

Regular/Public

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President Baker called the regular meeting to order.

Pastor Dave Barber Orrville Baptist Church offered the prayer. The Pledge was recited by all.

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

Aspiras moved and Corfman seconded that the minutes of the May 7, 2012, regular meeting be approved as submitted. Roll call vote. All ayes. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller addressed Ms. Strimlan asking for the 2013 Budget Calendar to be distributed. Strimlan: Yes, I do.

Miller, that would be great. We do have the 2013 Budget Calendar that Director Strimlan will be distributing. You will find that it is very similar to what we have done in the past. I would like to make a couple of motions relative to that, if I could. First one being that I would move to set a public hearing concerning the budget on 1st reading on 6/18/12. That would be a Monday and that would be before the Council Meeting. Vance seconded. Roll call vote. All ayes. Motion Carried. Thank you and my second motion would be to set a special meeting for the 2nd reading of the budget on Monday, the 25th of June, that would be after the Utility Board meeting and we would also follow that with a workshop as well. Vance seconded. Roll call vote. All ayes. Motion carried. And that's all I have at this time. Thank you.

B. Utilities – Mr. Vance mentioned we do have one item on the agenda tonight relating to the Public Utilities, Public Utility's Board has met on this extensively and I believe I'm just going to defer to Mr. Brediger during that portion of the meeting. Thank you very much.

C. Health & Safety – Mr. Corfman announced a meeting of the Health and Safety Committee on June 4, 6:30, Chief Carozza will go over the differences between the new State vicious dog ordinance, not really an ordinance it's a State Law and the difference in that and our vicious dog ordinance and the explanation will be for the differences on whether or not we want to go forward. We do have the benefit of home rule. We can keep what we have or we can defer to the State Law. And on one other note, on 6-18, I will not be here, that will be the second meeting in June and I traditionally miss that.

D. Parks and Recreation – Mr. Aspiras, we are pleased to announce the Orrville Performing Arts schedule for 2012, otherwise known as Concert in the Park. That will kick off on June 7th, and Logan Wells will be performing starting at 7:00. And then on June 14 it will be Hope for the Heart band with guest speaker Joe Norman. Then on June 21st, will be the Josh Snyder Band. All these concerts by the way begin at 7:00. June 28th will be Blue Lunch. July 5th there will be no concert that week. And on 12th of July it will be the Orrville Area Community Band. Then on July 19th The Collision. July 26th Polka Punk. August 2nd Special Request. And August 9th Tailor Made Classics. Again all these concerts will start at 7, I know Mr. Wheeler is very good at each council meeting about reminding the folks about coming events. You will hear more about it. Rain cancellations just listen to WQKT and also check Orrville's facebook. And we'll make announcements as we go if there's any cancellations or changes in the schedule. You also can get the schedule on Orrville's website. And thank you very much for Jeanne Gault and group for organizing this. I know she puts a lot a work into this each year. So hopefully this year will be a successful year. And get out there and enjoy the concerts. Thank you, that's all I have.

E. Transportation – Mr. Shupp had no report.

F. Planning – Mr. Hamsher had no report.

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

Special Committee Reports: None.

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Administrative Reports:

A. Mayor - Mayor Handwerk congratulated our Orrville High School spring sports teams. I think this has been one of the most unique springs we have ever had as far as just across the board success for teams that actually sometimes conflict with each other whether its softball and girls track or baseball and boys track a lot of times if you have one good team the other one maybe isn't so good and this year we had both girls in track and softball were conference champions and boys were 2nd in the conference in track and boys baseball conference-wise I don't know how they did, did they win the conference? I don't remember but I know they are still playing; the baseball team is going to be in regionals this week. They were district champs. The boys track team was district champs this past week. So a lot of boys and girls are still going on to the regionals in track this week. So, really quite an amazing spring for our sports teams. Also, if you followed any of the articles in the newspaper over the weekend, you saw some of our local cities here in Wayne County are still struggling mightily financially and things are being proposed as far as layoffs of police department, fire department, major cuts, and closing swimming pools that sort of thing. Different tax increases, and I'd like to just say that we are working very hard to try and avoid those situations. It's certainly not a situation we want to be into if we can possibly help it. Just a reminder we've had the same income tax for about over 40 years which is amazing when you think about it and we've continued to provide services to this community and that's certainly our goal is to continue to provide those services and hopefully keep the people we need to do that. So, we will keep working very hard to do that. And that's all I have. Just one more thing, I want to encourage everyone to make sure if you can come to the Memorial Day service this year at the cemetery. Always a good service out there and I know the program is going to be very good this year. But we certainly want to take time to remember those who sacrificed as much as they have and sacrificed everything in some cases for our safety over the years. And I'm sorry. Thank you.

B. Safety Service Director- Director Wheeler announced Orr Pool will open Saturday, June 2nd, just a reminder. Pre-sale of passes is June 1st the day before, as always, at the pool. We also did a preliminary pre-sale as part of the 3rd Thursday events in downtown and sold 15 family passes early on which is a good start. And I want to thank Jordan Thomas, one of our lifeguards, for sitting at Heartland Point for three hours and selling passes for us. Also, Councilman Shupp mentioned last council meeting regarding the ADA regulations on the pool chairs at the pool. And Friday they came down and extended that deadline to January 31, 2013 to comply. We are working with Patterson Pools to ensure we are in compliance when that time comes as well so that's still on the radar. Also, everyone may not be aware but the Orrville Firefighters Association is hosting a 16U softball tournament that starts the first weekend in June and that will be utilizing most of the fields. They have 16 teams signed up. What they've done is tried to give a tournament to those that have attended the 14U's previously to have them continue to visit Orrville. So that's the start, hopefully, of an event that will continue to grow over the next few years as well. And as the Mayor mentioned, keep in mind the Memorial Day events including the parade which does start at 9AM. And that's my report for this evening.

C. Utilities Director – Director Brediger will be speaking to Resolution 15-12 at the appropriate time. The only other item I have is the Orrville Utilities will be hosting the Northeastern Ohio Water Environmental Association meeting this week at the Wastewater Treatment Plant. That will include a series of technical sessions, some business meetings, and three tours and we are expecting about 125 out of town guests attending that. And with that, that's all I have this evening.

D. Finance Director – Director Strimlan had distributed the fund balance report for the period ending April 30, 2012, just as a note that does include the allocation adjustment retroactive to January 1st for the legislation that was passed April 16 to reflect the 75/25 split for Capital and General Fund allocations and so I would ask for a motion to approve that report subject to audit. Miller moved. Hamsher seconded. Roll call vote. All ayes. Motion carried. Also I did distribute a memo concerning the State's efforts at Municipal Income Tax Uniformity and some of the items that may affect the City if those go through the House and legislation is passed. I'd ask you to review that memo at your leisure. If you have any questions feel free to contact me. It's difficult right now to ascertain what the complete impact would be on the City but we tried to go back 10 years and give you some idea if that would have been in place how it would have impacted us. We'll keep you updated as we receive more information on that if there is anything we can do and as we have more clarity from the State with regard to that uniformity. That's all I have this evening.

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E. Law Director - Director Van Sickle had no report.

F. President of Council – President Baker had nothing for this evening and we have no Old Business to cover so we'll move to new business.

New Business:

Leathers moved that Resolution 13-12 be placed on first reading. Miller seconded. Roll call vote. All ayes. Motion carried.

RESOLUTION 13-12, A RESOLUTION AUTHORIZING THE BOARD OF CONTROL TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT AND/OR CONTRACTS FOR THE RECONSTRUCTION OF MINERAL SPRING STREET IN THE CITY OF ORRVILLE, OHIO AND DECLARING AN EMERGENCY.

Wheeler: This allows us to go out for bids on the Mineral Spring Street project which I am sure everyone is aware of. We have been working with the schools to ensure as little disturbance as possible to the parents and school kids during construction. And that's one of the reasons I am requesting approval of this tonight. Our plan is to go out for bids the first of June, open the third week of June and then hopefully once we receive the formal documents and contracts from the State for the grant, we will be able to give a notice to proceed at the point. Our hope is that they will be able to start construction mid-July which would give them almost 45 days to complete some of the priority areas. The main priority is Mineral Springs intersection with Ella which also would extend into the school, elementary school exit. And that's, if we can get that section done, I think we'll be able to have a less significant impact on our school kids particularly those that are being dropped off or picked up at the elementary school. We do have a plan in place with Mr. Ritchie for the buses. They are going to access the back property of the school, won't utilize Mineral Springs at all during construction, and then enter and exit out of Congress which the back street there onto Hostetler. Like to thank the school superintendent and all the principals and officials we've been working with. They have been excellent to work with and Detective Hunt and Chief Carozza and Captain Birkbeck have also been in those meetings with the Mayor and I. Twice we met for a few hours and we think we have it worked out where there will be as little disturbance as possible. There will be disturbance though and we ask for everyone's patience during construction. Glad to answer any questions regarding the project.

Miller: We've got a grant for about half of the cost....

Wheeler: The grant is actually for \$472,000 correct which is about 50%.

Miller: And that's a done deal, right?

Wheeler: That is officially a done deal. We are not allowed to give a notice to proceed until the contract documents are in our hands which typically occurs that first week of July which is why we're trying to plan everything around, having everything ready to go to issue that notice as soon as the documents arrive.

Miller: Thank you.

Aspiras: So it would be good to see this pass tonight for the sake of planning and getting this going?

Wheeler: It would absolutely be very beneficial to us as well as the schools if we could get that passed tonight so we can try to meet the schedule and give a notice to proceed as quickly as possible after the contract documents arrive from the Ohio Public Works Commission.

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 13-12 be adopted as read. Aspiras seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 14-12 be placed on first reading. Vance seconded. Roll call vote. All ayes. Motion carried.

RESOLUTION 14-12, A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO SIGN AN AGREEMENT AND/OR AGREEMENTS ON BEHALF OF THE CITY OF ORRVILLE FOR THE PURCHASE OF SALT FROM THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE 2012-2013 SEASON, AND DECLARING AN EMERGENCY.

Wheeler: This is our annual resolution where we work with the Ohio Department of Transportation actually go out for bids and we piggy back onto that bid, that contract, excuse me. The contract has been very effective for us. This year our price per tonnage was \$50.25. That's actually lower than it was the previous year which was just under \$52.00. And keep in mind it wasn't too long ago that in 2009 there was a salt shortage where we paid \$125 a ton. As I mentioned in my memo to council, we are requesting

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significantly less in the contract. We are requesting 800 tons. We already have 600 tons in storage that we had purchase for the season and also in order to meet the contract requirements from last year. We are required to purchase 80% and can purchase up to 100% of the contract amount. And service has been good. Department of Transportation has been very good to work with. Everything's been very good on this contract so far.

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 14-12 be adopted as read. Aspiras seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 15-12 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried.

RESOLUTION 15-12, A RESOLUTION TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF BLUE CREEK WIND ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OF OTHER ACTIONS IN CONNECTION THEREWITH REGARDING WIND GENERATED ENERGY PURCHASES AND DECLARING AN EMERGENCY.

Brediger: This is a rather lengthy resolution but I'll move through some of the highlights. We have discussed this at three Utility Board meetings and at our last Utility Board meeting this resolution passed unanimously with Public Utilities Board. To give you a little bit of background, we have talked about that, when we introduced this opportunity last month, but this is a purchased power agreement with Blue Creek Wind Farm. This is a 304 MW wind project in VanWert and Paulding counties. And those counties are located in Northwestern Ohio. They consist of 152 2 MW wind generating units. The energy from this project is currently below market and should remain below market for the term of this contract which is 10 years. We pay only for the energy that is generated. And this will represent only about 2% of our needs. And also when these units are operating they'll probably only be operating at about 34% of the time. Producing very little energy for not very long periods of time. However, the great piece about that is the fact that it is below market. There is no asset purchase, no construction risk, no operation and maintenance risk, no fuel cost, and no emissions from this project. Our interest is in the 1 MW range. The estimated annual cost of this project will be roughly \$140,000. If you read through the resolution it does allow us to purchase up to 2 MW from this project and this up to amount is in there because we're expecting this project to be oversubscribed and when these projects become oversubscribed the allocations get a little (in audible due to someone coughing in the microphone). So this gives us some flexibility to dial in on that final number once all the participants are announced, at the end of the month that will be participating in this project. A little bit more background on the cost of this project, currently at least through 2017, the energy coming out of this project will be a (inaudible due to someone coughing in the microphone) power purchase and that is our lowest cost resource that we have as part of our portfolio. It will be below our current day generating cost from the coal plant through 2017. So just to put these prices into perspective, this is really a great deal. This project will further diversify our energy portfolio. This will increase our renewables close to 23% when the hydro's come on board in 2014. One of the other reasons we have some interest in this project is the State is still pursuing some legislation that will require utilities to have a portion of their generation coming from renewable projects and between this wind project and our hydro's we should comfortably meet some of the percentages that they're talking about right now. With that I'll entertain any questions. We do not need this resolution passed tonight but if not tonight I would make a request that it gets passed in the next council meeting. The agency needs a definitive commitment from us before the end of the month. So with that I'll entertain any questions council members may have.

Vance: Thank you, Mr. President. You know I just think this is a good time to kind of pause and allow our community to learn some of the, how this really works when you want to transition into more and more renewable energy. Just how many different kinds of sources of power that it requires and even now with a wind farm just the percentage that it generates. It doesn't generate 100% of the time so we still have to have a backup source of power for when it's not generating. But it gives us a good idea of what this is going to look like going into the future years of making a transition to include more and more renewable sources of energy into our portfolio. I think it's great that by 2017, 23% of our power coming from renewable sources, I think that's a great step and I'm glad we're going in that direction.

Brediger: One of the nice things about this is because the energy coming from this project is below market, it allows us, because we schedule power on an hour to hour basis, so when these units are up and running that allows us to back off on our other more costlier resources we have, bring in the energy from this project and pass those savings along to our customers. So we do that scheduling literally on the

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fly and that's why the capacity of these units, even though they're only operating, producing energy 35% of the time, 34% of the time, make it real attractive and they work well within our scheduling abilities.

Aspiras: Mr. Brediger, are there any risks. It sounds like it's little to no risk in what you explained but are there any risks to the City of Orrville short term, long term?

Brediger: No risk. Again, if these units are producing energy, we purchase the energy from them at below market rates. If the units are not producing, there are no liabilities to it. Tornado comes in there, wipes out the whole wind farm, the deal goes away. So we have no risk. We are not maintaining these units in any way. We have no ownership, no liabilities, no fuel costs. This is, this project in my opinion kind of falls into the "no-brainer" category.

Aspiras: So consumable cost only to the City of Orrville. You mentioned \$140,000 what exactly is that cost?

Brediger: Based on the projection on how long these units will operate over a given period of time. So let's say for example we'll purchase a megawatt of energy from this wind farm and it will come from multiple units as part of this project. We will only receive that one megawatt's worth of energy roughly 34% of the time at any given day throughout the course of the year, assuming its generating that 34% of the time, the cost that we'd pay according to the contract would be that roughly \$140,000 a year in energy cost. If it operates a little bit more those costs will be a little bit higher, if it operates a little bit less it will be lower but based on the anticipated operating, or the load factor of these units that will be about our financial obligation that we would have if these units were operating at their rate of capacity over the course of the year. But again, if they are not operating, they have mechanical problems, this is a large wind farm. It's over 300 MW and AMP's interest in this project through our memberships is a little bit over 50 MW.

Aspiras: Thank you.

Leathers: I'll let that one go for second reading.

Leathers moved that Resolution 16-12 be place on first reading. Miller seconded. Roll call vote. All ayes. Motion carried.

RESOLUTION 16-12, A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT AND/OR CONTRACTS FOR ENGINEERING SERVICES FOR THE FOLLOWING PAVING PROJECTS: RESURFACING OF BROOKWOOD COURT, CLOVERIDGE DRIVE, AND VIKING AVENUE, AND DECLARING AN EMERGENCY.

Wheeler: Thank you, Mr. President. This is a request to complete engineering on Brookwood Court, Cloveridge Drive and Viking Avenue as mentioned in the resolution. The total cost is \$30,000 for the engineering. As we had discussed while we were discussing the ratio change, these are three high priority streets that are some of the worst in the City currently. Brookwood Court does rank as the number one, and that's not number one in a good way, worst condition street in the City. Viking Court is the third worst with second worst being Mineral Springs. So the potential is there to get three of the worst done as well as Cloveridge at the time was in the top five. I dare say that its moved higher up in the meantime, or top ten, I dare say its moved up higher in the meantime. So I'm requesting that engineering be approved so we can move forward on potentially completing these projects. Kristin Endsley has found a potential grant source to supplement payment of those, of the cost of construction. It will require an income survey which we will do door to door and looking at the income survey requirements in order to qualify as low to moderate income, the numbers are very reasonable its not nearly as low as what you would think it would be. So we'll do those door to door, see if we can qualify for the grant which is potentially up to \$75,000 from the revolving loan fund through Wayne County and once we complete that, once we complete the grant, I'll come back before council if permitted to make a recommendation in regard to which roads to pave, hopefully all three of them, but we'll see what the grant funding and what's out there.

Miller: Thank you, Mr. President, just a couple quick questions Mr. Wheeler. Tonight you're just asking for the engineering.

Wheeler: All I'm asking for tonight

Miller:which amounts to about \$30,000?

Wheeler: ...it's \$30,000 I believe in our existing engineering budget out of capital funds that we have currently so I'm not requesting any budget amendment we'll do it within the dollars we have allocated currently. And I think we'd all agree that these are three streets that whether we do them this year are our priority streets so the engineering would not go to waste per se if we only did two of the three this year.

Miller: Sure. Sure. And you said your wish would be that we could do all three streets?

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Wheeler: I think that's our goal and we'll see how we do with the grant dollars and we'll see where we're at with our capital fund balance and those kind of things and we'll bring, I'll bring back a recommendation and then we can decide even if we want to do even a committee meeting if that would be appropriate at that time as well.

Miller: So at that time we'd make those decisions:

Wheeler: Sure.

Miller: I understand.

Wheeler: Tonight I'm just requesting the engineering.

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

Leathers moved that Resolution 16-12 be adopted as read. Miller seconded. Roll call vote. All ayes. Motion carried.

Leathers: Mr. President that concludes tonight's new business.

Baker: Thank you. Anyone have anything for the good of the order this evening?

Good of the Order:

Hamsher: Thank you, Mr. President, I'll give Councilman Miller and our famous camera man Andy kudos on their play last weekend. It was, my family and I attended and had a great time. We had a chance to support Orr Community Theater, its inexpensive fun time. They do a great job.

Baker: Thank you.

Miller: Thank you.

Corfman: And it looked just as good from the other side of the theater from Mr. Hamsher's family. Clearly a funny man.

Baker: Mr. Aspiras did you have something?

Aspiras: Yes, I did have something, thank you Mr. President. Just congratulations to the Orrville High School 2012 graduating class. A lot of work getting here and congratulations to those parents and in some cases grandparents. A lot of work raising a child and certainly the child takes credit too for making it through those years but the parents are a big help behind that too so great job and good luck in whatever happens after graduation. That's all I have.

Vance: Thank you, Mr. President, I just to add to that as well. This is my second year in a row I've had a, two sons graduating from Orrville, and so, certainly appreciate all the work and time and effort that the coaches and teachers and all the staff that the schools have put into our kids, they're a find bunch of kids and we wish them all the best in the future.

Baker: Thank you. Anyone else?

Leathers moved to adjourn the council meeting and Aspiras seconded. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:07 PM.

Jeanne Gault, Clerk of Council

Date

Lyle Baker, President of Council