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Council President Baker called the regular meeting to order.

Pastor Newt Brenneman of New Hope Church 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 November 19, 2012, regular meeting be approved as published. Roll call vote. All ayes. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller: Thank you Mr. President. Tonight we'll have the second reading on our Temporary Appropriations for 2013 which are the same as the budget that we passed back in the summertime. It will go three readings. And tonight as I said will be the second reading. And that's all I have.

B. Utilities – Mr. Vance: No Report.

C. Health & Safety – Mr. Corfman: No report

D. Parks and Recreation – Mr. Aspiras: No report.

E. Transportation – Mr. Shupp: Thank you Mr. President. I have no report but I would remind Council and everyone here that we have a Transportation committee meeting scheduled for the 10th of December at 7PM just to remind everyone. Thank you.

F. Planning – Mr. Hamsher: Thank you Mr. President. I want to apologize to Council and to those who were going to attend the Planning meeting originally scheduled for last Monday. I had an obligation arise that I was unable to be there so we had to cancel. We rescheduled that meeting for January 7 at 6:45PM just prior to our Council meeting. It will be again talking a little bit about the Comprehensive Plan and some issues that we may need to clarify. Thank you.

G. Ordinance & Personnel – Ms. Leathers: Thank you Mr. President. I too would like to schedule and Ordinance and Personnel meeting for December 17 at 6:45 PM prior to Council's regular meeting. And the subject will be a request by the Mayor for compensation for commissions.

Special Committee Reports: None.

Administrative

Reports:

A. Mayor Handwerk: Yes, thank you Mr. President. Last Council meeting I did mention our Adopt-a-Citizen program and we did have three people that responded to that and so those three now will be taken care of different members of the football team thanks to Coach Davault. And also tonight I was notified by Coach Hamsher that the wrestling team would take one person that needs help and also his Sunday school class from his church. So we will have some more helpers and I assume we will have a few more people that will call and need some help for this winter. Thank you. Also, we had a great Home for the Holiday's the weekend of Thanksgiving. Even though the weather did turn pretty chilly for everybody and it was very windy that night, it certainly didn't affect the turnout of the people. Guesstimates were close to 1500 I think people thought. So it was very nice. Thank Lori Reinbolt for all the planning she did. There were some changes this year from traditionally where we did the Santa Claus coming into town at

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the fire station and it went over to Smith Orr homestead. I think that was very nice and I'm sure that's a tradition they'll want to continue. We did have a meeting with the Citizen's for Change the group that was here late October at one of our Council meetings. That was Monday after Thanksgiving November 26, and that group met with members of City administration and Chamber of Commerce executive board, Main Street executive board, members from Orrville Redevelopment. It was a positive meeting and I think there will probably be some follow up from that meeting. So that will be coming up. And lastly, most importantly, I need to talk about our Mayor's Cookie Contest. I would have said Christmas Cookie Contest but maybe I guess it could be any cookies I suppose. But it's once again time for that contest and so if you would like to participate in that contest you are to deliver one dozen cookies to the Mayor's office. Now that doesn't really mean just in my office. That's City Hall down there and I'm not going to be, contrary to what my son's think, the only one that's eating all these cookies. There will be other tasters in there. This will be a very scientific taste test and we will determine who the best cookies are. Or who made the best cookies and what those cookies are. The rules for that contest, they must be submitted on a non-returnable tray and contain the following: the name, address and phone number of the person that made the cookies, complete and accurate cookie recipe and one dozen cookies delivered before noon on Wednesday, December 19. Only cookies that meet those above criteria will be judged. And again, I am not the only one that will be judging. So there we have it. The winner of that contest, and it will be kind of nice for the people that win, the person that wins that, will be on the City's Facebook page and in the OrrViews and will receive the 2012 Orrville Cookie of the Year award and certificate and that will also be a small prize donated by OrrViews. All cookie recipes will be used for a future cookbook in project with OrrViews. For more information contact Jeanne at the Mayor's office at 330-684-5001. Thank you and I believe that's all I have.

B. Safety Service Director Wheeler: Thank you Mr. President. This is the last week of leaf pickup. Any piles that are still left this week will be picked up by Friday. After Friday, leaves that are accumulated should be bagged for regular trash pickup. If we happen to miss your pile this week, by all means, give us a call at the Service Department at 330-684-5060. Winter preparations in the Service Department are well underway as you would expect. We do have plenty of salt and calcium chloride in preparations for hopefully what is a slow winter. Striping of Mineral Springs has been completed. Final walk-through of Mineral Springs with the contractor was last week; there are just a few minor items to address. And also we will have engineering for the Ella Street road project on the next Council agenda for your consideration as well as we prepare with the idea that the grant looks like a strong possibility at this point. And that's my report for tonight.

C. Utilities Director Brediger: Thank you Mr. President. I have no comments tonight. I will speak to a couple of resolutions that are under new business though.

D. Finance Director Strimlan: Thank you Mr. President. We're preparing to close out the accounting year. We will be bringing some legislation to you to contract with the State to perform our 2012 audit at the next meeting. And prior to tonight's meeting I did distribute the Fund Balance Report for the period ending October 31. I would ask for a motion to approve that report subject to audit. Motioned by Miller. Seconded by Vance. Roll call vote; all ayes; motion carried.

E. Law Director Kirkbride: No report.

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F. Council President Baker: We need to wish our Mayor a Happy Birthday yesterday. He didn't announce this in advance but I heard through the grapevine what was going on. They did have cake today, but I didn't get invited for cake.

Mayor: We still have some!

Baker: Well that may be just as well. My doctor tells me my sugar is too high. But sometimes I fall off of his wagon too.

Mayor: There was plenty of sugar in that cake.

Baker: We also have another item this evening. These are appointments to the Fireman's Dependency Board, Dependency Fund Board. There are two people. Ed Hershey and Bill Earnsberger and we will need a motion by Council to accept those two. Hamsher moved we accept as proposed; seconded by Corfman. Roll call vote; all ayes; motion carried.

Old Business:

Leathers moved that Resolution 37-12 be placed on 2nd reading. Miller seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 37-12**, 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, 2013, AND DECLARING AN EMERGENCY.

Baker: I think this has been discussed before. Anyone have any new comments. I see none. We'll move to new business.

Leathers: Thank you sir and there is plenty of that this evening.

New Business:

Leathers moved that Resolution 40-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 40-12**, A RESOLUTION AUTHORIZING THE UTILITY BOARD OF CONTROL TO BID AND CONTRACT, FOR NO MORE THAN A ONE YEAR PERIOD, FOR PURCHASES OF ELECTRIC DISTRIBUTION POLES, ELECTRIC METERS AND COMPONENTS AND CHEMICALS FOR ALL UTILITIES.

Brediger: Just a couple of brief comments this resolution and the one following this are just for some annual purchases for all three utilities. All three items on this resolution will be formally bid out over the course of next year. If there is any other question on any of these items, I would be happy to answer those.

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

Leathers moved that Resolution 40-12 be adopted as read. Corfman seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 41-12 be place on first reading. Hamsher seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 41-12**, A RESOLUTION AUTHORIZING THE PUBLIC UTILITIES BOARD OF CONTROL TO ENTER INTO CONTRACTS, WITHOUT BIDDING, EACH FOR NO MORE THAN A ONE YEAR PERIOD, FOR VARIOUS SERVICES AND SUPPLIES REQUIRED BY THE DEPARTMENT OF PUBLIC UTILITIES, ORRVILLE, OHIO.

Corfman: Thank you Mr. President, while it does say without bidding, these are still competitive. They receive competitive quotes so these are, there's usually more than three quotes to these and they're usually OEM parts, I believe. It's really otherwise it's the same as an annual ordinance, resolution.

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

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Leathers moved that Resolution 41-12 be adopted as read. Aspiras seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 42-12 be place on first reading. Miller seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 42-12**, A RESOLUTION STRONGLY OPPOSING THE PASSAGE OF HB 601 BY THE OHIO GENERAL ASSEMBLY WHICH PROPOSES UNIFORMITY MEASURES FOR MUNICIPAL INCOME TAX IN THE FORM OF UNFUNDED MANDATES AND A SUBSTANTIAL LOSS OF REVENUE, AND DECLARING AN EMERGENCY.

Strimlan: Yes, thank you Mr. President. Hopefully all of you had an opportunity to read the memo and the resolution that I sent to you last week opposing House Bill 601. We have had a lot of discussion concerning municipal income tax uniformity over the past year. In fact, last December you passed a resolution that was sent to our legislators showing our opposition to the State or any other entity taking over municipal income tax collection. We're bringing this resolution to you tonight to send again to our State legislators to let them know that we're not necessarily opposed to uniformity but that we are opposed to any items that are not revenue neutral given the other reductions in funding that we've experienced and the need to protect our largest revenue source that provides essential services to our residents and to our businesses here in town. The resolution doesn't need to be passed tonight. If you would like me to gather any other additional information I would be more than happy to do that for you.

Shupp: Thank you Mr. President. Are we getting any feedback from the State? Is this thing going to pass? Where do we stand?

Mayor: They acted like there wasn't going to be much done the rest of this year on it at all.

Strimlan: Right.

Mayor: So I don't know where from there it'll go.

Shupp: So they're just kicking it back to next year then.

Mayor: It's not going to go away though, I don't think.

Strimlan: And they haven't offered any time lines yet as to how quickly or how slowly this is going to progress.

Shupp: Okay. Thank you.

Vance: Thank you Mr. President. I understand the need for the State to want to address this. I mean Ohio has got nearly 600 taxing municipalities. They all can write their own rules and have their own forms and own filing deadlines and own penalties, own interest rates and I think it does create a significant issue for some business and there certainly is a need for uniformity. We're one of the worst states for lack of uniformity. It seems to me that the crucial issue here is going to be the loss of revenue from allowing net loss carryovers into future years. To me that's a very big sticking point. I don't know how it's going to get resolved. You can't have uniformity without having uniformity along that particular issue. That's going to be very, very difficult, I think, for the legislature to address. But this resolution does include the amount of money that we would expect to lose, well we would have lost \$1.6 million, in the past four years if this rule were to be in place over the past four years. So we are giving the legislature what they're asking for. They want to know what are the dollar amounts, how's this going to affect you? We are doing that. So, appreciate Ms. Strimlan in providing that information for the legislators. Thank you.

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Baker: Thank you. I think along with that amount of money, if there's a way to make that a percentage of our total budget when we send it down to them. And say okay, this is, we expect to lose 10% of our total budget if you pass this along with the dollar amount. \$1.6 million is a lot of money but for a community the size of Cleveland, it may next to nothing. But for somebody our size, it's a big chunk of our budget.

Strimlan: Would you like me to modify the resolution to reflect, during this time period, what percentage that would be before we pass the resolution?

Vance: We would have to offer an amendment and vote on that.

Baker: How does Council feel about that? The only reason I was looking for it is so that they would see as a percentage what we're.....so we would need to go at least one more meeting then before we could pass that.

Aspiras: We're saying that there's a good chance there's nothing that's going to be acted upon before the end of the year?

Vance: It's still in committee. The senate hasn't even gotten it yet.

Aspiras: It feels like we've got some time.

Mayor: Well, you might have time. But I think the purpose from the Ohio Municipal League was just to make sure that communities let their legislator know where they feel on this because if they hear nothing, then it's real easy to make the decision. I think the sooner we can get something out there the better.

Corfman: Being the Ohio Municipal League is the one asking for the action and again it's a uniform action by several communities at the same time, and I don't, the percentage may have an extra exclamation mark to it. But basically we're looking to get the resolution in and say we object to this. I'd say sooner than later.

Vance: And other communities have been passing similar legislation so it might be in the best interest to go ahead and do it now. Sort of align with everyone else's.

Leathers: As an alternative could a cover letter be....

Strimlan: We can do that.

Leathers:done and the percentage in there?

Baker: That would be fine with me if that would work.

Strimlan: Okay.

Miller: I think that's the best alternative as well.

Baker: Okay. Thank you.

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

Leathers moved that Resolution 42-12 be adopted as read. Miller seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Ordinance P-12 be place on first reading. Aspiras seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE P-12**, AN ORDINANCE AMENDING THE ZONING MAP CREATED BY CHAPTER 1120 OF THE CODIFIED ORDINANCES OF THE CITY OF ORRVILLE, OHIO, TO RECLASSIFY PARCEL OF LAND KNOWN AS LOT NUMBER N PT 226 ALSO KNOWN AS 239 SOUTH MAIN STREET REAR IN THE CITY OF ORRVILLE FROM C-2 (LOCAL COMMERCIAL) TO R-3 (RESIDENTIAL).

Baker: Mr. Wheeler do you have any comments for this one?

Wheeler: Yes sir. Everyone should have a packet of pictures which I thought was a good reference for you in regards to discussion of the properties that we're referring to. The cover page actually shows 239 South Main Street the front property. And there's actually an arrow on there on the back showing what property is actually affected in that picture which is actually the third building behind. So it's not any

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Main Street properties per se that are affected by the zoning changes. It's actually the third property on – of 239 South Main and the back sheet which Mr. Shoup's looking at currently, actually does a really good job of showing you where that property is located in comparison to Main Street. So I just wanted to make sure everyone understood where those properties are. They are actually a block of Chestnut would be the best way to describe it, with a small un-named alley if you will, that runs along off of Main Street there which you can see in that front picture. The property owner of that dwelling unit of 239 Rear which I would actually call 239 Rear Rear, since it's the third building, is requesting a zoning change. What they did is they came to the City with a request to make some changes to their house, some improvements if you will. Because it was currently zoned C-3 they weren't able to make any improvements to the residential usage because that's a non-conforming use. So this is the process that they're forced to go through in order just to make some improvements to their house. I think we all agree that that's something we like everyone to do when they're able to do so. So that's why the zoning change comes in, is before you tonight. Certainly unique area as well because there's actually three different zoning zones if you will that all align there. I-2. C-3. And R-3 all are within that same area. So right across from that property is R-3 which is why we went with the R-3 zoning so that we weren't spot zoning. So that's where that R-3 comes in there as well. And all three of the properties as you can see on that back sheet are in that same block and so really that's where all three come in in regards to trying to rezone that whole, all those residential parcels in that area.

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Vance: Are these owner occupied homes?

Wheeler: They are owner occupied. Two of the three, I think there is one that actually is a rental property and that has what would be 157, I believe, Chestnut. But the applicant is Mr. and Mrs. Johnson and they are owner occupied.

Aspiras: Thank you Mr. President. Mr. Wheeler so if I look at this last map you gave us here, you're saying these properties right here are R-3.

Wheeler: R-3 yes sir. That's correct.

Aspiras: These adjacent properties over here.

Wheeler: C-3.

Aspiras: C-3.

Wheeler: Yes.

Aspiras: Okay. And then this property here?

Wheeler: I-2.

Aspiras: I-2. Wow.

Wheeler: Yes, and actually that R-3 actually then runs all the way down all the way south then at that part.

Aspiras: All the way this way?

Wheeler: No, actually that would be toward me.

Aspiras: Okay.

Wheeler: Yes, all the way down the zoning map then runs all R-3. So that's a large stretch of R-3 property there. And that I-2 of course runs along the railroad there.

Leathers: The S, the SP, the south part of 226 is Bob Snyder Auto back parking lot.

Wheeler: That's correct, that's their parking lot which is why we did not include that in the rezoning request since it is currently being used as C-3.

Leathers: Does that give you a better form of reference?

Aspiras: Yes.

Baker: Any other questions? Mr. Wheeler, will there need to be a public hearing for this?

Wheeler: Actually a public hearing is required as part of the Planning Commission's approval. Planning Commission has already held that public hearing there were no comments against the rezoning request and so the Council can consider it and approve it at any of the three readings.

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

Leathers moved that Ordinance P-12 be adopted as read. Aspiras seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Ordinance Q-12 be place on first reading. Shupp seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE Q-12**, AN ORDINANCE AMENDING THE ZONING MAP CREATED BY CHAPTER 1120 OF THE CODIFIED ORDINANCES OF THE CITY OF ORRVILLE, OHIO, TO RECLASSIFY PARCEL OF LAND KNOWN AS LOT NUMBER 225 ALSO KNOWN AS 147 WEST CHESTNUT STREET IN THE CITY OF ORRVILLE FROM I-2 (HEAVY INDUSTRIAL) TO R-3 (RESIDENTIAL).

Baker: And this is part of that same three.

Wheeler: Correct. This would be Lot 225 as Ms. Leathers mentioned in the Ordinance on that map that you look at there.

Baker: Okay. Questions or comments on this one?

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

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

Leathers moved that Ordinance R-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE R-12**, AN ORDINANCE AMENDING THE ZONING MAP CREATED BY CHAPTER 1120 OF THE CODIFIED ORDINANCES OF THE CITY OF ORRVILLE, OHIO, TO RECLASSIFY PARCEL OF LAND KNOWN AS LOT NUMBER 224 ALSO KNOWN AS 157 WEST CHESTNUT STREET IN THE CITY OF ORRVILLE FROM I-2 (HEAVY INDUSTRIAL) TO R-3 (RESIDENTIAL).

Baker: Mr. Wheeler, this is the third of that same group?

Wheeler: Yes, sir, Lot 224 as Ms. Leathers mentioned.

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

Leathers moved that Ordinance R-12 be adopted as read. Hamsher seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Ordinance S-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE S-12**, AN ORDINANCE VACATING NORTH MILL STREET BETWEEN STRAWBERRY LANE AND ITS NORTHERN TERMINUS IN THE CITY OF ORRVILLE, OHIO.

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Wheeler: Thank you Mr. President. Ordinance S-12, T-12, U-12, and V-12 are all ordinances relating to vacation of streets from Strawberry, Mill, and Arch Street. Ordinance S-12 addresses North Mill Street. And North Mill Street, that request is coming as a result of Norfolk Southern is actually pushing for Mill Street to be vacated to keep the future crossing as part of Raspberry Road private. And the remaining road vacations also are part of the long term campus plan of the J.M. Smucker Company and those are also being brought before you tonight. A public hearing was held in Planning Commission and there was no negative feedback. There was all only support for the vacation. The adjacent property owners on all of these have been notified, are aware, and support the petition. Also if I could comment, Mr. Al Yeagley, the Vice President of Industry and Government Affairs is here from the J.M. Smucker Company tonight and I am sure he would be glad to answer any questions you might have of the particular request.

Shupp: Thank you Mr. President. I know the Planning Commission has signed off on this. I was just curious as far as the underground utilities that will go through these streets that were our responsibility prior to this and now will Smucker's be responsible for the infrastructure that's there after this? I know they will take care of electrical and water lines but what about storm sewers? Because I know that some of our streets drain through that property that will still be our streets to maintain like Main Street. So who's responsible down the road to make sure those are maintained in a proper fashion?

Wheeler: Historically those are either done as part of an easement or if they build across those then we actually vacate those lines and they assume ownership of those lines at that point.

Shupp: So then they would take care of it?

Wheeler: Correct.

Shupp: And they are fine with everything at this point?

Wheeler: Yes.

Yeagley: Yes.

Shupp: Okay. Thank you.

Baker: Anyone else have any questions? Mr. Yeagley do you have any comments for us?

Yeagley: We have worked with the City for quite a bit on this and it's amazing to find out the power the Norfolk and Southern Railroad has when you try to build some road and all of this is part of a master plan which we think not only will benefit the Smucker Company but will certainly benefit Tucker Packing Company, Orrville Trucking and Grading as that loop gets put around it will really relieve a lot of traffic congestion we have right now. So we think it's a win-win all the way around.

Baker: Anyone else have any comments? Okay, since the public hearings have already been held we can pass these this evening, is that right?

Wheeler: Yes sir. You can pass them at any of the three readings.

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

Leathers moved that Ordinance S-12 be adopted as read. Shupp seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Ordinance T-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE T-12, AN ORDINANCE VACATING NORTH MILL STREET BETWEEN STRAWBERRY LANE AND ORR STREET IN THE CITY OF ORRVILLE, OHIO.**

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Wheeler: This is vacation of that southern portion of Mill Street after we just vacated the northern portion.

Baker: All the same comments will apply.

Wheeler: Correct.

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

Leathers moved that Ordinance T-12 be adopted as read. Aspiras seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Ordinance U-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE U-12**, AN ORDINANCE VACATING STRAWBERRY LANE IN THE CITY OF ORRVILLE, OHIO.

Wheeler: This is a vacation of Strawberry Lane from Mill to Main Street. The remainder had already been vacated in prior years so that is the remaining that was owned by the City so that would vacate that remaining portion.

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

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

Leathers moved that Ordinance V-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE V-12**, AN ORDINANCE VACATING ARCH STREET IN THE CITY OF ORRVILLE, OHIO.

Wheeler: This ordinance actually vacates Arch Street from Walnut to Main which was the remaining portion that had not been vacated. The other portion was vacated in prior years.

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

Leathers moved that Ordinance V-12 be adopted as read. Shupp seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Ordinance W-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE W-12**, AN ORDINANCE AMENDING SECTION 505 RELATING TO DANGEROUS AND VICIOUS DOGS OF THE CODIFIED ORDINANCES OF THE CITY OF ORRVILLE, OHIO, AND DECLARING AN EMERGENCY.

Corfman: Thank you Mr. President. This is an ordinance that has been subject of several Health and Safety meetings. It pretty much gets our ordinance, our City ordinance, in line with the State, helps definitely with the enforcement of it both from the County point of view and the State point of view it has been pointed out in a number of ways during those committee meetings. We don't expect to pass it tonight. Give the public some time to think on it.

Baker: Mr. Wheeler do you have any comments on this one?

Wheeler: Just similar to what Mr. Corfman said. This is, the Law Director did go ahead and contact some of our code folks and get some copies that were utilized from other communities so this is sort of a standardized approach to this ordinance and of course it's welcome to review and any comments or changes that we would like to make.

Vance: I would like just to add, Mr. President, the purpose of the ordinance is to come in line with State law which what the State law did is it removed what was known as breed specific language. So any dog

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that's on that list of breeds is now no longer considered to be a vicious dog just because it's one of those breeds. And that's what the main part of this law does but it adds some additional provisions for other nuisance behaviors that dogs cause. I think that will help. But as Mr. Corfman pointed it, the difficulty of enforcing our Orrville law is causing a problem and so for us to have a law that is enforceable in practicality I think we need to adopt the State law because our law enforcement officials, prosecutor, humane society, or the dog warden is saying that the State Law is the one that they are able to prosecute better so that's why we're considering adopting the State language.

Corfman: Thank you Mr. President, the committee would also like to thank Mrs. Kirkbride for, she's done a lot of research on this but she also brings considerable experience as a solicitor for another community that's been through some rather arduous meetings on this. So I'd like to thank her for that.

Kirkbride: You're welcome.

Baker: Chief Carozza is this something our police department will support?

Carozza: Absolutely. We're in favor of the State law uniformity with the County prosecutor's office as well as the humane society and the auditor's office.

Baker: Thank you. Any other comments?

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

Baker: Thank you, ma'am. We had lots of business to go there this evening. We'll move to our next item which is comments for the good of the order.

Good of the Order:

Mayor: Just wanted to mention as far the Fireman's Dependency Board, Bill Earnsberger is coming on to replace Roy Wade who had served in that position for years and years and years not only in that position but formerly as a member of the fire department and we certainly appreciate all of his years of service. His health is giving him some troubles right now. So we have the young buck Bill Earnsberger who's only been a fireman for 52 years and he's going to step in there and take Roy's place so we thank him for that.

Miller: Thank you Mr. President, in the spirit of the times for this year. I just wanted to say that Orrville Community Theater is pleased and proud to present as their Christmas show "Little Women". A timeless classic for the whole family and we are going to be, it's going to be a grand opening of our brand new venue over in the Save-A-Lot plaza on the north side of town. We are in where the old Video Safari was in the plaza. And we've turned that into a theater and we're really excited about it. Opening night is this Friday, December 7. The run will be Dec. 7 & 8 at 7PM. Dec. 9 Sunday matinee at 2:30. Dec. 14 & 15 at 7PM and Sunday, Dec. 16 at 2:30. Tickets are still only \$8.00 and there's a number here that I want to give you its 330-604-8504 to reserve your tickets 'cause they're going fast. This Saturday is already sold out and a lot of them are getting close to it. So please get your pre-sale tickets if you can. We will have some tickets we are holding for the door as well if you can't do that. But come and please support live theater in Orrville. Thank you, Mr. President.

Hamsher: I want to congratulate and give kudos to the Community Theater. They are actually donating a portion of proceeds to Orrville Schools. Nice gesture on their part so thank you for that. And also good luck to the winter sports teams. They are just beginning to get into full swing and the basketball teams both boys and girls, and wrestling teams are getting after their seasons.

Baker: Thank you. Anyone else?

Leathers moved to adjourn the council meeting and Corfman seconded. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:15 p.m.

Regular/Public

December 3, 2012

Jeanne Gault, Clerk of Council

Date

Lyle Baker, President of Council