

Regular/Public

October 19, 2009

President Baker called the regular meeting to order. Pastor Randy Gehres of Christ United Church of Christ offered the prayer. The Pledge was recited by all.

Roll call: Shupp, Miller, Landaw, Vance, Aspiras, Corfman, and Leathers were present.

Landaw moved and Aspiras seconded that the minutes of the October 5, 2009 regular meeting be approved. Roll call vote. Ayes all. Motion carried. Corfman moved and Landaw seconded that the minutes of the October 12, 2009 special meeting be approved. Roll call vote. Ayes all, except Leathers abstained. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller had no report.

B. Utilities – Mr. Landaw had no report.

C. Health & Safety – Mr. Corfman reported there was a meeting, but since everything was discussed pretty much in the regular meeting we went ahead and cancelled the remainder of our meeting. So therefore there really was no meeting and that was my report.

D. Parks and Recreation – Mr. Aspiras no reported.

E. Transportation – Mr. Shupp had no report.

F. Planning – Mr. Vance had no report.

G. Ordinance & Personnel – Ms. Leathers had no report.

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk reported that last Thursday will I was attending the Wayne County Mayor's Association meeting we had a speaker representing Children's Services and Issue 4 and they just wanted to draw everyone's attention to the fact that Issue 4 would actually be a reduction in your taxes. I think their fear is that people see a levy or an issue on there like that and they immediately think that it is going to raise taxes and this one will actually do the opposite. For example, the owner of a \$100,000, which is kind of the standard they always use for a tax increase, would go from being \$10 a year to \$4 a year. The reasoning behind this was that Children's Services is just running more efficiently. The reason we were given primarily is just because they have been able to get a lot of children into foster homes more than just taking care of them on their own. So just to try to get that word out and remind people that is Issue 4 and vote however they choose, but that is the case there.

B. Safety Service Director- Director Wheeler reported the industrial park construction does continue. We are expecting road construction to start actually early next week. The Vine Street/West Water paving is now scheduled to start the first week of November. Leaf pick up is scheduled to begin Monday, November 9th, starting with every street South of Market Street. This is scheduled to take one week. If we are not done in that one week, we will complete the entire area South of Market

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Street before moving to the North. On Monday, November 16th, pick up will begin on every street North of Market Street. This is also scheduled to take one week. If we are not done in one week, we will complete that entire area North of Market Street before beginning a clean up pass. If you live South of Market Street, have your leaves placed ready for pick up on Monday, November 9th. If you live North of Market Street, have your leaves placed ready for pick up Monday, November 16th. November 23rd we will begin our final clean up sweep beginning South of Market Street. After the area South of Market Street is complete we will move to the area North of Market Street. November 26th and 27th City crews will be off to celebrate Thanksgiving. November 30th pick up will resume where we left off. This clean up sweep is scheduled to be completed on or before December 4th.

C. Utilities Director – Director Brediger reported next week ends the open enrollment period for the natural gas aggregation program. Again, as a reminder these rates are roughly 40% below where they were last year. The rate is fixed for one year at \$6.42/mcf. If you have any questions, you can call the provider which is IGS. Their phone number is 1-800-280-4474. If you are currently enrolled in the City's aggregation program and want to remain in that program you do not have to do anything at this point. After the end of this month you can still switch, but depending on your current natural gas provider there may be a fee involved in that. If you have any other questions, you can also call the utilities office and we will guide you through that process. The other point of information is that Turbine 9 is in the middle of its ten year annual insurance inspection. The unit is completely disassembled. The condition is a lot better than what we anticipated. We are not looking at very extensive or costly repairs. That unit and that work is planned on being completed by the first or second week of December.

D. Finance Director – Director Strimlan was absent. Mr. Wheeler reported on her behalf. He distributed the Fund Balance Report for the period ending October 30, 2009 prior to the Council meeting. Miller moved and Vance seconded the report be approved subject to audit. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director Lutz was absent.

F. President of Council – President Baker reminded everyone Halloween is only a week and a half away. Please take care when driving the streets that afternoon and evening because I am sure there are going to be a lot of ghosts, goblins, and other young people roaming those streets. Also, this evening we have an alley vacation request.

Peppard: We have received a petition to vacate an alley in the South Main Street and South Vine Street area and we need to refer this to the Planning Commission.

Old Business:

RESOLUTION 34-09

Leathers moved and Corfman seconded that Resolution 34-09, a resolution authorizing the Board of Control to enter into a contract and/or contracts to purchase, purchase through financing, or lease a pumper, without bidding, for the use of the Orrville Fire Department, and declaring an emergency, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Baker: We have meetings on this. Is there any further discussion?

Shupp: Do we have any other bids that have come in? Any new information?

Wheeler: So far we have two of six (bids). We have analyzed the bid from the respective company you mentioned last Monday and there were some shortcomings in those bid specs. Specifically, for instance stainless steel cab is what we were specing out and that was not included in their bid so the fire truck committee is reviewing those specifications; reviewing those shortcomings; continuing to analyze the bids as they come in. We do expect the other four bids to come in by the end of this week, if not the first of next week and we will continue to analyze those as they come in as well. Of course, Chief Ballentine is here tonight again to answer any additional questions.

Shupp: Are we in contact with Stuphen about changing to match the specs?

Wheeler: Actually they are still reviewing that proposal that Stuphen submitted. Once they have that list compiled completely, at this point I believe there are 49 items that were identified so far. Once

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those are completed they will get back to Stuphen and make them aware of those and give them an opportunity to revise their proposal.

Shupp: If we pass this tonight, are we still going to pursue those things?

Wheeler: Absolutely. Chief Ballentine is here to answer any questions, but our job as this Council is to get the fire truck that meets the needs of the fire department at the best price we possibly can.

Shupp: So this process is going to continue with the other companies that come in with their bids.

Wheeler: Absolutely.

Shupp: Work back and forth to match the specs as best as possible?

Wheeler: Absolutely.

Shupp: What companies have we contacted?

Ballentine: Stuphen, Seagrave, Pierce, Smeal, Rosenbauer, and RD Murry. We did have contact from the salesman from Pierce today on a couple issues. He apologized for not having the specs back to us, but he said from the day he gets them they figure two to three weeks to work through a set of specs to get you a price back. We asked him about the engine issue and they are already out of engines. Any new truck they bid will have the 2010 engine in it with a urea tank on it at an additional \$26,000. So we know that vendor is already out. I think the thing with the engine is definitely proving itself to be legitimate. It is not like we pulled that out of the sky.

Vance: The new specifications for the engine are not going into effect at the end of October. They are going into effect on January 1st. It is just that the timetable the Chief had laid out for us was a make a decision by the end of October.

Ballentine: That we have arrangements with a truck manufacture to reserve an engine before they run out as Pierce has already.

Vance: Those new EPA requirements don't go into effect until January 1st. I just wanted to make a couple brief comments about this. I really think the fire truck decision is really three questions. The first is can Engine 67 remain in service? I think we have the answer to that. Engine 67 is no longer in service; it was taken out of service on September 1st. It cannot run lights and sirens in an emergency way so basically it is just used for transport. The second question then is if Engine 67 is out of service do we need to replace that engine? Can we get by without it? There are a couple things with that. I think the most definitive information was what the Chief produced for us. When ISO was here the last time they gave our insurance rating they went to 16 different buildings in town and they assessed how many gallons per minute were needed to fight a fire at those 16 different buildings. Based upon that assessment they said Orrville needs three engines in order to maintain your fire insurance rating. The Chief explained to us that in a large building that has sprinklers, one engine goes around and all it does is feed water to the sprinklers. So one engine is already tied up with that and to me it is almost laughable to think we are going to have one engine tied up with sprinklers and then another engine shows up to a large building to fight a fire. That is obviously not enough firefighting capability. So ISO saw the exact same thing and they said we need three engines with the amount of water three engines can produce in order to have your fire insurance rating. Even three engines wasn't enough water for some of the buildings that we have, but they are just saying if we want to remain in Class 4. The ISO fire insurance rating, in my view, it may or may not have a direct impact on insurance premiums. Some companies it may and others it may not. I work in insurance and I know that is a factor, but more importantly on whether or not it saves some on insurance or not, an ISO reflects a communities ability to save property and save lives. That is all the ISO insurance rating does. ISO said we have to have three engines to maintain our rating. I don't believe that as a community we should take a step backwards in our ISO insurance rating. I think you can make the case that yes we need to replace this truck. We shouldn't take a step backwards in our firefighting capability; especially with more large industrial buildings looking to locate here. The third question is can we afford it? A lot of people have asked where is the money coming from to do this. With that I am happy to report I think some good news that we have had this year. First of all, the residents of the community need to know that the Administration has spent \$600,000 less than what was appropriated this year. That is to their credit. That is about 90% of what was appropriated. Most governments spend every dime they have and more. Our administration has spent \$600,000 less and by the way that is nothing new this year, they do that each and every year. I think that

shows good fiscal control. The other aspect that happened this year is we received an inheritance tax of \$362,000 that went into the General Fund. So between the \$600,000 in savings and the \$362,000 we received in this inheritance tax we are approximately and really it ends up being, by the time you add everything else together, more than \$1,000,000 to the good compared to what was appropriated this year. With that the Administration has been able to produce and to show how this truck could be paid for and yet not put us into a fiscal situation in the next few years that requires us to go back and ask for a Capital Improvement Fund tax increase, which I am against. I do not support that. If it did require us to do that, I would not support it, but the Administration has shown and I think that we have the numbers there to show that indeed we can afford this purchase and so by the fact that the truck is no longer in emergency service, that we do need to replace the truck in order for us to not take a step back on our fire insurance rating; and the fact that our Administration has used good fiscal controls and we have this inheritance tax; and so we have had a good year financially; and it is not going to hurt us in the future, I believe we have a good case to say yes we can purchase this fire truck and I think that is a good decision for us to make. I encourage my colleagues on Council to support the purchase of this truck as well.

Vance: Some of the things my colleague Mr. Vance has mentioned has not necessarily been uncovered in the last couple weeks. I just wanted to make clear a few things that I would like to share. I have written this down to make sure I get the facts correct, but I want to communicate over the past one and a half years I have been well informed of the fire department's needs, reasons, purchase options, and funding options of a fire truck to replace the aging 67. This is not something that came up on October 5th when we had our first legislative reading. In fact I had two former council members tell me last week that they had both been through some of the same recent fire work discussions during their term. I have attended at least six open meetings in 2009 before tonight involving communications around the fire truck; two of the being at the fire station; one of them being specific to capital projects. It would be unfair and simply not true to say I was not informed and didn't have the necessary information to make a decision. Mr. Wheeler, Ms. Strimlan, Chief Ballentine, and the entire fire department have always been open, professional and very diligent in trying to procure this fire truck in question. In fact, I will add Mrs. Jewell and Mr. Leggett to this list as I recall past meetings with them on this matter. We have nearly 40 firemen that are volunteers. In fact, one fireman spoke out last week at the committee meeting and mentioned he actually loses money when he is called because he has to leave his job without pay for the time missed serving Orrville. Chief Ballentine, his entire department, deserves City Council and the citizens of Orrville's full support in keeping Orrville safe.

Leathers moved and Corfman seconded that Resolution 34-09 be adopted as read. Roll call vote. Ayes all. Motion carried.

New Business:

RESOLUTION 35-09

Leathers moved Landaw seconded that Resolution 35-09, a resolution to make appropriations for current expenses and other expenditures of the City of Orrville, State of Ohio, during the fiscal year ending December 31, 2009, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: As I believe Ms. Strimlan mentioned in a memo to Council last week, Resolution 35-09 reflects the expenditure of up to \$150,000 from the EMS Fund to pay for any down payment for the purchase of the fire truck. We will only spend what is required to make a down payment. If they do not require a down payment, we will not make one. In order to proceed with the fire truck purchase, we will need to pass this resolution on first reading tonight.

Leathers moved and Corfman seconded that the rules, regulations, and statutes requiring a reading of a resolution on three separate days be suspended. Roll call vote. Ayes all. Motion carried.

Leathers moved and Miller seconded that Resolution 35-09 be adopted as read. Roll call vote. Ayes all. Motion carried.

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Leathers: I was not at the special meeting on Monday because I was in attendance with the Orrville High School Band and Choir on their trip to Washington D.C. and prior to the time that Council was meeting we were actually at the Lincoln Memorial performing. It was a wonderful experience and President Obama even flew across. We hope he saw us. I just wanted to say that the students of the band and choir represented your city very well and had an awesome experience and I would like to thank everyone who was involved in making sure that the student got to go and experience that.

Baker: Thank you Ms. Leathers and congratulations to those students.

Corfman moved and Aspiras seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 7:55p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council