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Council President Baker called the public hearing to order at 7:30p.m.

Prior to the Council Meeting a Public Hearing was held on Resolution 31-12 the City's Comprehensive Plan. Baker swore in all attendees, Kristin Endsley and Robert Snyder, who desired to speak during the public hearing.

Baker: Our public hearing will now begin for any of those wishing to address Council concerning the Orrville Comprehensive Plan. Raise your hand and we'll invite you to the podium. When you come up to the lectern to speak please state your name and your address so our Clerk can get that into the minutes. Now wait a minute. There were two of you I swore in, either one of you. Bob?

Bob Snyder: 1969 Primrose Lane. Since March, 12 of us have had seven meetings to review Orrville's residential and commercial development. There are nine of us here tonight including two members of City Council. This 17-page handout that I will give you in a few minutes highlights the issues we've discussed as they relate to points raised in this new Comprehensive Plan. #1: City wide marketing plan. #2: Website and brochure development. And 3: Commercial and residential incentives to be used to stimulate new development. We plan to meet with the Chamber of Commerce board on November 12. There is a growing concern by a number of Orrville residents about the lack of a cohesive marketing of our town by the City and the Chamber. In the last years, despite all the jobs here, our population declined. In the last 40 years, we've lost more than 50 retail businesses. This handout will highlight why this Comprehensive Plan should be adopted and why professional help will be needed to prepare improved websites and marketing brochures designed to reduce these trends. Since our website review in July, the Chamber's site has been updated. Future website updates should include available commercial, residential and industrial properties. We urge you not only to accept this study but to change the emphasis from a City of Diversified Industry to also develop commercial and residential support incentives. The new City logo "Thrive Here" is a good first step because it's an invitation for people to live here. The J.M. Smucker Company downtown project is attractive and will ultimately fill some of those vacant stores but there are more throughout the City including the deteriorating north end shopping center. The Comprehensive Plan executive summary mentions downtown 13 times and doesn't mention High Street. Buehler's and Bennett's attract more people to this city than any other retail. "Jobs" is the theme of the current Presidential race. We have jobs. We need the City and the Chamber to develop a marketing plan that will sell more of our employees all over the city to move to Orrville. Currently we are importing talent and exporting paychecks. If you can get 12 guys to spend this much time talking about shopping, imagine how many women will support this effort. We appreciate your consideration of these issues.

Baker: Thank you, Bob. Does anyone on Council have any questions for Bob Snyder?

Miller: I really don't have a question. I just wanted to emphasize the work that was put into this with this group of people. They're very dedicated group of citizens and I thank you for being here tonight.

Baker: Anyone else? Mrs. Endsley did you want to speak?

Endsley: (City of Orrville staff) I was just here to answer any questions that you may have. Christy from Mackin Engineering was here at the last meeting and did a synopsis of the Comprehensive Plan and if there are any questions I would be happy to answer them. Thank you.

Baker: Don't run away just yet. Mr. Vance.

Vance: You know one of the concerns being raised is the housing stock. From your perspective is there any additional steps the City could be taking to protect our current stock and improve what is there?

Endsley: Well, we already have different things in place, the biggest being the CRA which is a Community Reinvestment Area. All of our traditional neighborhoods are covered in our current CRA district and basically that's just a tax incentive if people improve their homes, improve the taxable value of their homes, they're eligible for a 50% reduction for 10 years. So we do already have that in place and

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we probably have between 25 and 35 home owners that have already taken advantage of that program. One of the issues that the Comprehensive Plan looks at is right now we don't allow new residential properties to be included in that. So that could be a way to incent new developers to come in to town. So that's some discussion that needs to be had. We also work very closely with the C.H.I.P. program which is a grant program for low to moderate income home owners that do, we've done a variety of projects in Orrville so we do work with the Wayne County Commissioners and the Wayne Metropolitan Housing Authority on those programs. So those are two things we have in place but I think there are some other options that Mackin has given us since housing is a huge issue that we can look to work towards in the future.

Vance: Any new tools besides what we already have?

Endsley: They really don't have any new tools other than not actually incentives in place but they do talk about creating a housing roundtable to get developers and realtors and the schools and interested parties together to look at different way that we can recruit not only new people to town but new subdivisions to town as well.

Vance: And I notice on the plan the South Main area which has been a concern of mine for quite a while, it does suggest that we look at making that a historical district and I noticed that you had a price in there for an outside consultant that, like everything, is more than what we could imagine it ought to be. Any thoughts of your own or on whether or not we ought to pursue making the South Main area a historical district and whether or not we would ever find the funds to be able to invest in that in order to protect that area of town?

Endsley: When we had to prioritize all the recommendations of the Comprehensive Plan and due to the cost that kind of fell as one of the lower priorities. I think that would be driven by the residents there if they feel that that's something that's important to them. There are probably funds available, grant funds available, that you could try to obtain but the way that they do those historical districts like our downtown is a historical district, it's quite a bit of work. I mean if you had, if we had interested citizens that probably could cut down the cost but the detail that they get about the houses and the history of the houses so that you can take that to the State and then actually take that to the National Register to get on the list is pretty lengthy. I think that would really be driven by the neighbors if that's something they are really interested in then I think we would take those steps to help do that for everyone.

Vance: I think some of the concern there is how those properties have converted over to rentals. So there is no owner occupied interest there. And so it's getting more and more of an uphill battle to maintain that kind of a local community interest in preserving those properties. Thank you.

Baker: Anyone else have any questions? Yes, sir.

Unknown: On your Exhibit 1, you have that Orrville has a 11.8% poverty below poverty income but yet we have 57% of the kids that are on free lunches?

Baker: First of all, does this concern the Comprehensive Plan? And second of all I don't think I have sworn you in and you'll need to come up and give your name and address.

Baker sworn in the new participant, Dean Reusser.

Reusser: 1382 Independence Drive. I had a question on Exhibit 1 where 11.8% of Orrville is below poverty income wise but yet we have 57% of the students that are on free lunches? That seems a little out of proportion.

Endsley: That's not our exhibit.

Reusser: Oh this isn't your exhibit?

Endsley: That's not mine. That's your group's exhibit.

Reusser: Sorry.

Vance: I asked our Superintendent of schools about this 57% number and he disagreed with that and said it was somewhere around 40% for whatever that's worth.

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Snyder: Jon Ritchie said last week at the Exchange Club that it was 53 or 54%.

Vance: Oh, okay, well that's two different numbers.

Snyder: It's still more than half of population.

Baker: Anyone else have any comments? Our public hearing is closed.

Public Hearing ended at 7:40 p.m.

Council President Baker called the regular meeting to order

Pastor Randy Gehres from Christ United Church of Christ offered the prayer. The Pledge was recited by all.

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

Corfman moved and Aspiras seconded that the minutes of the October 1, 2012, regular meeting be approved as posted. Roll call vote. All ayes. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller had no report.

B. Utilities – Mr. Vance: The Committee has not met and I have no report. But I have a follow-up question to a previous meeting where we were talking about Armstrong not having the Big 10 Network and we actually discussed is it possible we would look at another system or perhaps even Orrville having its own, there was a comment made that well we'll follow up on that and I just wanted to see if there had been any further word on that. I think it was the Utilities Director that had mentioned might do a little research on that.

Brediger: I have not. The last time in, don't hold me to the date, but it's been 10-15-12 years in that neighborhood when there was a study, a feasibility conducted to determine what those possibilities would be. My only suggestion if that would have some strong interest there we would have to look at engaging a second look at that. But what I could probably tell you and not be too far off would be obviously the cost would have escalated quite a bit more. I believe back in that time frame we were looking at a \$3 million investment; those costs certainly come up quite a bit. Since then Armstrong has come in and rebuilt the system basically replicating the system, generally speaking, to what we were proposing a number of years ago. So we would face those same kind of economic barrier, entry level issues going forward. The comments that I believe we made were, I think we're needing some breakthroughs in technology mainly in the area of bringing fiber optics to the home. Those costs and economics right now I can tell you are not conducive; I wouldn't even suggest spending the kind of money to come up with an estimate to do something like that. Again, it could be something that we could look at a 10,000 ft level and see what we're up against. Armstrong was here, they came to a number of meetings, basically said we're willing to take you on. So if you want to deal with monthly fees then we'll go head-to-head with you. So we have to have some other motivation out there to do that and some pretty strong economics in my opinion to embark on that if we're talking about installing

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similar kind of technology. My thought is until we see some breakthrough in that or some advances or we start having some service issues or, I don't know what the pain threshold is for cable TV. It's certainly not what it was when we first looked at this system. But I have not pursued that any further than our last discussions just mainly based on what the costs were you can escalate that up over the time period and say what's the real driver here and I think we'd be looking at a very healthy payback to make an investment in that kind of infrastructure.

Vance: Ok. You know, I'm not getting complaints about Armstrong's service itself other than just that everyone around us has the Big 10 Network and not really feeling like there are good explanations for why it's not available for our residents here. I understand what they've said to us in the past about their subscriber base and the economic model that they're operating under and so we certainly understand that. From a resident's standpoint when the surrounding areas have it and we're saying that Armstrong's telling us that we're not going to get it, there's some frustration there. I just wanted to raise that issue again.

Baker: Mayor?

Mayor: I have talked to an Armstrong representative in Medina and also one in Pennsylvania in the last few weeks. They're kind of in between a rock and a hard spot right now. The explanation that I got is their really, you know there are really big cable companies, Armstrong's not a really big one. The really big ones are allowed to regionalize for something like the Big 10 Network. But the Big 10 Network will not allow Armstrong to regionalize. And Armstrong knows full well that in Ohio the Big 10 Network would be popular but their feeling is that in their West Virginia area and also in the area in Pennsylvania they are, they're not getting the cry for that there at all. They would love to be able to just it to us in Ohio but the Big 10 Network won't let them do that. So it's a problem on both sides, if the Big 10 Network would play a little nicer it would make a lot of people happy. They have also said that the Big 10 Network is nearly as expensive as the whole ESPN package which is pretty hard to believe because it certainly doesn't encompass all that ESPN does. So that's another part of the problem. I agree with what you say, I've certainly not had anybody have issues with Armstrong service or many other things about it, but as we've mentioned we've got kids around the area that we'd like to see on various other teams in the Big 10 and so it would be nice to have that but that's where they're at right now.

Vance: Thank you.

C. Health & Safety – Mr. Corfman had no report.

D. Parks and Recreation – Mr. Aspiras: Thank you, Mr. President. Resolution 32-12 is on the agenda tonight as far as the land transfer ownership of the Rails to Trails portion from Orrville to Marshallville and I just wanted to remind Council that we did have a Parks and Receptions Committee meeting on July 2. We talked about this topic in detail. Mr. Don Noble and Mrs. Becky Jewell were gracious enough to attend that meeting and answered quite a few of our questions. It was the committee's desire to move forward with this piece of legislation hence it's on the agenda tonight. Mr. Don Noble couldn't make it tonight but Mrs. Becky Jewell is here. I am sure she'll answer any questions that we may have. If the Council feels that we need to meet again we certainly can do that. But again I'll remind Council that this is on the legislation on that July 2nd meeting. And that's all I have tonight. Thank you.

E. Transportation – Mr. Shupp had no report.

F. Planning – Mr. Hamsher had no report.

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

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Special Committee Reports: None.

Administrative Reports:

A. Mayor Handwerk announced congratulations to Doug Ciprian who is our October employee of the month. Doug was selected by the Power Plant supervisors as the Power Plant Operations employee of the month. The supervisors describe Doug as being very dependable and easy to get along with and very good at his job and always in a good mood. Doug lives in Canton and has worked in the power plant for a little over 11 years and it says he has transverse Route 30 in some pretty dicey roads over the past 11 years that he's worked here. That should be good incentive to move to Orrville I would think. Dean Kallenborn, Doug's supervisor said I would like to add that Doug is very conscientious and eager to learn and Doug has become the supervisor's choice for training new hires into the department. We have a lot of confidence in Doug and his abilities to get new employees started off on the right foot. He would like to express his many thanks to Doug and congratulations. We have not had a chance to go out for lunch yet. He's back on night shift I believe so for two weeks that's going to be a problem. We actually have a date set for November 2nd I think, that Friday. That's all I have. Thank you.

B. Safety Service Director Wheeler: Resurfacing of Viking, Cloveridge, and Brookwood has been completed that was done over the weekend. Northstar did a very nice job. I think you'll be pleased if you get a chance to drive out there and I think the neighbors will be pleased as well. North side of Mineral Springs from Ella to Main Street, that concrete has been poured. It's currently curing. Some curb and sidewalk work remain but the heavy stuff, if you will, has been completed on that job so it's just a matter of finishing up on some of the finishing work. The Dominion Gas gas line project is also nearing completion. They have completed all their main gas line installation. And really now all that's left is some sidewalks and reseeding remaining particularly on Smucker Street. Orrville Compost center will be closed for the season after Wednesday October 31st. The leaf pick up schedule is out. The south side will be picked up starting Monday, November 5th. All streets south of and including Market if they'll have their leaves placed and ready for pickup between curb and sidewalk on the tree line before or by November 5th. And then November 19th we will make our way to the north side of Market Street and have your leaves out in the tree lawn before November 19th that will be good. Anyone that has their leaves out today, we will be making an initial run in the next few days probably starting next week. So we will try to get a head start on those as well for those that already have theirs out, as the leaves have started early this Fall and already are well on their way to all falling. Also the Firefighter Phil program has been in the schools last week. They're in the pre-schools this week as part of our Fire Prevention Week. The fire and police open houses went very well. They had about 60 visitors to both stations. And that's my update for this evening.

C. Utilities Director Brediger had a couple of informational items. Ms. Strimlan, Mr. Kallenborn our Plant Superintendent and I visited our generation projects at Prairie State coal plant and three of our four hydro electric stations that are being developed down along the Ohio River, on October 3-5. Prairie State Unit 1, if you recall was commissioned earlier in May of this year. Unit 2 is expected to be commissioned before the end of this year. While we were out there both units were at full load and doing some emissions testing. We are pleased to report that both units are expected to generate more electricity and have higher efficiencies than was expected. So that'll be good news once that project is completed. And we have 5 MW allocated from that project once it's all said and done with. All the hydro projects are in full swing. We have working between 150 and 350 people at each site. Completion

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is expected on these projects to begin somewhere in the March of 2014 time frame and continue through December 2015. We have about 11 ½ MW invested in these projects. Our Energy Efficiency Program we reported to the Utility Board last week has paid out over \$80,000 in incentives. This will result in annual customer savings of over \$168,000 a year. If you look at the life time of these projects, basically the life cycle of the programs that are in place equivalent things along that line, today that is totaling over \$2.4 million. So that's pretty impressive effort just in the two years that we've been involved in this program. And I would encourage anybody that has some questions concerning the Energy Efficiency Program to contact our office or visit our website for some details. We are beginning a 3 week scheduled maintenance outage on Boiler 13 starting this week and will be continuing through the end of the month. And lastly we are not expecting to hear anything from the EPA with pending regulations until after the elections. There's been a lot of talk, a lot of wait, several huge rule makings awaiting in abeyance and we're not anticipating anything until probably sometime after the first of the year. Depending on how all that stuff goes, somebody's going to have to pick up and pull the trigger and make a decision on some issues that are impacting us. The last reminder I'll have is our natural gas aggregation program reported last month that our pricing is out fixed for a 12 month period beginning October of this year and going through a 1 year period. It is with our same supplier IGS and that rate is \$4.53 an mcf. That's down about 19% from last year. You'll still have to add the taxes and the Dominion East Ohio Gas charges to that. I did check the Public Utility Commission website today and the prices are starting to come up. As we get into the formal heating season and it starts getting cold, you will start seeing prices rise. Right now we're still about the lowest game on the market right now. Most of them are in the \$6 range. And the last piece of information I did pass out on your desk the digital version of the Public Power Connections. This news letter coming from AMP our state association will be coming out quarterly. This will replace the Public Power News, the newspaper like publication that used to come out on a quarterly basis that gave all our members updates on what was going on in our industry and some of our projects. So this will be coming out and we'll have links on our web site here in the very near future. With that, that concludes my comments sir.

Corfman: Thank you, Mr. President. Last Monday Bob Auten Director of Waste Water, and our Utility Director gave a tour of the Waste Water plant four of us Council, the Mayor, President Baker and Mr. Vance and myself got that tour. It's my second time through there and it's really a compliment to our Waste Water plant on how efficiently it runs. How few people it takes. The application of the system and how well it's applied. The general cleanliness and the operation of it. I think it's definitely commendable and thank you for the tour and the Finance Director also skipped right on through there too. Thank you.

D. Finance Director Strimlan: I am going to add some more good comments about the Waste Water. I am pleased to report that the Waste Water utility has received their anticipated congratulatory letter from the Ohio Water Development Authority for their loan payoff for the loan that was taken out in 1994 for \$7,185,000. So with the exception of just a little over \$10,000 of remaining debt that will be paid off early next year, at that time they will be debt free along with the Electric Utility. And as Mr. Corfman mentioned most of us had the pleasure of touring that facility last week after the utility Board meeting. The facility is in really good shape and Mr. Auten and his team do a really good job of managing that operation. And the payoff of this debt is another testament to the good operation that they run there. At our next meeting I'd like to let you know that I will be presenting some appropriation modifications as well as the Temporary Appropriation calendar for 2013. And that's all I have for this evening.

E. Law Director Kirkbride had no report.

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F. Council President Baker thanked the Police and Fire Department for their open houses. Very interesting. I got to see some weapons at the police department that I hadn't seen before. One of our officers made his own, kind of a surprise to me. I always thought it had to be somebody like Colt or Remington or something like that but that's not the case. Our clerk has 3 zoning requests to announce for this evening.

Gault: We have two requests for zoning amendment to change zoning from I-2 to an R-3 for property at 157 West Chestnut and 147 West Chestnut that needs to be referred to Planning. And we also have one request to change zoning from a C-2 to an R-3 for property at 239 South Main Street Rear that needs to be referred to Planning Commission.

Baker: Ok. Thank you. We'll now move to our old business. Ms. Leather.

Old Business:

Leathers moved that Resolution 31-12 be placed on 2nd reading. Hamsher seconded. Roll call vote. All ayes. Motion carried.

RESOLUTION 31-12, A RESOLUTION ACCEPTING THE ORRVILLE COMPREHENSIVE PLAN NOW ON FILE WITH THE SAFETY-SERVICE DIRECTOR.

Baker: This is second reading. We had comments last week and we had our public hearing this evening. Anyone have any further comments tonight? If not, we'll move that to our third reading at our next meeting.

Leathers: Then that concludes tonight's old business, sir.

Baker: Thank you, we'll move to new business.

New Business:

Leathers moved that Ordinance N-12 be placed on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried.

ORDINANCE N-12, AN ORDINANCE AMENDING CHAPTER 1111, SECTION 1111.05 (A) (27) OF THE ZONING CODE OF THE CITY OF ORRVILLE, OHIO, REGARDING THE PERMITTED CONDITIONAL USES SECTION.

Wheeler: Mr. President, this ordinance change applies specifically to permitted conditional uses for fitness centers or private recreational facilities. Currently how it reads, private recreational facilities with or without structures in a residential district is permitted as a conditional use. Planning Commission has met to discuss this issue and felt that "in a residential district" should be slashed out where it's a conditional use in "any" district. And that's what before tonight as an ordinance amendment.

Miller: Mr. Wheeler, if you could clear something up for me in the memo you had written to us concerning this legislation you had said that the legislation would allow fitness centers as a conditional use in all zoning districts and then in parenthesis you said which still requires a public hearing at Planning Commission.

Wheeler: That's correct. Any conditional use requires adjacent property owner notification and a public hearing is held within the Planning Commission for those adjacent property owners to provide any feedback negative or positive or none at all on occasion as well. By making the amendment it doesn't make fitness centers allowed in any district. It simply makes it a conditional use and Planning Commission is able to approve a conditional use after a public hearing is held.

Miller: But the public hearing hasn't been held yet?

Wheeler: That's correct. It can't be held because it's not legal in any district but residential currently. And so what this does is makes it legal to be a conditional use so that it can then go to Planning

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Commission and they can have a public hearing and adjacent property owners can provide any feedback that they might have. It's a circular process but that's unfortunately where we're at with it.

Miller: You're saying we need to take action on this before the Planning Commission can have that hearing?

Wheeler: That is correct. If there is a specific situation where a fitness center is requested in any area outside of residential which we know there will be one forthcoming if Council decides to approve this. Then that will go to Planning Commission as a request for a conditional use permit at their November meeting and they can potentially approve it after a hearing at the juncture.

Miller: It usually works the other way around doesn't it? That's why it's a little confusing.

Wheeler: Definitely a weird scenario we're in. The situation with the potential recreational facility in an industrial area, the Jarrett's are well aware of the process and understand it.

Miller: So just to be clear, we have to pass this before there can be a public hearing of the people around that area.

Wheeler: Correct.

Aspiras: But there has to be an application after this. If there is no application, there is no public hearing?

Wheeler: Correct. Basically what this is, this is really just an ordinance change in general. It doesn't apply to any specific property. It just simply eliminates recreational facilities as only being a conditional use in residential which let's be honest, recreational facilities in residential is sort of different to begin with. It allows these recreational facilities in any district and if one were to apply they would have to go through the process of a public hearing on the conditional use request in the Planning Commission.

Miller: Okay. The logistics are a little different that's why I was asking.

Wheeler: A little unique here, yes.

Baker: Any other questions?

Leathers moved that the rules, regulations, and statutes requiring a reading of an ordinance on three separate days be suspended. Hamsher seconded. Roll call vote. All ayes. Motion carried. Leathers moved that Ordinance N-12 be adopted as read. Corfman seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 32-12 be place on first reading. Aspiras seconded. Roll call vote. All ayes. Motion carried.

RESOLUTION 32-12, A RESOLUTION ACCEPTING TRANSFER OF TITLE FOR 17.765 ACRES FROM RAILS TO TRAILS OF WAYNE COUNTY OF THE RAIL CORRIDOR RUNNING FROM ORRVILLE TO MARSHALLVILLE.

Wheeler: Thank you, Mr. President. As Mr. Aspiras mentioned earlier what this resolution entails is a donation of land from the Rails to Trails of Wayne Country property to the City of Orrville as per our prior Parks and Recs committee meeting on July 2nd. This donation is for approximately 17.7 acres from Rails to Trails of the rail corridor running from Orrville to Marshallville and the plan is to follow up the donation, as part of the donation will be a memorandum of understanding on a variety of things including maintenance and up keep and those kinds of things. Ms. Becky Jewell is here as well to answer any questions that you might have of Rails to Trails. There is also a clear understanding between parties that Rails to Trails will cover any costs of the land transfer and deed recording and those kinds of things associated with this transfer.

Baker: Anyone have any questions?

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

Leathers moved that Resolution 32-12 be adopted as read. Corfman seconded. Roll call vote. All ayes. Motion carried.

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Leathers: That concludes tonight's new business, sir.

Council moved into Executive Session at 8:05p.m.to discuss personnel and property issues. Aspiras seconded. Roll call vote. All ayes. Motions carried.

Hamsher moved and Miller seconded that the Executive Session be adjourned. Roll call vote. Ayes all. Motion carried. Executive Session was adjourned at 8:50p.m.

Good of the Order:

Miller: Mentioned that the Orrville Community Theater is the proud owner of their new home at the previous Video Safari location in the, as Mr. Snyder called it, deteriorating north end shopping center. They hope to bring back local entertainment with Little Women on December 7. Keep your eye on their Facebook page for more program information.

Leathers moved to adjourn the council meeting and Hamsher seconded. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:51 p.m.

Jeanne Gault, Clerk of Council

Date

Lyle Baker, President of Council