

**Rittman City Council Met in a
REGULAR MEETING
Monday, May 9, 2022
7:00 p.m.**

Members Present: Chuck Wyatt, Ken Park, Amanda Nelson, Dave Williams, Josh Carey and Melissa Shows
Members Absent: None
Presiding: Mayor William Robertson

The invocation was given by Dave Williams followed by the pledge of allegiance.

Approval of Minutes – April 11, 2022

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

Citizens Forum

Walter Ott – 361 Sterling Avenue. Attended the meeting to get information on Sterling Avenue waterline replacement and repaving. Beshara advised him to call her during business hours.

Old Business

a. **Ord. No. 8286 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending Section 991 Municipal Cemeteries of the Codified Ordinances of the City of Rittman and Declaring an Emergency. Third Reading.** Ord. No. 8286 was read on third reading. Nelson moved to adopt, all Yeas on roll call and **motion carried.**

b. **Ord. No. 8287 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Opting out of HB 172 and Continuing to Ban the Discharge, Ignition or Explosion of Fireworks in the City of Rittman, Ohio, Except as set Forth Herein and Declaring an Emergency. Third Reading.** Ord. No. 8287 was read on third reading. Nelson moved to move to adopt. Shows stated that her position on this has not changed. She shared her concerns about allowing, the hardship and aggression for the police department and potential dangers. She also stated that Orrville is the only one in Wayne County doing it. No one in Medina County is doing it. Shows also inquired what would be the harm in waiting a year and see how it works out in Orrville before we do anything like this. Shows has concerns about ignoring other ordinances, we are allowing fireworks but then there is still disruption of the peace, noise ordinances that are often enforced throughout the day time and problems that can cause. Orrville has three times that manpower that Rittman does. We currently have violations every year. Nelson stated if we passed this ordinance, it is not a conflict with any of our other ordinances. Nothing supersedes each other Simpson stated that the two are not in conflict. They can both be on the books at the same time. If you set off fireworks it is entirely possible you are not going to be in violation of anything if you are not bothering anyone. If it bothers someone, that's where our noise ordinance says that is somebody is bothered or annoyed or disturbed then it's a violation and they can the police. It could be a minor misdemeanor. Fireworks are not specifically addressed in that, so it would fall under the general noise ordinance. It is possible to set off fireworks without bothering someone, it is also possible that when set it off it will bother someone. Unfortunately, you are not going to know that until after you have done it. Nelson stated that she doesn't see that there really would be an issue with the number of calls that the P.D. is going to be getting, just because it's illegal still they are still going to get calls if it is legal, they're still going to get calls. She doesn't foresee people who didn't normally buy fireworks to shoot them off going out and buying thousands of dollars of fireworks to shoot them off during that time just because they are legal. As for the safety, if the State of Ohio passed the legislation, they obviously did their due diligence to make sure that it was safe. Shows stated the Orrville's Law Director

indicated that they had the blessing of both Chiefs and we don't. Shows asked both Chiefs if that was correct. Chief Shows agreed. Chief Sweigert stated he didn't want to take sides; he didn't want any retaliation. He thinks that there are reasons for both. The fact is they are still going to shoot them off, you might as well limit the time and place where they are going to shoot them off. There are all different ways to look at it. We have not had any medical emergency or fires except the one with the down spouts.

Wyatt stated that the number of calls per the population of Rittman is only about 1½% maybe less who call in complaints. If it's passed half of those are going to drop off because people only call because it is illegal. Now they probably won't call because it's going to be legal. Williams asked Shows that she put the idea to ban them this year so we could revisit it. Shows responded the ban them this year and see how it goes next year. What is the harm in waiting a year and testing out to see what happens with them? Williams inquired why don't we do the opposite and let it go this year and see how it goes, see what kind of complaints we get. If it is a problem, we can readdress it next year. Shows stated that there is no benefit doing it right now. Williams stated that Fredericksburg is allowing per State Law. Par stated that we have nine other allowed holidays we are not allowing. Beshara stated that she was the one to propose the ordinance to ban it all. I stand behind it. State of Ohio makes laws left and right. I don't always agree with them it doesn't mean this is a good law. It just means that it is something that they thought they would try. A lot of people don't know about this. Beshara also stated that her job is the safety of this community. This is not going to help the Chief in doing his job. We have two people that patrol. We don't have resources to bring in more people. Carey inquired if the dispatches received a call about fireworks would they be able to say fireworks are legal? That might trim down the number of calls that get thru. Shows stated they are still legally obligated to dispatch it. It is not up to the dispatchers to determine what the response would be. Williams inquired of Chief Shows with 8500 dispatch they are going to have to know what communities allow it and who doesn't. Chief Shows responded it will increase our call volume because the calls will still come in and people will still be upset about the noise, they don't care that it is a firework, they want it stopped. None of my officers are for this passage. There are too many variables. Shows moved to amend Ord. No. 8287 to the original unmodified version from the April 11, 2022 meeting, banning fireworks. Upon roll call Shows – Yes, Nelson – No, Williams – Yes, Wyatt- No, Carey – No, Park – No and **motion failed.**

Nelson moved to adopt Ord. No. 8287 as amended to allow fireworks on the Fourth of July Holiday. Upon roll call Williams – No, Park – Yes, Show – No, Wyatt – Yes, Carey – Yes, Nelson - Yes and **motion carried.**

c. **Res. No. 8291 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio Determining that Lot Number NPT 88 and SPT 78 Owned by the City of Rittman are no Longer Needed for Municipal Purposes and Authorizing the Municipal Manager to Solicit Bids for its Sale as Required by Law and Declaring an Emergency. Second Reading.** Res. No. 8291 was read on second reading. Shows moved to move to third, all Yeas on roll call and **motion carried.**

New Business

Shows read a statement from Chief Sweigert regarding a call to a Liberty Street residence for chest pains. Upon arrival, the duty crew determined the patient was in cardiac arrest and asked for an all call which brings in any available EMT.

CPR was initiated by the crew and standard advanced cardiac life support protocols were followed and the team was able to revive the patient and then transported to Barberton-Summa where the patient was treated immediately by the attending staff.

The patient has some other medical history and concerns going forward but survived a cardiac arrest with limited neurological defects due to the quick actions of our duty crew and the arriving "all call" EMTs – Tawanna Young, Corey Fraver, Austin Covey, Jennifer Cottrell and Jessie Cottrell. Their prompt actions and seamless teamwork provided this

patient with the best outcome we could anticipate. Shows stated she would like to recognize all five of the crew.

- a. **Proclamation – National Emergency Medical Services Week.**
- b. **Proclamation – National Police Week.**
- c. **Ord. No. 8292 An Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Amending the Annual Appropriation Ordinance No. 8258, as Amended According to the Attached Sheet(s) and Declaring an Emergency. Three Readings.** Ord. No. 8292 was read on first reading. Shows moved to suspend the rules, all Yeas on roll call and **motion carried.** Shows moved to adopt. Williams inquired about the fuel cost. Bulp stated that in this case it is due to usage. Now that there are in person meetings it is requiring a lot more traveling using the city vehicle. All Yeas on roll call and **motion carried.**
- d. **Ord No. 8293 An Ordinance of the Council of the City of Rittman, Wayne and medina Counties and State of Ohio, Authorizing and Directing the Finance Director to Elect the Standard Allowance for all American Rescue Plan Act Funds Received and Declaring an Emergency. Three Readings.** Ord. No. 8293 was read on first reading. Nelson 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.**
- e. **Ord. No. 8294 an Ordinance of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing and Directing the Finance Director to Sign an Agreement with the Regional Income Tax Authority to Provide Proper Authority in Collection of the City of Rittman Income Taxes and declaring an Emergency. Three Readings.** Ord. No. 8294 was read on first reading. Shows moved to suspend the rules, all Yeas on roll call and **motion carried.** Williams moved to adopt. Park inquired what this was regarding. Bulp responded when citizens failed to file their income tax to the city. The Income Tax Administrator would send out letters, if they didn't respond we sent out subpoenas. This is to allow RITA to collect for the city. All Yeas on roll call and **motion carried.**
- f. **Res. No. 8295 A Resolution of the Council of the City of Rittman, Wayne and Medina Counties and State of Ohio, Authorizing the Municipal Manager to Apply for, Accept and enter into a Water Pollution Control Loan fund (WPCLF) Agreement on Behalf of the City of Rittman for Planning, Design and/or Construction of Wastewater Facilities; and Designating a Dedicated Repayment Source for the Loan and Declaring an Emergency. Three Readings.** Res. No. 8295 was read on first reading. Shows moved to suspend the rules, all Yeas on roll call and **motion carried.** Park moved to adopt. Beshara stated this is for the Waste Water Treatment Plant. This is to ask the Ohio EPA if they will authorize a loan to us. We have already vetted it all through the Ohio EPA and this is the last piece of legislation. Without this we cannot ask them for money. Williams stated that we have a 30-year-old Water Treatment Plant, it needs updated, it's at 30% working capacity and the sewer doesn't have anything to do with the Sterling proposal. This is just fix and keep what we have. All Yeas on roll call and **motion carried.**

City Managers Remarks

MOTHER'S DAY LUNCHEON - A big shout out to Christian Allen, Senior Coordinator, for presenting the Annual Mother's Day program at the Rec Center this past Thursday. Everyone who attended had a great time and the food was delicious! Thank you to all who helped and Happy Mother's Day to all the moms, aunts, grandmothers, and anyone who helps to raise children and touch their lives in a positive way.

CITY SEAL - I am working with Lily Laurila of the Parks and Rec Department on ideas of a new city seal. As some of you may know the logo that we use, A Small Town with a Big Heart, is copyrighted to the Rittman Chamber, however I did get permission from the

Chamber to incorporate it into a new seal. I also reached out to Morton Salt to see if we could incorporate Morton Salt's logo and they sent over all of the renditions used over the years. Thank you to Morton and the Chamber for allowing us to use their copyrighted logos into a seal for the city. When we have some ideas put together, I will share them with Council for your input.

OHIO LANDBANK CONFERENCE - As a member of the Wayne County Reutilization Corporation, I attended a three-day Ohio Land Banks Conference in Cleveland along with Wayne County Commissioner Sue Smail and Wayne County Treasurer, Melissa Koch who also serve on the WCRU. It was a very valuable conference and a great networking opportunity to share land bank information.

RITTMAN CHAMBER OF COMMERCE BANQUET AND STATE OF THE CITY - A big shout-out to our Rittman Chamber for sponsoring this event that was held on Wednesday, April 27th. Congratulations to all of the award winners and nominees. I presented the Community Improvement Award to Wilging Construction who continues to donate and volunteer to our community, whenever the need arises. Wilging brought lunch to City Hall last week as a way of, yet again, giving back and thanking our staff for the good work they do day in and day out. Thank you, Bryce, Bob and the Wilging staff for your dedication to Rittman and to all of our Rittman businesses for all they do to help make Rittman to be a great place to live and work!

MORTON SALT PROPERTY TRANSFER -The long-awaited transfer of 10 acres on Route 57 of the Morton Salt property, is complete. With this acquisition, Haynes Construction can now put in the driveway into the William J. Robertson Nature Preserve. As many of you know, the CSX Railroad will soon no longer allow access across the tracks at Salt Street into the property and this was the best and safest solution for our residents and visitors to access the southside of the Nature Preserve.

WWTP LEGISLATION - In front of you for your consideration is Res. 8295 so that the city can enter into an agreement with the Ohio EPA to obtain a loan for the work that will begin for the upgrades to the Waste Water Treatment Plant. I respectfully ask Council for your consideration of adopting this resolution this evening so that the process can be started with the Ohio EPA.

READING UNDER THE LIGHTS - Thank you to Rittman Elementary School Principal Dr. Shawna DeVoe and rock star organizer of Reading Under the Lights, 2nd grade teacher Erin Kyanko for putting on another great day of reading for the elementary students. The city was represented this year by myself, Donna Robertson, Officer Brian Covil, Police Chief Bob Shows, Fire Chief Don Sweigert and Firemedic Casey Huff. The students were so well behaved and truly enjoyed the program.

DATES TO REMEMBER - Clean-up Rittman day- Saturday, May 14th from 9-noon; Nature Preserve ribbon cutting-June 4th at 11 AM.

Finance Director's Remarks

The Utilities Director asked me to include in the appropriations this year for hydrant repair. We are finalizing plans for a Capital Planning Community Night at the Rec Center. The plan will be to set up different stations around the room. There will be stations for roads, parks and rec, maybe a station for development, water/sewer. Residents hopefully will come and be able to give their opinions on what they would like to see strategically. What their concerns are in the city. We would give the residents five index cards and they can write on the card what project/areas they have concerns about and submit them to the various tables. If there is just one thing, they can write the same thing on all five or they can split them up as they feel. I will be there mingling, trying to start conversation, get it out there a little more. I'm excited about it, I'm not sure what kind of turn out we will get, but hopefully it will be good.

a. **Approval of Financial Report for April, 2022.** Shows moved to approve, all Yeas on roll call and **motion carried.**

Council Remarks

Williams – thank you to both Chiefs for your weeks this week, First Responders and for Law Enforcement. Last year was pretty dismal for law enforcement. Overall line of duty deaths were up 55% ambush style murders of police officers were up more than 300%, from 6 in 2020 to 19 in 2021. Last year there was 93% jump in officers being struck or killed while outside their vehicle. Of those 458 deaths in 2021 301 were covid related. The officers going out on calls and putting themselves in danger, not only bad people and weapons but also the pandemic as well. It's a sacrifice everyday that our people make. Thank you to both Chiefs and please thank your departments. Thank you to Mr. Ott and Mr. Rufener for attending. Also, an out standing job to the EMT's.

Carey – nothing else.

Wyatt – nothing.

Nelson – thank you to Council for her many emails this week. I appreciate those that supported me and listening to me and a reminder that the city clean up is this weekend on Saturday. Meet at the Fire Department at 9:00 a.m.

Park – as Dave said, thank you to the Chiefs and your departments this week and every week. Thank you, Matt, for coming up with the Capital One Improvement getting the public input. We have been talking about it for a long time. Waste Water Plant improvement, I just love seeing movement finally in some direction.

Shows – I want to thank Wally for coming, I know he is excited to hear we are finally getting near this summer. We have been waiting for a long time to get those jobs done. We are finally seeing a lot of movement. I am very proud of what our street departments are doing, what Bobbie does, financing and these loan and these grants are just a tremendous relief on some of the burden that we are encountering in order to get these things done. Again, to the Chiefs, thanking them for coming. I want to thank both Chief Shows and Amanda for your research and while we don't agree I really respect the fact that we can have these discussions get different points of view out there and make decisions.

Mayor Robertson – I was out with about 50 volunteers and planted trees on Friday in the heavy rain. We had people from First Energy, a group from Smucker's, and a number of people from the community and 20 or so people from Norwayne, students and advisers. We planted 500 trees and they were done by 11:30.

a. **Approval of Voucher #'s 15604 thru 15758 and Memo Expense #'s M42201 thru M42217.**

Adjourn: 8:02 p.m. Wyatt moved to adjourn, all Yeas on roll call and **motion carried.**

Mayor

Clerk of Council