

**Rittman City Council Met in
A REGULAR MEETING
on Monday, September 26, 2011 at 7:25 p.m.**

Members Present: Richard Lapehn, Darrell Carey, Rick Hanlon and Lynn Beaumont
Members Absent: Steve Johnson and Glen Russell
Presiding: Mayor William Robertson

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

Approval of Minutes – September 12, 2011

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

Workshop - None

Citizens Forum

Dave Tabaka of Pleasantview Dr. advised Council approved a new tax code and inquired if Council could comment as to how it affects the taxpayers both residents and businesses of Rittman. He advised the other issue was in regards to the sale of the land on Industrial Street. Tabaka advised he didn't remember if that (legislation) was finalized and the land would be sold at auction. *He was advised it was on third reading tonight.* He advised it would seem to him that if the city was going to get rid of that land, they should return it to the public and not sell it at capital gains according to the current land appraisal. Tabaka advised it seemed to him that eminent domain should only be used as a last resort. He advised if the city was indeed finished with that land he believed it should be returned to the public. Tabaka advised if that meant selling it back to the two adjoining property owners then, sell it back at what was paid for it or frankly, if it were him he would just give it back to get it off the city's hands for maintenance and taxes. He advised he would urge the Council to consider (such a proposal). Tabaka advised to sell this land at auction was possibly not the intent of eminent domain.

Council Member Darrell Carey advised with regards to the changes to the tax code most of the changes were to make it easier for the tax department and make gray areas black and white. He advised there was a change to allow loss carryovers for businesses and rental property owners. Carey advised most of the rest of the changes were fairly cosmetic. He advised there were no increases in taxes or change to the tax rate or credit and no adverse effects to the residents and business owners.

Hanlon inquired (of Law Director Bower) if the city was allowed to give away property currently in the city's possession or if there were city guidelines to follow. He advised he didn't believe they were allowed to give away anything regardless of how and when the city obtained it. Hanlon advised he believed it was one of the abutting property owners who expressed interest in purchasing it.

Tabaka advised he spoke with the other (abutting) property owner who says he wasn't even offered a portion of that land. He advised it seemed to him that he could have at least been made an offer.

Boggs advised he agreed and he didn't believe they could give away the land. He advised it is a sealed bid system just as they have done with other properties in the city. Boggs advised he was hoping to place a minimum bid to help cover the advertising costs, which are very expensive plus, the transfer of title fees. He advised (the legislation) wasn't passed yet and it will be advertised for anyone to bid on the property. Boggs advised he was unaware of whether or not that property was taken under eminent domain.

Tabaka advised in talking with Frank (Skraba) he wasn't the owner (abutting this lot) at the time (the city took ownership).

Boggs advised bottom line was that he (Skraba) would have the same chance as anyone else to bid on the property. He advised he has no idea as to what the city paid for the lot as it has been a long time.

Tabaka advised what concerned him was what someone would want to do with this land.

Boggs advised he didn't believe they would be able to do much of anything as there would still be an easement on it for the utilities and it wasn't buildable.

Tabaka advised Ms. Leatherman's tenants have said they have enough trouble with people (using the lot).

Boggs advised he didn't want to speak for Ms. Fran Leatherman, but he believed her intention was to eliminate problems with people walking through (because it would become privately owned property).

Carey advised what he understood (Ms. Leatherman) to say was that there were problems in that area and she was going to try to eliminate some of that (problem).

Robertson agreed and advised the sidewalk (going through the property) would be removed and it would be private property.

Tabaka inquired as to where it was advertised.

Boggs indicated with whatever publication gave the best price, as legal ads can be very expensive.

Robertson inquired if it was advertised and notices were sent to abutting property owners.

Boggs advised he believed in an abatement type situation they would be notified and he could send notices as a courtesy to the neighboring property owners if that was what Council wanted.

Tabaka advised he read (Mr. Skraba's) letter to the editor, which got his attention to go see what all the fuss was about.

A Boy Scout in attendance, who did not give his name advised he was trying to get his community merit badge.

Mayor Robertson advised it was good to have him at the meeting tonight and apologized for the late start.

Old Business

a. **Res. No. 7656 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties, Ohio Determining that Lot Number 1038 Owned by the City of Rittman is No Longer Needed for Municipal Purposes and Authorizing the Municipal Manager to Solicit Bids for Its Sale as Required by Law. Third Reading and Adoption.** Res. No. 7656 was read on third reading. Carey moved to adopt, all Yeas on roll call and **motion carried.**

b. **Ord. No. 7664 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties, Ohio, Vacating Part of the South Seneca Alley East of South Seneca Street and Declaring an Emergency. Second Reading.** Ord. No. 7664 was read on second reading. Lapehn moved to place on third, all Yeas on roll call and **motion carried.**

New Business

a. **Ord. No. 7671 An Ordinance of the Council of the City of Rittman, Ohio, to Accept the Annexation of Isaac Rufener of Chippewa Township Containing Approximately .68 Acres of Land and Declaring an Emergency. First Reading.** Ord. No. 7671 was read on first reading. Hanlon moved to place on second, all Yeas on roll call and **motion carried.**

b. **Ord. No. 7672 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 921.02, Repair of Sidewalks, Curbs and Gutters of the City of Rittman and Declaring an Emergency. First Reading.** Ord. No. 7672 was read on first reading. Beaumont moved to place on second, all Yeas on roll call and **motion carried.**

c. **Res. No. 7673 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing a Portion of the Cost of Acquiring a Sewer Jet Combination Unit and Declaring an Emergency. First Reading.** Res. No. 7673 was read on first reading. Lapehn moved to place on second, all Yeas on roll call and **motion carried.**

City Manager's Remarks

City Manager Larry Boggs indicated he would like Council's permission to insert a pamphlet from Medway asking for support of their upcoming levy. He advised Rittman would be following suit with Orrville who has agreed to the same. Boggs advised Medway hasn't had an increase in revenue since their initial funding of a permanent levy. He advised he feels strongly about supporting Medway as it was part of his previous career and without them they (police) would be "spinning their wheels" for sure and he felt this would be a "strong finger in the dyke". Boggs advised in talking to the director if this levy should fail they would probably lose the prescription team for "doctor shopping" and prescription frauds and was one of the busiest sections of the Medway program. He advised (Medway) was down to 3 agents and he believed that made it unsafe and hard to keep up with the caseload. Boggs advised he would like to follow suit with Orrville who is placing the fliers in their utility bills and it would not cost the city anything as the Medway Committee would pay for the envelopes and additional postage and they would send their own manpower over to stuff the envelopes for us. He advised because this was a political issue he wanted to get Council's permission before moving forward.

Hanlon inquired if Orrville typically uses a postcard for their utilities billing.

Boggs advised he wasn't sure.

Hanlon advised he gets a lot of different mailings from an apartment he has in Akron and he has nothing against Medway, but his concern was for those residents who for years have received a postcard would now see some advertising looking for a vote and may discard their water bill.

Boggs advised this would be a City of Rittman envelope and Medway would reimburse for the cost of those, but he agreed it would not look like the normal utility bill.

Lapehn inquired if it could state "Bill Enclosed", as that was a good point.

Boggs advised they could probably get a stamp and put it on the outside of the envelope.

Hanlon advised he would hate for a bunch of people to complain they didn't get their bill because they made this (one time) change.

Beaumont inquired as to what were they going to do when the library came to them and says they would give us the stamps and the envelopes and would like them to support our library levy. He advised and then another organization comes through and says they would like us to support their issue and oh, by the way, you did it for Medway. Beaumont inquired as to where they differentiate and advised they haven't done it for any other political entity and he inquired as to why they were doing so now. He advised he wasn't a big fan of Medway, but he felt this sets a bad precedent for the city. Beaumont advised they were being asked to take a political stand for a political organization that taxes our citizens and he inquired as to why. He inquired as to why Medway was more important than having a library.

Boggs advised he understood his point.

Beaumont advised irrespective of his feels about Medway he felt it sets a bad precedent from his perspective for them to support a levy for one organization when they don't for anyone else. He advised it doesn't directly or indirectly benefit or affect the residents of Rittman and if the rest of Council wanted to do it fine, but he wouldn't support it. Beaumont advised he didn't think they should pick and choose. Beaumont advised he felt people should decide for themselves how to vote and not through literature inserted with their water bill. He advised he didn't feel they should do it.

Lapehn advised that was a good point because Council's in other cities typically have resolutions supporting school levies, but this Council has never done anything like that to just say they support the school levy.

Beaumont advised some things he believed that went without saying that they as a governing body of the city wanted a strong school system.

Lapehn advised that subject was actually brought up about 8 or 9 years ago with some saying they don't talk about the schools because they are the city.

Beaumont advised he remembers that and he wouldn't go that far because we all want a strong community. Beaumont advised we could be the best city there is and yet if they have a poor school system it really reflects on the town and vice versa. He advised here they were being asked to take a political stand and he didn't believe they should.

Hanlon inquired if it could be tabled until the next meeting to see how the other two Council Members felt about the situation.

Boggs advised (Beaumont) had a good point and he couldn't argue with it.

Hanlon advised he didn't know if the next meeting would be too late.

Boggs advised they could provide the addresses to the Medway Committee as it was public record. He advised he felt it would be too late to wait until the next Council Meeting.

Finance Director's Remarks

Finance Director Barbara Rissland advised she attended a conference in Cleveland last week. She advised it was a good conference, but not much in the way of good news. Rissland advised interest rates were predicted to stay low for at least two more years and there was a lot of talk about fiscal watch and fiscal emergency. She advised she attended a session on how the state established the fund for innovation for consolidation of services for \$45 million and it turns out that only 20% of that would be for grants. Rissland advised so that is \$9 million across the state for grants and the other 80% would be in the form of a loan. She advised they could only get \$100,000 for a single entity and \$500,000 for multi-jurisdictional. Rissland advised it had to be something that could be replicated if someone else wanted to do it and they have to do a feasibility study prior to applying. She advised we lost \$170,000 over the next two years in Local Government Funds (LGF) and we have Innovation Funds, but it was not as good as she had hoped. Rissland advised she attended several sessions on economic development in case they get some action on the Carastar property, but all in all it was a good conference. She advised she also attended sessions on technical accounting and reporting for three hours on GASB 54.

Council Remarks

Council Member Darrell Carey thanked everyone for staying and he apologized for being late as he had some technical difficulties at the office. He inquired regarding the insert of upcoming changes at the Post Office.

Boggs advised currently Rittman's (postal services) central office is Akron and Orrville and Wadsworth's is Canton and that is where a lot of the sorting for the mail is done. He advised what is being discussed is eliminating Akron and Canton and using Cleveland. Boggs advised he didn't believe it meant that they (Rittman) were going to lose our local post office, but it meant that the distributing jobs were going to go to larger cities. He advised in his opinion it would probably slow the mail process down a little.

Council Member Richard Lapehn thanked the local scout for coming to the meeting. He wished him good luck with his badges and advised him to keep up the good work. Lapehn inquired if (Council) needed to meet again before the next regularly scheduled meeting regarding the sewer jet legislation.

Boggs advised they were fine and there would be another (piece of legislation) after this one regarding the bond requirement.

Council Member Lynn Beaumont inquired if (City Manager) heard anything about the state taking over the Muskingham Watershed Conservancy District.

Boggs advised no.

Beaumont advised he thought he read it somewhere, but cannot remember where.

Mayor William Robertson advised this Saturday, October 1st is the car show at Premier from 11:00 to 4:00 p.m. He advised Thursday, October 6th at 7:00 p.m. at the recreation center is a coalition meeting to help people limit their drug, alcohol and tobacco use. Robertson advised on Saturday, October 22nd the Coffee Connection (47 N. Main St.) would be having a ribbon cutting, a chili cook-off, gospel singing and karaoke and fall festival of sorts beginning at 4:00 p.m. He advised on Saturday, October 15th the Rittman and Seville Chambers would be hosting a casino night at Genesis Party Center from 7:00 to 11:00 p.m. Robertson advised the Lions Club reverse raffle would be held Friday, November 4th.

- a. **Approval of Vouchers 55854 & 55907 thru 55853 w/Then and Now Certificates**
Hanlon moved to approve, all Yeas on roll call and **motion carried.**

Adjourn: - 8:03 p.m.

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

Mayor

Clerk of Council