

**Rittman City Council Met in a  
REGULAR MEETING -VIA ZOOM  
April 12, 2021 7:00 p.m.**

**Members Present:** Amanda Nelson, Josh Carey, Dave Williams, Leah Weirick, Melissa Shows and Philip Decker

**Members Absent:** None

**Presiding:** Mayor William Robertson

The invocation was given by Pastor Clark Genet, Rittman Grace Brethren Church, followed by the Pledge of Allegiance.

**Approval of Minutes – March 22 2021.**

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

**Workshop**

a. **Hein Pham, Project Manager and Jenny Carter-Cornell, Funding Practice Leader from Hull and Associates will be present to Discuss the Bid Document Which is on the Agenda Being Resolution No. 8226 for Passage Tonight.** Jenny Carter-Cornell and Hein Pham spoke on the Nature Preserve which is part of a 300-acre property that was part of the paperboard manufacturing facilities. There is 80 acres that is ready for new industry. Urban Renewables purchased the whole 300-acre property. Urban Renewables is a Hull affiliate, a special purpose entity, that acquired the property to help facilitate the re-development and restoration of the area. The Nature Preserve is 205 acres. All of the work discussed tonight will be funded through the Clean Ohio Conservation Fund Grant. There was a 2.5-million-dollar Clean Ohio Conservation Fund Grant that was awarded to the City to acquire land and make trail and amenity improvements. One million dollars of the grant was spent for acquisition. The remainder of the grant award is dedicated to engineering, design, construction and purchase of lumber and other materials. There was a 25% match requirement for the grant. The City committed just over that minimum. Donated land value from UR2 provided more than \$600,000.00 toward the match to bridge that gap the City has worked hard to secure some smaller grants and recruit a large team of volunteers. They are tracking their time and that can count for the match. Based on the past work and the predicted remaining time for the volunteers, including volunteers for Habitat for Humanity, it appears that the City will more than make up for the original match shortfall. Construction plans are finished. We will have 14 structures, such as treehouse overlooks, traditional overlooks, decks, boardwalks and restroom enclosures. As well as an ADA compliant kayak launch, access drives and parking areas, 3.2 miles of ADA trails and 3.7 miles of rustic trails. Once bids are in, we will be able to review the costs for each item and make final plans for exactly what is constructed. We have completed the bid document which details the items that we are wanting to bid. We could take this out to bid in May with a three-week bid period. We have everything in line to take it out to bid. We anticipate that the project will require a mandatory pre-review meeting at the site. Based on the grant requirements, bonding is required, prevailing wage is required. Once the bids are in, they will go directly to the City. It will be paid through the grant dollars.

Williams inquired if the bids were lowest or best bids? Phan responded that it is not necessarily the lowest, the contractor needs to have experience, we make sure they have a good track record. There are many variables to look at the overall performance of the contractor. It's not necessarily the cost.

We feel that we could take this out for bid in May and potentially have a contract awarded sometime in early June, we could have a ground breaking event in June with construction to commence in mid to late June. We have a five-month construction period with final completion of the project in October with the opening in November. We have a

grant close out in December of 2021. That's the ideal schedule, we still need discussion with Ohio Public Works to make sure we have the blessing to move forward with what we have completed to date.

Nelson stated that the cost of lumber and other construction materials is up right now and has been up since the pandemic started. The outlook seems to be that it keeps going up and will continue to go up. All of the construction plans seem to be a lot of wooden structures or similar materials. When we go out to bid and we get the bids back and they are crazy money, is there an option to get rid of some of those things and just do what we can maintain and afford? Pham replied that we have already anticipated that, that was brought up to the City some time ago. We have base bid items and alternate items. We have selected elements that we want to get done and think we can get it done within x dollars and then we also have an option to do the other structures as alternate items. This allows us to basically have an ala cart menu per say for when the bids come in, we are able to evaluate that. We can pick and choose and take away items or elements to align with the dollars we have available to construct.

Beshara stated that she wanted to thank everyone especially Jenny and Hien and the Mayor and Moose and Garrick and Mike and Chuck and everyone who has been involved and Matt Bulp and I am sure Matt Simpson you are going to be right in there very soon. It has been a year, we have only met one time in person, everything else has been through Zoom. Our rock star is our Mayor. He has brought together volunteers and opportunities through Habitat for Humanity, grants through different avenues and he has really done so much so we are kept whole and we don't have to put in too many dollars out pocket. I am really grateful to you Mayor because I don't know if in a Covid year any of us could have done this but you have really been amazing. Thank you.

### **Citizens Forum**

None.

### **Old Business**

a. **Ord. No. 8220 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 1163.07 (a) C2 Central Business District of the Codified Ordinances of the City of Rittman. Third Reading.** Ord. No. 8220 was read on third reading. Weirick moved to adopt. Shows inquired if a definition of what a cleaning and dying plant was found? Beshara stated that it was hard to find since it was written so long ago. She thinks it pertained to clothing and dying clothes. That's all she could find. Williams inquired regarding subsection 8 warehouse, would that include store fronts that are using the buildings for storage their merchandise of E-bay or Amazon? Beshara responded the Law Director and herself were going to vet through and she will let everyone know for sure. All Yeas upon roll call and **motion carried.**

b. **Ord. No. 8223 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing and Directing the Municipal Manager to Execute a Contract with a Regional Council of Governments for the Purpose of Administration and Collection of Municipal Income Tax in the City of Rittman, Ohio and Declaring an Emergency. Second Reading.** Ord. No. 8223 was read on second reading. Weirick moved to place on third, all Yeas upon roll call and **motion carried.**

## New Business

a. **Ord. No. 8225 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending the Annual Appropriation Ordinance No. 8200, as Amended According to the Attached Sheet(s) and Declaring an Emergency. Three Readings.** Ord. No. 8225 was read on first reading. Nelson moved to suspend the rules, all Yeas on roll call and **motion carried**. Weirick moved to adopt. Williams inquired when he looked at the large amount with the water utilities, how much of a wrench did that throw in our budgeting? Bulp responded not much. That was a project that was initiated with OWDA, the loan agreement was signed in 2019. It was successfully reappropriated in 2020, when it wasn't done in 2019 and then when it got to 2021, frankly I misunderstood the current status of the project at that time so I didn't include it on the capital plan. This was something that was already planned for. If anything, it just pushes the start of the debt service payments back a year. All Yeas on roll call and **motion carried**.

b. **Res. No. 8226 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing the City Manager to Solicit Bids for Planned Improvements at the Rittman Nature Preserve and to Enter into an Agreement with a Contractor if an Acceptable Bid is Received at an Amount not to Exceed the Available Clean Ohio Conservation Fund Grant Dollars Awarded to the City and Available for Requested Improvement Activities, and Declaring an Emergency. Three Readings.** Res. No. 8226 was read on first reading. Carey moved to suspend the rules, all Yeas on roll call and **motion carried**. Shows moved to adopt, all Yeas on roll call and **motion carried**.

c. **Ord. No. 8227 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing the City to Enter into the Northeast Ohio Public Energy Council ("NOPEC") and the Execution and Delivery of the Agreement Establishing NOPEC and Approving the Bylaws of NOPEC, and Declaring an Emergency. First Reading.** Ord. No. 8227 was read on first reading. Weirick moved to place on second. Beshara stated that a NOPEC representative will be at the next Council Meeting. We are looking for an adoption on the 26<sup>th</sup> if at all possible so we can get moving with paperwork. All Yeas upon roll call and **motion carried**.

d. **Ord. No. 8228 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Approving the Plan of Operation and Governance for the NOPEC Natural Gas Aggregation Program for the Purpose of Jointly Establishing and Implementing a Gas Aggregation Program as a NOPEC Member, and Declaring an Emergency. First Reading.** Ord. No. 8228 was read on first reading. Williams moved to place on second, all Yeas upon roll call and **motion carried**.

e. **Ord. No. 8229 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing all Actions Necessary to Establish an Opt-in Natural Gas Program Pursuant to Section 4929.24(A)(1), Ohio Revised Code, Jointly Through NOPEC as a NOPEC Member. First Reading.** Ord. No. 8229 was read on first reading. Shows moved to place on second, all Yeas upon roll call and **motion carried**.

f. **Motion to Appoint Richard Schumacher to the Cemetery Board for the Unexpired Term of Marsha Rosenberg Ending January 2022.** Weirick moved to approve, all Yes on roll call and **motion carried**.

## City Manager's Remarks

Chief Shows couldn't be here tonight and he asked that I share with you that Wednesday morning we are swearing in Katie Hawthorn as a part time police officer for the

City of Rittman. Katie is also a police officer for Doylestown. Chief Shows also wanted Council to know we have started the Civil Service Process and we hired Ramsey and Associates. Ramsey and Associates will be administering the test for the full-time position that opened up when Sergeant Shows became Chief Shows. Anyone that is certified through OPOTA as peace officer can apply. We do expect that process to take through the end of next month. We just wanted to let you know that we have begun that process.

This is Telecommunicators Week and I want to thank all of the dispatchers who dispatch for us in Wayne County throughout Ohio and throughout the United States as that is quite a daunting job to have. As Missy knows we really appreciate everything that our dispatchers do for us, because when any of us calls 911 to hear that calm voice it is very reassuring. I want to give my congratulations and thank you to all Telecommunicators.

We applied for a grant for our water main replacement project through Representative's Gonzalez's office that, if we are awarded, would cover 80% of construction. So, between the two funding sources, we are hopeful that this project will score high due to our most recent breaks in our main line. I will keep Council posted.

As you can see by the agenda, we have two very important pieces of legislation on it. One is for our Nature Preserve grant as we are ready to go out to bid. Thank you to the mayor, Hull and Associates, Garrick, Christian and all the volunteers who have helped get us to this point.

We also have legislation for the City to enter into an agreement with NOPEC as our gas aggregator for our residents. NOPEC, which is a Council of Governments, buys electricity and natural gas in bulk, then passes the savings on to the residents. Since 2001, NOPEC has saved Ohio consumers hundreds of millions of dollars on their energy costs. They have also awarded over \$34 million in community energy-efficiency grants. We will hold two public hearings on Monday, April 26<sup>th</sup> at 3 PM and at 7 PM, as required by law, right before our Council meeting. I will attend the 3 PM public hearing along with Brenda Fargo of NOPEC who will also attend the 7 PM public hearing and our Council meeting that evening to answer any questions Council may have in regards to this agreement.

Work has been ongoing in our parks. Thanks to our staff who have been working efficiently to work on the parking lot of Fritz Park and install new playground equipment for our kids to enjoy. Chuck is going to be obtaining quotes on a chip and seal parking lot for Fritz as the cost for asphalt came in high and Chuck actually prefers chip and seal for this parking lot. If you drive up there, the parking lot has been cleared of debris and Buck and his crew continue to fix the low areas in the parking lot. Buck and Chuck will be hauling the leaves to a new location as they have deteriorated the parking lot over the years.

I submitted paperwork to ODOT for our E Ohio and S Main street projects. The road resurfacing will take place in the spring of 2022.

Our next resurfacing project for late summer/early fall 2021 will be for Sterling Avenue and Erie Street as we received a grant through OPWC which covers \$387,520 of the total project which is estimated at \$552,600. I do need to work with EA on the bid documents and hope to present them to Council at the next Council meeting.

As you can see, we have been very busy, which is great as we continue moving forward with some much needed projects.

Williams inquired where we were at for the Solar field by the water treatment plant? Beshara stated she receive an email from them, we are getting closer with the process. We are not quite ready but they are still going forward with it. As soon as I know more, I'll give you more information as I receive it.

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

I would like to make a change to the voucher process that we do at the end of every meeting where the vouchers since the prior meeting are approved by Council. Administratively I think it would be a lot easier to have this be a once-a-month thing that is not in conjunction with the month end process. I think there are some benefits to this in viewing it as well, I think at worst it is a lateral move. I think it makes more sense to look at a month in a snapshot rather than some potentially random two-week period of time. Several months throughout the year we end up doing one meeting in a month anyway. They are done once a month in those situations anyway. This would be easier for both me and for Joan, Clerk of Council, when she is putting these things together, I think it will help that process a lot. I intend to start doing that as long as that is ok with everyone and there are no questions or concerns with that. I didn't really have anything else, but since you bring up the solar field, I can report that finance side of the solar project that is working with that company has been in touch with me. There is an issue with them not being able to move forward because we have a mortgage outstanding on the land that was supposed to be cleared out when we refunded the debt. It was a thing that the USDA used to require when they were doing these bonds when we originally built the thing. When USDA was paid off with the refunding in 2016 that should have been cleared off the books. Now they are telling me that it wasn't successfully cleared off the books. I have Ryan at Squire Patten Bonds looking into it to see what happened.

Williams inquired regarding the Landis Ditch study, we are nearing springtime and it's vital that we protect the shopping plaza and the businesses. Do we know anymore today then we have in the past about studies or what the status of Landis Ditch is? Beshara responded that she keeps in touch with GPD on this and the last thing that they were doing recently was looking at some property around the shopping center area that could be an area for a retention pond. I'm not sure if that's the right name for it, but that's where they are right now on their study. They're looking to see where we are going to collect this water to help with what's going on with that terrible flood that we had several years ago. They are looking for what is the best step based on their studies of where we are going to collect water. I don't have anything more, but they do send in their payments to us and Matt makes sure that everything is handled that way. They are still in the process of it. They were doing some borings on the property that they were looking at. Not that that property is something that the property owner may want to sell to us but we needed to see if that was the right property that might be used for a future retention pond.

a. **Approval of Financial Report for March, 2021.** Nelson moved to approve, all Yes on roll call and **motion carried.**

### **Council Remarks**

Decker – Matt, I was looking at the email you sent with the figures from outstanding taxes and just related to those numbers it looks like there is a \$250,000.00 difference between what is outstanding and what's even collectible based on the statute of limitations. Bulp stated that sounds about right. Decker inquired what do we do with those \$250,000.00 that aren't collectible? In terms of your record keeping is there any value to even keeping a record of it at this point if it can't be collected? Bulp stated no, but it really doesn't hurt one way or the other if we are being honest. At this point, I asked Shelley that too, it came straight from her income tax software so she may be more of an expert on it than me, but my understanding is that we just never went back and cleared things off the back as we went along. It's not something that we are reporting to anyone or booking as receivables or anything like that so nothing is being affected or misreported, they're just hanging out there. Depending how things go we can see what we can do about that. It may be of some

informational value to RITA or they might not care. Decker stated that in terms of collection percentage that would look really low in terms of RITA coming back and saying they were able to collect this much of what we were owed, but in reality, only a small portion could have been collected. That's something that I specifically asked Shelley to run that report for all time because I wasn't sure at the time what we were dealing with. I'm sure she could tailor it to just be the last four to six years to get a better idea of what the actual number is. I'm sure that is something that she could do, if I asked her. I can ask her and send it along to you. Decker stated he was curious and thanks for getting that information.

Shows – thank you to the extra people who attended this evening. Seeing the new pastor lead the Invocation, Jenny and Hein for coming and all of their information, I have learned so many things about the Nature Preserve, as a newer member I wasn't familiar with some of that. It was great to see the schools getting involved and send the National Honor Society out last weekend and some of the pictures that I saw and social media of them. It is really encouraging to see the young people get out there and really enjoy it. I know the Boy Scouts have spent a ton of time out there. Comments about Fritz Park I'm now in there every day, taking my kid back and forth to softball and the park looks great, the new equipment looks great. The parking lot underway is going to wonderful. I do know the hard work that has gotten us this far and I wanted to let everybody know it is very much appreciated. I want to thank Marsha Rosenburg for her time served on the Cemetery Board and welcome Richard Schumacher for joining us and filling in that hole.

Mayor Robertson inquired about Reading Under the Lights. Shows stated that it is still underway, unfortunately we are not going to leave the public in. Some of it is going to be done virtual. They will continue to send books home with the kids. Thank to all of the community members who have volunteered and donated for that. Beshara stated that last year it was on Facebook live. Are you indicating that it may or may not be this year? Shows stated that last year the reader was shown, the problem comes with filming kids and putting it out there. Last year we had the adults were the only thing really shared on Facebook live so the kids got to enjoy it from home.

Carey – I have nothing tonight.

Williams – I'd like to thank Mike Brown and the water department for all breaks that they've had to address day and night. We appreciate that as citizens that we have fresh water. I'd like to thank Garrick and the crew. The fields look amazing. Everything at the parks look good, a lot to be proud of there. I'd like to thank the Mayor and all the volunteers who have been going out on Saturdays to the Nature Preserve. We have a great group of dedicated people the keep consistently showing up day after day. It's going to be a gem when it is all done. I'd like to thank the pastor for the Invocation tonight.

Nelson – I have nothing tonight.

Weirick – nothing tonight.

**a. Approval Voucher #'s 13815 thru 13880 and Memo #'s MM2101 thru MM2115.** Shows moved to approve, all Yeas on roll call and **motion carried.**

**Adjourn: 7:52 p.m.** Weirick moved to adjourn, all Yeas upon roll call and **motion carried.**

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Mayor

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Clerk of Council