised they built that into the legislation so everybody has recourse.

Russell advised he believed then they would be picking and choosing. He advised they were saying they were going to run the sidewalk down the hill and then when they came upon something that was going to cost a little more money. Russell inquired if they would go around it and then start the sidewalk up again at another point.

Beaumont advised that would be why they would send it to the zoning board of appeals.

Law Director Kevin Bower clarified board of equalization.

Beaumont advised they (equalization board) would have the ability to look at the situation and make a determination.

Russell advised when they start doing it he didn't believe it was fair to say so many had to put their sidewalks in and then they were going to go around someone else and not make them do it. He advised back in the 1970's he remembers when people were forced to put sidewalks in, but then Grandview wasn't and they still don't have sidewalks.

Beaumont advised he couldn't speak for what happened in the 1970's, but when they set about the plan that they thought was to the benefit of the (citizenry). He advised they have held workshops and discussed it at length and came up with a plan and what they thought was fair to the citizens and what was beneficial like starting at the schools. Beaumont advised they put into place a process where people could appeal and they have recourse by coming to a board and expressing an opinion. He advised he didn't know how much more fair they could be. He advised it was discussed at length as this was not a new topic.

Russell advised he didn't feel if the crack was not enormous that would make it a hazard and that they should have to replace their sidewalk.

Beaumont advised he could not address individual cracks.

Russell inquired if the board was given guidelines. He advised he didn't believe they did to his knowledge.

Robertson advised it would be up to that (property owner) to appeal and then the board would investigate to determine.

Russell advised they should have some kind of guidelines for the board in order to be fair to everyone. He advised for example one has a raised sidewalk at ½" and one has a sidewalk raised an 1" and say one had to replace theirs and the other (property owner) didn't. Russell advised the board had to have some kind of guidelines.

Hanlon advised reading through (the City Manager's) memorandum said the (equalization) board did not have the power to do anything except reduce the cost for corner lots. He advised Boggs continued with if Council intended to give the board more power they would need to adopt such a policy.

Boggs advised he personally felt it would be a good idea to set a standard of what (Council) expects regarding sidewalks for the Board of Equalization.

Hanlon agreed.

Boggs advised agreed this Council should set the policy they want (to see enforced) and if they didn't want to (enforce) the replacement of a cracked sidewalk that was not uneven then the board of equalization and the city administration needed to know.

Hanlon advised they have an appeals process, but they needed to direct the equalization board and give them the guidelines we (council) would like them (appeals board) to follow.

Russell advised that was his point.

Lapehn advised chapter 921 of the (codified) ordinance book regarding sidewalks gives Council the authority, but there was nothing in there regarding the size of said gap or crack of the sidewalk. He advised he had repaired, under the voluntary program, his own sidewalk last year because he had ¾" or 1" gap that he felt it was a trip hazard. Lapehn advised he didn't see anything in the code book that addresses such, but he felt it would be a good idea.

Boggs advised in reviewing the policy of several surrounding cities most of the guidelines in those cities were if the sidewalk was raised an inch then they were requiring replacement. He advised some cities required when reviewing portions of town that cracked sidewalks be replaced. Boggs advised he agreed with Hanlon in that he has a new sidewalk installed last year under the voluntary program and one of sections has already cracked this year. He advised he realized they were going to crack, but he felt they should set a standard as to how wide that crack should get. Boggs advised if the crack was uneven that was one thing, but if there was a gap it was definitely going to get bigger. He advised if we were only looking at sections of the city in phases, it could be awhile before they come back around to that same section.

McNeill advised it did seem as if this has really been rushed. He advised they have had discussion tonight on what authority anyone has and the letter he received made it sound as if there really was no authority to appeal other than a corner lot jurisdiction questions. McNeill advised if this had been a 12 month warning then people could set aside money while (Council) defines the rules as to what could be appealed and what would truly be considered an emergency situation on a sidewalk that needed to be repaired such as a trip hazard. He advised some of the questions that Council has asked they who have received letters have already known the answer such as the board of equalization powers and the white dots marking those sections slated to be replaced, etc. McNeill inquired if this truly truly was an emergency and did it really really need to be done at this time. He advised the only thing that would cause him to say yes if he were a member of Council would be if

part of the state money to fund the school construction included money to improve those sidewalks within certain distance of a school building. McNeill advised right now with everything going on in the city, state, and country (financially) and (Council) not being able to purely define what should be repaired and who has to and who doesn't. He advised he didn't feel it constitutes an emergency or something that had to be done within sixty days specifically where there were a number of property owners with no sidewalk whatsoever and it was going to be a very large bill. McNeill advised he felt they should sit back and think about it and set some perimeters over the next twelve months and purely define what they were looking at doing. He advised some of the property owners signed the (unofficial) petition because 90% of their sidewalk was marked to be replaced and he felt probably half really didn't need repaired. McNeill advised maybe if they took more time and gave more notice that people would be more receptive to the program.

Tabaka advised when he was collecting signatures from people and he realized it was not a formal certified petition, but was just to get a picture. He advised he has about seven or eight signatures from people who have no assessment and signed because they felt the whole thing wasn't right.

McNeill advised he really felt the whole thing came down to timing and communication whether it was politics or business or family matters and he felt there wasn't any (communication). He advised he understood that (Council) felt there has been a lot of communication because there were three readings and he understood his right as a citizen was to come and listen to what was being discussed, but they as citizens had this been properly communicated and in a timely manner he felt they would have been more receptive to the action.

Robertson advised he would argue that they did talk about it a year ago and he believed he (McNeill) knew because he thought about the voluntary program. He advised they tried to get the word out last year to say that they were working on a mandatory program and last year was a voluntary program at a received bid price if they wanted to (volunteer to have their sidewalk replaced/installed) people could take advantage, but eventually it would become a mandatory program and they did not hear many comments at that time. Robertson advised not until now they received the certified letter.

McNeill advised he didn't remember in the communication that it would be a mandatory program in the next twelve months and maybe that was in there or that was the intent.

Robertson advised he didn't know how to get the word out there are reporters here whose job it is to report on the Council Meetings, the minutes were available online, he wrote about it in his article a couple of times. He advised he didn't know what the silver bullet was to get the information out to the community.

McNeill advised the certified letter got his attention. He advised of course hindsight was 20/20, but the idea of a certified letter stating that in the next six months this was going to be happening would have gotten more people's attention. McNeill advised he couldn't speak for all 63 who received a letter, but he was pretty sure most of them didn't realize this was coming and he definitely didn't know it was coming in August. He advised in his specific case he was willing to do it, but then when he was told the sidewalk was going to go right next to the ditch...He inquired if they would want to pay a lot of money to have a sidewalk next to a ditch, it didn't make sense and the sidewalk would not have even lined up (with the existing sidewalk). McNeill advised that was what they were told at the time. He advised again communication and it sounded as if Council was confused as to what you could appeal and what you can't and who to appeal it to and what constitutes an emergency fix and what didn't. McNeill advised he believed these were some of the things that have really upset people and with everything that was all going on right now he didn't know that emergency with a sidewalk was the best way to communicate that.

Russell advised he would like to say one thing to Dave (Tabaka) and it might not be popular, but he doesn't have the sidewalk down that one side and he (Tabaka) knows and I (Russell) know that the sidewalk needed to be done. He inquired as to why he hasn't done it before as there were kids down in the "Indian Village" (Hills & Dales Development) down in there and there were kids that walk up the sidewalk and then they have to go into the street to walk in the snow or try to get across to the other sidewalk to the school.

Tabaka advised he guessed his answer to that question would be how was that germane to this issue.

Russell advised he felt it was part of the emergency that his sidewalk needed to be done.

Tabaka advised to be honest he has never had an extra \$4,000 to build that sidewalk.

Russell advised he understood that.

Linda Imhoff of N. Hickin Ave. advised it was her understanding that they were going to do the sidewalks in phases. She advised a few years ago they (the city) did a street replacement project where they took concrete roads and blacktopped them and people were assessed and it was going to be a phase program. Imhoff advised when Hickin Ave. was replaced there were a few areas that needed repaired, but not the whole road, but no, (the city) had this project and the streets needed to be uniform and everyone was going to take their turn. She advised and now that has been discontinued. Imhoff advised if we are now doing this sidewalk thing it (letter) says the property owners on Saurer, Hickin, etc; well, the city is a property owner on Saurer, the recreation center. She advised they (rec center) have cracked sidewalks just like she has a sidewalk that is cracked,

but yet it doesn't have white dots on it and she inquired as to what was the difference. Imhoff advised about three years ago, before the voluntary program, they replaced some of their sidewalk because kids in the neighborhood were using it for a bike ramp and it was a safety hazard and they got it taken care of. She advised a safety hazard was a ledge of an inch or more, but a crack is not the same thing just like Mr. Hanlon said as some were going to crack regardless. Imhoff advised her cracked sidewalk does not have grass growing up through it and she walks the streets of Rittman and she has been walking and tripping on sidewalks in this town for a long time. She advised she couldn't even begin to trip on the crack that was marked for her to replace, but last week on N. Metzger she tripped and that sidewalk was not marked. Imhoff inquired as to what kind of rules were going for this (program). She advised she sent her appeal letter into the clerk to have her sidewalk reviewed. Imhoff advised regarding trying to get a grant and inquired as to how much was tied into getting this safe walk to school grant. She advised cracks (in sidewalks) usually don't look pretty and she has seen some of the cracks in the sidewalks that are marked that maybe just have a crack at the corner and was not raised. Imhoff advised she has taken walks long before this (issue) came up and she would be walking after. She advised she thought the grant was to help the homeowners with the cost of their sidewalk replacement and would some of the property owners be getting some of their money back. Imhoff advised she was only looking at (replacing) one section of sidewalk, but what about some of these who have (a large assessment). She advised she knew some of the areas being discussed because she used to live in that neighborhood as a kid and her mom still lives there although she her sidewalks (installed). Imhoff inquired as to what would be enforced and what would not be enforced and how were they going to do it.

Fred Rastorfer of Louise St. advised unless it was fixed that day on Sunset down by the storage building (old bowling alley) on Brookside (Seneca) he assumed that the city extended the concrete on the sidewalk. He advised that was something he felt should have been fixed in a couple of days and he inquired if it was fixed that day, as he didn't have any idea. Rastorfer advised the bridge by the shopping center was a hole that formed and there was a yellow cone placed there, but was something that should have been fixed within a couple of days. He advised he didn't know whose responsibility it was for either of those issues, but he felt it was something that should be fixed immediately.

Robertson inquired as to where the sidewalk was located.

Rastorfer advised Brookside and Sunset. He advised it was a brand new sidewalk.

Hanlon advised he talked with the Service Director about that sidewalk and he would say it was lack of expansion. He advised he hasn't heard back from the Service Director yet on that issue.

Rastorfer advised it should have been done the next week. He advised they all knew how he felt about Home Street and the absolute need for sidewalks. Rastorfer advised last summer in the evening there was a woman in a motorized wheelchair about three feet off the curb and then all of a sudden she was right there.

Beaumont advised they all knew about Home Street.

Rastorfer advised he knew Larry (Boggs) has been working on it for a while.

Hanlon advised regarding the question about a grant for sidewalks; there was never any discussion of grants as that followed after they passed the resolutions for the sidewalks.

Robertson inquired if the county wasn't responsible for the bridge Mr. Rastorfer is talking about.

Boggs advised the county received Issue 2 funding and they would be replacing that bridge and other work, but it would take some time.

Imhoff advised the sidewalk letter states that once the city completes the work an invoice would be sent allowing sixty days to remit the cost to the City of Rittman. She continued reading, if you pay the total or a portion thereof within the time period, the cost would be assessed plus interest. Imhoff inquired as to how if they pay the total could they assess interest.

The clerk advised that was a typographical error.

Finance Director Rissland advised she would like to clarify some of the timing issues. She advised if this project is completed in the summer of 2011 and a sixty day payment period it would not be certified to the county until 2012 and the first year they (property owner) would pay on it would be 2013. Rissland advised there was some extra time to make that payment. She advised when they were saying they would like more time to save up the money it would not be certified until 2012 with the first collection year would be 2013.

Tabaka inquired as to what happens to someone who makes no payment to the city on their assessment.

Rissland advised once it was certified the county would collect it as other property taxes are collected. She advised once the city certifies it to the county it becomes their (county's) responsibility. Rissland clarified that it included any or all unpaid amounts.

It was asked at what rate of interest the assessment would bear once certified to the county.

Rissland advised that has not been determined yet.

Rastorfer inquired if the interest amount was determined by the city or the county.

Rissland advised if they provide internal bonds it was too expensive to market that small of an issue so we would impose or sell it to ourselves and the underwriters would provide the rate charged for an issue that size and they would pass it on.

Tabaka advised after hearing all of the comments tonight he inquired as to what they could expect from Council on this issue. He inquired if it was going to be reconsidered entirely. Tabaka advised they had a resolution that only referred to one part of town. He advised there were a lot of issues brought up tonight. Tabaka advised he would just like to know what to expect.

Robertson advised he didn't know that they could do much to tie the hands of future councils.

Tabaka inquired if they (Council) would consider rescinding Res. No. 7645.

Lapehn advised there were five opinions here tonight and Mr. Carey who was absent tonight and Mr. Workman's spirit was still present. He advised his only question would be as to the length of the payoff. Lapehn advised he couldn't comment as to what a Council in 1971 did or failed to do. He advised Mr. Tabaka's complaint was that the sidewalk should have been done back when the house was built (even though there was a farm field next to his property back then) and Mr. McNeill's complaint was why do it now, as there is a field next to his property they should wait. He advised they were at odds with each other.

Tabaka advised he had two separate issues. He advised he had his own personal issue and he has the issue along with his fellow neighbors in general.

Lapehn advised he would like to see the length of payment expanded so the burden was eased a bit and it was a burden no doubt. He advised the will of Council was not present previous to do this and it was his desire to attempt to go forward. Lapehn advised the ordinance book he read said it was the City Manager's responsibility to carry out the repairs and report to Council and work on the dynamics of what crack constitutes repair and what doesn't. He advised he was not an expert in concrete work and the only thing he would be willing to discuss changing was the length of the payoff period. Lapehn advised he believed this was something that had to start now. He advised this fall three Council seats were up for reelection and in the fall of 2013 there would be three more seats. Lapehn advised who knows what the will of Council would be in 2012 or any year.

Tabaka inquired if he was supposed to accept the resolution that only covers them (phase I property owners) and after this fall.

Lapehn advised his desire as a Council Member for 11 years now has been to see the repairs of sidewalks for walkers, bikers, children, skateboarders and for the look and value of the city and properties to continue throughout the six or seven phases. He advised he didn't know what would happen in two years or five years. Lapehn advised he couldn't plan for those persons who would be seated here.

Tabaka advised he wasn't asking him to plan for them.

Lapehn advised it sounded as if he was.

Tabaka advised he wants them to accept a resolution that treats us differently than everyone else in town.

Lapehn advised his desire was that he not be treated differently, but he could only speak for himself.

Tabaka advised they could write a resolution that names the whole city.

Boggs advised they did and this resolution was just a portion and he would provide him a copy.

Hanlon advised it was the wish of this Council to repair and install sidewalks where needed regardless if a future Council does otherwise. He advised this Council has empowered the City Manager to enforce it so, he would still have the authority to enforce future phases. Hanlon advised now they need to give direction to the appeals board. He advised hopefully phase II would go a lot smoother since these concerns have been brought to our attention tonight and he appreciated that.

Imhoff inquired if they would come out and reevaluate each one.

Boggs advised he was at their property the other day and no one was home at the time and he would be happy to discuss her property with her. He indicated he would be happy to look at any of the properties that have received notice of their sidewalk if they believe there has been an error in the determination of its replacement.

McNeill advised he had no personal interest in it any longer because his house has since sold, but he inquired as to what they could tell their fellow neighbors about the program. He advised it made a little more sense to extend the length of years for the repayment of said assessment. McNeill advised he was looking to give direction to those who knew he was coming to the meeting tonight.

Hanlon advised he agreed the length of repayment should be extended to those who don't currently have sidewalks in place. He advised they might want to look at situations where the (grade of the property was not conducive to sidewalks) hillside or such as on Grandview at the park or excessive trees or retaining walls. Hanlon advised they might want to empower the board of equalization to make exceptions or find ways around problems areas that exist because no one wants to create a hardship. He advised anytime there was a hardship there was an appeals process and it was usually granted.

The Mayor thanked everyone for their comments.

Old Business

a. **Ord. No. 7644 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Authorizing the Municipal Manager to Accept the Proposal of Engineering Associates Wooster, Ohio for the Douglas Drive Waterline and Street Improvement and Declaring an Emergency. Third Reading.** Ord. No. 7644 was read on third reading. Russell advised the last two readings he has supported this ordinance and he feels that he could no longer do so after talking to some people on Douglas Drive. Russell advised there were handicapped people and senior citizens who could not pay for a new street. Russell indicated they should have pursued some alternative avenues and advised there wouldn't be as much traffic since the school was no longer going to be used at that location. Russell advised there should have been some answers for the person who came to Council and asked. Robertson advised he believed the questions would be answered by the engineer. Boggs advised he promised Mr. Bostos he would include him in the meetings and they have not had those meetings yet. Boggs advised he couldn't have a meeting until they hire the engineer. Russell advised he felt they should answer the questions before voting on putting the street in. Boggs advised they were voting to hire the engineer. Robertson advised the engineer had the answers and they had to pay the engineer. Russell advised they needed to pay him to come here and answer questions. Robertson advised this ordinance allows them to hire the engineer. Russell advised he couldn't support authorizing \$61,000 for him (engineer) to do that, he couldn't go for that. Lapehn moved to adopt, upon roll call; Russell-No, Beaumont-Yes, Johnson-Yes, Lapehn-Yes, Hanlon-Yes and **motion carried**.

b. **Res. No. 7651 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Directing the City Law Director to Petition the Board of County Commissioners of Wayne County to Conform to the Corporate Limits of the City within Chippewa and Milton Townships to be Coextensive with the Corporate Limits of the City and to Create a New Township Known as Rittman Township. Second Reading.** Res. No. 7651 was read on second reading. Lapehn moved to place on third, all Yeas on roll call and **motion carried**.

c. **Ord. No. 7652 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio Authorizing the Municipal Manager to Amend Sections 191.02(a), 191.04(a), 191.05(a), 191.05(c), 191.10(b)(2), 191.16 and 191.18(a) and to Establish Sections 191.02(i), 191.02(j), 191.02(k), 191.04(f), 191.05(f), 191.15(h)(i)(j)(k), 191.19 and 191.20 of the Codified Ordinances of the City of Rittman, Income Tax Pursuant to the Attached Exhibit. Second Reading.** Ord. No. 7652 was read on second reading. Hanlon moved to place on third, all Yeas on roll call and **motion carried**.

New Business

a. **Res. No. 7653 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending and Repealing Section 1301 of the Codified Ordinances of the City of Rittman, Wayne County Building Cod, to Replace Said Section with the Property Maintenance Code. First Reading.** Res. No. 7653 was read on first reading. Russell moved to place on second, all Yeas on roll call and **motion carried**.

b. **Motion to Appoint a Council Representative to the Rittman Community Improvement Corporation (Bill Workman previously served)** Lapehn moved to appoint Steve Johnson to the RCIC, upon roll call; Johnson-Abstain, Hanlon-Yes, Beaumont-Yes, Beaumont-Yes, Russell-Yes, Lapehn-Yes and **motion carried**.

c. **Motion to Appoint a Council Representative to the Planning Commission (Bill Workman previously served)** It was noted the meetings are Thursdays at 7 pm as called. It was noted that Steve Johnson is currently serving on the Planning Commission. Lapehn moved to appoint Rick Hanlon to the Planning Commission, upon roll call; Lapehn-Yes, Beaumont-Yes, Hanlon-Abstain, Russell-Yes, Johnson-Yes and **motion carried**.

d. **Res. No.7654 A Resolution of the Council of the City of Rittman, Ohio, Appointing an Assessment Equalization Board as Required by Law and Declaring an Emergency. Three Readings.** Res. No. 7654 was read on first reading. Russell moved to suspend the rules and have second and third reading, all Yeas on roll call and **motion carried**. Res. No. 7654 was read on second and third reading. Hanlon moved to adopt, all Yeas on roll call and **motion carried**.

e. **Motion to Approve the 2012 Tax Budget**
Lapehn so moved, all Yeas on roll call and **motion carried**.

f. **Motion to Go Into Executive Session for the Purpose of Discussing a Personnel Matter and Invite the Law Director, the Finance Director, the City Manager and the Police Chief – 8:50 p.m.** Beaumont so moved, all Yeas on roll call and **motion carried.**

g. **Motion to Come Out of Executive Session – 9:35 p.m.**
Russell so moved, all Yeas on roll call and **motion carried.**

City Manager's Remarks

City Manager Larry Boggs advised he would do some research and provide guidelines for Council to approve for the Board of Equalization. He indicated they would extend the number of years for repayment of the sidewalk assessment for Council's consideration at the next meeting.

General discussion regarding sidewalks continued.

Law Director Bower advised theoretically if everyone the city assesses does not pay (directly to the city upfront) there goes the \$50,000 allocated for the project to continue the program each year meaning they were "dead in the water" for phase II.

Lapehn inquired if it was \$50,000 per year or regenerated.

Rissland advised both. She advised they were putting \$50,000 in and last year they didn't spend the whole amount and they got extra money in. Rissland advised this year they put \$50,000 in again so part of it was rolling from the repayments and part of it was the city's money.

Lapehn advised so in 2013 the plan would be for a new \$50,000 for the sidewalk program.

Rissland advised the plan would be as she understood it funded partially through repayment.

Bower advised but, we would still be short and would have created a self-fulfilling prophesy as pointed out by Mr. Tabaka that we were not following through with the improvement plan and various phases because we don't have...

Lapehn advised we didn't say we have an annual plan.

Bower advised he thought he was a dr. of divinity and not a lawyer.

Lapehn advised and we are still doing street replacements to speak to the other point.

Hanlon advised if they budgeted a new \$50,000 each year then they could continue with the annual phases.

Rissland advised it would be partially funded through the repayment. She advised she would think the repayment as it becomes cumulative would grow.

Beaumont advised he sees that the longer they proceed with the program the harder it would be to terminate the program. He advised he would hate to be a property owner in phase one or two and then have a Council say they weren't going to do it any longer.

Lapehn advised in phase three there would be a lot less argument as phase one and two start making their payments.

Russell advised Tabaka was talking about at one time Council enforced the sidewalk and then it was disbanded and the reason they were in this situation now.

Beaumont concurred and advised no prior councils have had the fortitude to stick with it.

Hanlon advised they were doing this for Bill (Workman).

Finance Director's Remarks

Finance Director Barbara Rissland had no remarks.

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

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

Council Remarks

Council Member Glen Russell thanked everyone for coming advised the City Manager should contact the following resident; Todd Jenkins on Sioux Dr as he had a water problem, Dave Wilging on West Hill Ave. regarding cars parking across the sidewalk at driveways. He advised he had some complaints regarding the street signs as they felt they should be uniform in color. Russell advised Dan Ramsier on N. Hickin would like a call and Nick Bostos on Douglas Dr. was still very unhappy.

Council Member Richard Lapehn thanked the reporters for their wonderful job and getting the word out as best as possible advised he felt the Trading Post and the Daily Record do a great job

and he appreciated their wonderful writing. He thanked Mr. Hanlon for all his maintenance work at the recreation center as it was appreciated.

Council Member Rick Hanlon inquired if the August meeting was time to set a Board of Equalization meeting.

The clerk advised there isn't a meeting set as yet since those who appeal have to be notified by certified mail 5 days prior to a meeting and the resolution approving the board was passed tonight. She advised the meeting would not be before the August meeting date.

Hanlon advised he didn't know what kind of power they could be given to change the rules, but he felt they needed to set some kind of standard. He advised at this point he felt they should just include the ones that were definitely a safety hazard (in the phase). Hanlon thanked everyone for coming.

Council Member Steve Johnson had no remarks.

Council Member Lynn Beaumont had no remarks.

Mayor William Robertson advised July 20-24 the IGA would have a zoo in the parking lot. July 22 @ 5 pm was the dedication for the new school. July 28th was the Sleepwalker Parade and the WWII Veterans would be honored at a special ceremony immediately following the parade.

a. Approval of Vouchers (out of sequence) #'s 55288, 55295, 55301, 55314, 55317, 55318 and 55364 thru 55539 and Memo Expense #'s 110605, 110606, 110607, 110608, 110609, 110615 Including Then and Now Certificates Hanlon moved to approve all Yeas on roll call and **motion carried.**

Adjourn: - 9:50 p.m.

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

Mayor

Clerk of Council