

Regular/Public

February 1, 2010

President Baker called the regular meeting to order.

Pastor Marvin Zuercher of Chestnut Ridge Mennonite Church offered the prayer. The Pledge was recited by all.

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

Hamsher moved and Corfman seconded that the minutes of the January 19, 2010 regular meeting be approved as amended. Roll call vote. Ayes all. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller reported that prior to the meeting Ms. Strimlan passed out to Council the 2010 Final Appropriations calendar. You will find it is very similar to what we have done in the past. First reading on that will be the first meeting in March. We will need to hold a second reading at a special meeting the following week on the 8th and the third reading will be on the 15th. At that meeting on the 8th we will also have some discussion on the Capital Improvement Account and projects that are forthcoming and that sort of thing, as well as a workshop about the final appropriations. I will need to make a motion that we have a special meeting of Council concerning 2010 Final Appropriations on the 8th of March 2010. Seconded by Vance. Roll call vote. Ayes all. Motion carried.

B. Utilities – Mr. Vance reported the date of our last meeting the Mayor and Mr. Brediger and the Power Plant Manager and myself were in Columbus for a legislative and regulatory update on issues regarding our municipal power plant. There is a lot of activity going on in that area right now and so we are paying a lot of attention to that and Mr. Brediger and the Public Utilities Board are working very hard at keeping abreast of the many developments going on right now. We will be going to Washington DC here in a few weeks to discuss these matters further, but we had the opportunity to meet with Representative Amstutz and State Senator Bob Gibbs and share our concerns about what the impact of these regulations would mean. I believe they shared those, seemed to have similar views as we did. It is just an area that has a not going on; we have to stay on top of. We will certainly be watching with interest as Mr. Brediger and the Public Utility Board deal with these changes that are coming down the pike.

C. Health & Safety – Mr. Corfman had no report, but had a question that came to him. Someone stated to me that the City charges \$60 to be allowed to have a garden. Is that as ridiculous as it sounds?

Wheeler: That would be as ridiculous as it sounds. We do not charge anyone for a garden.

Obviously, there would be a zoning charge if they were building some sort of structure associated with that garden such as a barn or shed or something along that line, but a garden in and of itself does not require any kind of permits from the City.

Corfman: Thanks for clarifying that. I wish people, as they hear these, would simply call City Hall. There are plenty of people who can give answers to these things.

D. Parks and Recreation – Mr. Aspiras reported the committee held a meeting last Monday, January 25th. There were two items that we worked on. The first one was the dog park and I will report the committee approved this project and is committed to move forward. Preliminary site has been

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chosen within Orr Park in the area of the formerly Blackwell Williams property and as far as funding goes, there is legislation – it is actually up tonight, Resolution 5-10. That resolution is an application for a Nature Works grant for \$25,000 through Ohio Department of Natural Resources. That grant would cover 75% of the project cost with a maximum cap of \$25,000. The second item we worked on was the potential of extended pool hours and at this point there will be no changes to the current structure days as it was determined the City cannot staff these extra days while the schools are still active. This is a tough situation. The City has to wait for these workers, both students and teachers, to finish school in late May and allow them to return back in late August.

E. Transportation – Mr. Shupp had no report.

F. Planning – Mr. Hamsher had no report.

G. Ordinance & Personnel – Ms. Leathers had no report, but scheduled a meeting for next Monday evening, February 8, 2010, after the Utility Board meeting. The purpose of the meeting is to review compensation for elected officials and certain appointed officers within the City.

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk reported the February Employee of the Month is Nathan Maimone. Nat has worked for the Police Department since October of 2008 and he is married to Lisa and has a two year old daughter, Skylon. Nat and Lisa are expecting a second child this coming year. Prior to working for the City of Orrville Officer Maimone was employed as a police officer by the Village of West Salem and the Village of Dalton. Chief Carozza states that Officer Maimone is very deserving of this Employee of the Month award. He does a fantastic job of balancing criminal investigations, traffic enforcement, and public relations. Nat is a leader and most of all self initiated activities and is very self motivated and along with his enforcement activities Nat enjoys meeting the public by volunteering at a number of public relation events and Officer Maimone always volunteers for our Shop with a Cop program and the Police Department tours and other public talks. He is also one of our leading officers for the department's vacation check program. We at the Orrville Police Department and the City of Orrville are glad to have Officer Maimone working here and we look forward to many years of excellent service to the citizens of Orrville. Also, along those same lines I would like to congratulate Chris Pauley and Pam Morris from our Police Department. Chris was chosen as Police Officer of the Year by his fellow officers for the second year in a row and Pam Morris was also chosen as Dispatcher of the Year for her second straight year. That is quite a tribute to both of those individuals coming from their fellow works. So I thank Nat, Chris, and Pam for their service to the Police Department and the City of Orrville.

B. Safety Service Director- Director Wheeler had no report.

Vance: Our trash pickup is beginning sometimes before 6:00am and our vendor had said to have your trash out by 7:00am and I think people ought to have the opportunity to put their trash out in the morning. I think 6:00am is too early. You had mentioned you were going to contact the company. Have you heard anything back from them?

Wheeler: We contacted the Operations Manager, actually we had also talked to them last week as well with that same concern. He sighted just some gung ho employees as getting started earlier than they should and as a result I think we have it corrected. For whatever reason it were to happen again and as a result your trash is missed, get a hold of us and we will make them back track around and get you. I don't expect that it will happen again.

Aspiras: If a holiday falls on that week, is it backed up? Or is it if a holiday falls on a Thursday or Friday?

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Wheeler: The schedule varies, but I think based on the ways the holidays hit this year if I recall there is only one holiday where we are going to be impacted in 2010.

Hamsher: So a Monday holiday won't back it up a day?

Wheeler: That is correct.

C. Utilities Director – Director Brediger had no specific Utilities issues other than he wanted to remind all our customers that our state association, AMP Ohio, is offering four \$2000 scholarships to graduating seniors. These applications are available at our office. The deadline is February 17th. All the high school guidance counselors should have these applications. All students whose households receive power from Orrville Utilities are eligible for this scholarship.

D. Finance Director – Director Strimlan had no report.

E. Law Director - Director Lutz had no report.

F. President of Council – President Baker reported that beginning with the next billing statement Armstrong will be increasing their rates and that will be in your next billing statement there will be a letter explaining that. The basic service will go up slightly; Zoom and Armstrong telephone will both stay the same; DVR and the HD Advantage tier will each go up \$1. If you do wish to have a discount, they are offering a discount of \$1 per month for any customers that utilize their direct debit payment option.

Old Business: None.

New Business:

ORDINANCE B-10

Leathers moved and Corfman seconded that Ordinance B-10, an ordinance approving the editing and inclusion of certain ordinances as parts of the various component codes of the Codified Ordinances of Orrville, Ohio, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Corfman: This ordinance is annual and is common. Most of it merely updates our police and traffic codes.

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 Aspiras seconded that Ordinance B-10 be adopted as read. Roll call vote. Ayes all. Motion carried.

ORDINANCE C-10

Leathers moved and Aspiras seconded that Ordinance C-10, an ordinance accepting and confirming the dedication of a portion of Sassafras Street in the City of Orrville, Wayne County, Ohio, to the public use forever, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: What this does is, Mr. Bond when he was preparing to install his sidewalk on Sassafras Street discovered that the sidewalk was going to be actually located on his own property. Ron Cross, our Engineering Technician, got with Mr. Bond and they both decided that it would be acceptable for the City to accept about a 6' x 146' strip of his side yard in order to construct the sidewalk so it is in the City right-of-way. As is typical in these kinds of situations, the City did agree to cover what would be 50% of that sidewalk in return for that portion of his property.

Leathers moved and Hamsher 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 Corfman seconded that Ordinance C-10 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 3-10

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Leathers moved and Miller seconded that Resolution 3-10, a resolution authorizing the Board of Control to enter into a contract and/or contracts for a period not to exceed three (3) years, without bidding, for selected insurance needs of the City of Orrville, Ohio, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: If I could just give a brief explanation. What this resolution would allow us to do is enter into a contract for our general liability, property, and auto insurance for the City side of our insurance needs. We have been with **Wyker** Insurance for over 20 years. We have bid this in the past and after that bidding was completed, the finance director at that time recommended that we not bid it any more. It is just nearly impossible to get an apples to apples bid from the insurance companies on these types of items. The good thing is that our insurance rate has actually went down over the past seven years so we have been able to experience savings through **Wykert** as well and that is why I come to you tonight requesting approval to do so again this year.

Shupp: Are you satisfied with the policy we are getting and the rate?

Wheeler: **Wykert** has been very good to work with. The gentleman that represents us, Jay Hutchinson, is excellent. He comes and meets with us regularly and updates us on any issues he sees in general or any that we have with our policies. He has been very solid to work with.

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 Hamsher seconded that Resolution 3-10 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 4-10

Leathers moved and Aspiras seconded that Resolution 4-10, a resolution authorizing the Safety-Service Director to enter into a contract and/or contracts for the lease of space for the sale of soft drinks, ice cream, candy, popcorn, peanuts, and other like items at Orr Park for the years 2010 and 2011, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This resolution authorizing us to go ahead and get quotes on our vending service at Orr Park. Matt Plybon has had that contract for the past six years. He currently pays \$1200 a year. It is a two year contract. Prior to him Pat Lonier had that lease since 1990 on. Pat actually continues to work for Mr. Plybon so that continuity is there as well. What we will do is actually get quotes from various vendors that we have a list of so it is not a give me by any means to anyone in particular, but unfortunately over the past six years the only one that has bid, I believe, is Mr. Plybon. It is one of those services that is a great service for the Orr Park and hopefully Mr. Plybon makes a little bit of money as well and in all honesty over the last few years that contract dollar amount to the city has actually continued to go down over that time as well. The Health Department codes and requirements have continued to increase and as a result a lot of folks don't think it is worth the time.

Hamsher: Has Mr. Plybon indicated whether he is wanting to continue?

Wheeler: Yes sir he has. He actually called today just to check in and make sure we are aware he would like to continue to provide that service.

Hamsher: You said you are going to call a couple others?

Wheeler: That is our protocol. We actually have a list of those that have either applied in years past or that have expressed interest. We typically call them just to make sure and see if they are interested. If they are interested, we ask that they submit a bid into us and we go from there. As I mentioned, over the past I think three times we have had no one else interested, but Mr. Plybon.

RESOLUTION 5-10

Leathers moved and Aspiras seconded that Resolution 5-10, a resolution authorizing the Safety-Service Director to file an application and enter into an agreement and/or agreements with the Ohio Department of Natural Resources to become eligible for financial assistance for public recreation purposes, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

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Wheeler: As Mr. Aspiras mentioned earlier, this is the resolution 5-10 which grants us permission from Council to move forward on our Nature Work Grant application for the dog park. That application is ready to go. The only thing needed is this resolution.

Hamsher: It is a \$25,000 grant and it covers nearly the cost of the dog park correct?

Wheeler: Yes. As Mr. Aspiras mentioned, it is 75/25 so the City would be required to provide 25% in matching dollars and a portion of that is permitted to be provided with in-kind service, but a majority of that does have to be hard cash.

Shupp: We discussed at the meeting we had about the liability. You might just mention publicly that we are pretty secure in our liability with this project as far as dog bites.

Wheeler: That is correct. With the appropriate signage out there we should be in no further liability than we would be for any other recreational area.

Shupp: Any ruckus between two people's dogs is their financial responsibility to settle?

Wheeler: Yes, between the dog owners.

Aspiras: Just a note: We did when we met for the committee meeting, we have met a few times now, we did interact with some other communities and this is something that we have taken a couple communities and looked at some of the things they have done. To address Mr. Shupp's concerns, there are Ohio Revised Codes that address some of those things and these other cities that we looked at did adopt some of those codes. We are obviously going to have to put ours together, but it is pretty much standard out there. Liability is to the ownership of the dogs.

Shupp: My point is that I wanted the citizens to know that we are not putting the city at risk with this project.

Miller: Just to clarify; this resolution is to apply for the grant and you are going to want this tonight because as I understand it we are right up against a deadline on it.

Wheeler: That is correct. Really it is due today so if we can approve that on first reading we can go ahead and get the application in for their consideration.

Handwerk: Just one more thing to point out that I think several of us administration wise and I know some of you council wise have heard from various people over the years about the possibility of a dog park and so we are kind of excited about looking into this, but on the other hand if the grant does not come through it is not a project that we planned on following and going forward with right now. It really depends on whether or not we get the grant.

Leathers moved and Vance 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 Aspiras seconded that Resolution 5-10 be adopted as read. Roll call vote. Ayes all. Motion carried.

Director Wheeler presented the Annual Report for the Safety-Service Department.

Good of the Order: None

Shupp moved and Leathers seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 8:20p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council