

Regular/Public

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Prior to council's regular meeting, public hearing was held regarding Ordinances B-07 and C-07. President Handwerk swore in Becky Jewell who desired to speak regarding the Ordinances to be discussed.

Ordinance B-07 & C-07 discussion began at 7:30 p.m.

Handwerk: Are there any questions or concerns about either one of these two ordinances?

Purdy: I would like to go ahead and read what these ordinances are just so everybody is familiar with what this public hearing is all about. The first one is an ordinance to amend Chapter 1109 of the Codified Ordinances of the City of Orrville regarding on premise exterior signs. This legislation has been designed to go three readings with tonight being the public hearing. The second ordinance is an ordinance to amend Chapter 1131 of the Codified Ordinances of the City of Orrville regarding exclusions to the Design Review Chapter. There are various changes to the Codified Ordinances maybe our Safety-Service Director can go into a little bit of detail about those changes.

Jewell: I can just briefly tell you what these are regarding. The first one as Mr. Purdy said is for exterior signs. The biggest changes in this section are the fact that we would now be permitting banner signs such as you see across the street at the Heartland Point. A banner sign could be no larger than 20 square feet and affixed to a building. The other major change that is in there is that it is going to allow projecting signs again. We had moved away from that and this would be limited to 9 square feet and project more than 4 feet from the building façade and it would have to be at least 10 feet above the sidewalk. These are the ones that are perpendicular and normally they would be hanging and swaying, something similar to that which is the kind of signs we had in the downtown before and we had moved away from that and now it is recommended that we go back to that. The Design Review Board looked at this legislation and the Planning Commission and they have made a recommendation to go back to that type of sign where it will allow banner signs and projecting signs. The other sign change is in the area of a residential sub-division. Right now we don't have any provisions for any kind of identification at the entrance to a residential sub-division and this would permit a sign with a maximum 36 square feet, maximum height of 6 feet, as long as it sits back 10 feet from the right-of-way. Those would be attached to some sort of an entrance feature. It would not be a free-standing sign. It would be attached to a wall or a fence, or some sort of an entrance feature to sub-division. So that is a change that is in there. It would also permit a non-illuminated sign to be on a vacant lot in a commercial area. This came up this year with the Farmers' Market that we had. They had to get that special variance to do that sign over there for the Farmers' market because there was an event that took place at that location. However, there was no building for which to determine how big the sign could be, so because of that that sign did not really fit in any place else. So this would permit a sign up to 32 square feet as long as it doesn't exceed 6 feet in height and it has to be 10 feet back from the right-of-way. That is a change to allow a sign for an event that would take place on a vacant lot. The other biggest change that we find is in the Section 1131 and that is the Design Review section of our code. It would permit temporary signage to be exempt from having to go to the Design Review Board as long as it meets the requirements of our code; a temporary sign permit could be issued and would not have to go through the Design Review Board. That would be the reason for the exclusion.

Miller: I was just curious, why did we go away from the projection signs in the first place?

Jewell: We went away from that I think back in the 1970s. That was the thought at the time. That you wanted to work to get all of the signs so that they were fixed flat against the building rather than projecting out. Now the thought is that that is really what makes a downtown look like a downtown, so would be to allow that on a limited basis.

Baker: I have a question on the temporary signs. When you say temporary, is there a time limit on that temporary? Is it more or less than a certain number of days?

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Jewell: A temporary sign is permitted up to 60 days every six months. They could have it up for 60 days in a six month period, then it would have to go down, and it could be placed again for another 60 days in the next six month period.

Handwerk: Any other questions? Is that all you had Mrs. Jewell?

Jewell: Yes, that is all I had.

Handwerk: If there are no other questions, we will entertain a motion to close the public hearing Purdy motion and Miller second that the Public Hearing be closed. Roll call vote. Ayes all. Motion carried.

Public Hearing closed at 7:30 p.m.

President Handwerk called the meeting to order. Pastor John Beck offered the prayer. The Pledge was recited by all.

Roll call: Purdy, Miller, Landaw, Baker, Corfman, and Leathers were present. Weaver was excused.

Corfman moved and Baker seconded that the January 16, 2007 minutes be approved. Roll call vote. Ayes all. Motion carried.

Public Comment: None

Standing Committee Reports:

A. Finance – Mr. Miller reported had no report.

B. Utilities – Mr. Landaw reported the committees of the Utility Board are meeting for 2007 final appropriations. Water Committee met last week and got their part done. Electric and Wastewater both have meetings scheduled in the next week to get that completed. Also, at the last Public Utility Board meeting the board approved building a new, approximately one and a half mile circuit to Dalton, to feed basically a new company over there and they hope to maybe pick up some other customers once that line is up.

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

D. Parks and Recreation – Mr. Purdy reported, in Mr. Weaver's absence, after our last Utility Board meeting the Parks and Recreation Committee had a meeting to discuss "Disk Golf." We evaluated the information that was presented to us and we are looking at the possibility of installing or having installed by Mr. Duxbury at least a nine-hole "Disk Golf" course on the Blackwell Williams property.

Handwerk: Would you want to elaborate on where they got the idea to do this?

Purdy: I don't in particular.

Handwerk: I know there are some of these courses up, right? I think he (Weaver) told me Massillon has one and Wooster has one and they seem to be very well attended by certain age groups. I guess people that want to play Frisbee golf. They are going to put in the equipment, correct?

Jewell: That is correct. The only thing we have to do is maintain that area similar to what we do now. We just mow it and it would be the same type of mowing, it does not have to be manicured like a golf course. They go through the trees, around things.

Handwerk: From what I understand, if for some reason this one would not catch on very well, it is not a big deal to take that equipment back out and just have everything back to the way it was.

Jewell: That's right.

Purdy: I believe he is going to be seeking funding in order to put this equipment in place.

Jewell: That's correct.

Handwerk: I know he wasn't going to ask the City for funding. That is what he told me.

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Jewell: Right.

Handwerk: Anything else on the Frisbee golf? Get your Frisbee warmed up.

E. Transportation – Mr. Baker had no report.

F. Planning – Mr. Purdy had no report, but will speak on some of the ordinances when they come up.

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

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Steiner reported he received notice from the National Arbor Day Foundation that Orrville again has been named a Tree City USA for the 27th year. This is a national recognition and you have to meet four standards to be a Tree City USA. You have to have a Tree Board or Department of Tree Care Ordinance, Comprehensive Community Forestry Program and an Arbor Day Observance, all which we do every year. I would like to thank our Service Department and our Shade Tree Commission members for keeping our tree program moving forward each year. On the 26th (January) Mr. Preising and I met with our County Commissioners here in Orrville and we discussed revising the 201 Plan with an increased utility service area for long-range future expansion outside our current limits. We also discussed the wastewater treatment concerns in Marshallville and we received positive comments on both subject and I wish to thank our County Commissioners for their time and input to us on these important issues. Hopefully we can move ahead with something here.

B. Safety Service Director- Director Jewell reported that the siren testing, with the new siren system that has been installed, the computer is programmed to test the sirens in a certain fashion so that has been set to do it on the first Wednesday of every month at noon. We used to test them on the first day of every month, but this time we are going to test them on the first Wednesday of every month. We are still in transition between the two systems and you should be hearing the new ones tested. This past week we tested them and I think we are going to test them again this week just to see if we can get them operational, everyone at the same time. My second item is to request that council go into Executive Session at the end of the regular meeting for the purpose of discussing pending litigation.

Handwerk: We will do that after your annual report.

Jewell: It could be after my annual report and we would not need to transact any business after that.

C. Utilities Director – Director Preising reported as you know the weather is pretty cold and it looks like we may set our first winter peak in the month of February, which according to my records has never been done before. Probably at the end of the month when we tabulate everything, I have a feeling these two days are probably going to be our peak. It may come close to our peak for the year if we don't have a real hot summer. The electric utility is working fine. We are selling power into the grid too at this point. Everything is good so far, so hopefully we keep it that way.

D. Finance Director – Director Leggett had just one item. At the last meeting I distributed the December Fund Report and we had some discussion about that report; however, I failed to ask council for their approval, subject to audit, and we do need to do this and need that reflected in the minutes. At this time I'd like to ask council to approve that report, subject to audit. Miller moved and

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Baker seconded that the December Fund Report be approved, subject to audit. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director Lutz had no report.

F. President of Council – President Handwerk reported that an Application for Placement of Farmland in an Agricultural District from Mr. Bill Arnold. It is my understanding that this is something that is done – is it annually Mrs. Jewell?

Jewell: It is every five years. We usually have an application from the various farms we have within the city limits. We usually have one of those that hits us every year, but it would be a four or five year period. I reviewed the revised code section on that and city council could choose to hold a public hearing and either approve, modify, or deny the application to place this into an agricultural district. However, if council fails to hold a public hearing then it would be automatically approved as of the date it was filed. In the past, council has chosen not to hold a public hearing and has allowed them just to be approved without formal approval.

Handwerk: Would it be your wishes to do this again?

Baker: Have there been any complaints about that land being used in that manner?

Jewell: There have been no complaints regarding that land being used in an agricultural district. However, it is the source of complaints regarding storage of quite a bit of items on the property.

Handwerk: Would this change that any?

Jewell: What it does is, it protects against assessments for electric, water, or wastewater services so the property could not be assessed for running those services. It also limits the use of eminent domain to no more than ten percent of the property or a certain value of the property. So there are some limitations on the use of eminent domain and there some limitations on the use of assessments. There is also a clause in there that it would be protected from some of the nuisance legislation. However, I don't think that would be affected by anything that we have in our code as far as the zoning or a sub-division.

Handwerk: The other concerns would fall mainly under the property maintenance code, correct?

Jewell: It is either under the property maintenance code or zoning.

Purdy: I think it would be in our best interest to having a hearing for this matter.

Handwerk: Whatever you folks choose to do.

Landaw: I go along with that.

Miller: It sure wouldn't hurt anything.

Handwerk: Would you like to set a date for that?

Jewell: Let me check the timing on that. The public hearing needs to be held no later than thirty days after the petition was filed.

Peppard: It was filed January 30th.

Jewell: The other part of that is we would need to publish it in the newspaper at least seven days prior to the time for the hearing. Council could set a hearing for this matter at your February 20th meeting and we would have time to get it in the newspaper with sufficient notice.

Handwerk: Reminder, that is on Tuesday, the next meeting, February 20th. Does that suit you Mr. Purdy?

Purdy: Yes, that would be fine.

Handwerk: There will be a public hearing on this farm application on February 20th before our regular council meeting.

Jewell: You should do that by formal motion.

Purdy moved and Landaw second that a Public Hearing regarding Application for Placement of Farmland be held on February 20, 2007 at 7:30 p.m. Roll call vote. Ayes all. Motion carried.

Handwerk: Mrs. Jewell, is Mr. Arnold notified by your office?

Jewell: I believe that there is some requirement in here for the Clerk to notify him by certified mail, but the Law Director and I will look through that and will get all the proper notices prepared.

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Landaw: I was wondering, since we haven't done that for several years, if that would be good to put into a committee or just to review that ahead of time or would we count on Director Jewell, maybe a memo from you to update us on some things.

Jewell: I think since council wants to hold a public hearing on this, the Law Director will have time to look through the code and he would be able to speak with you at that public hearing about the steps and how this would work exactly. Right now he has not had a chance to look at it.

Landaw: Would the neighbors be notified? The surrounding property areas?

Jewell: I believe it is only through the publication in the newspaper.

Landaw: Okay. Thank you.

Handwerk: Anything else on that? So we have a public hearing for that on February 20th before council meeting.

Old Business:

Ordinance B-07

Leathers moved and Landaw seconded that Ordinance B-07, an ordinance amending Section 1109.01, Section 1109.03, Section 1109.04, and Section 1109.06 of Chapter 1109, On-Premises Exterior Signs, of the Zoning Code of the City of Orrville, Ohio, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Handwerk: This is what our public meeting tonight was concerning. I think we pretty much talked about those as much as we need to unless anybody has anything else to bring up.

Purdy: This is scheduled to go three readings.

Ordinance C-07

Leathers moved and Purdy seconded that Ordinance C-07, an ordinance amending Section 1131.11 of Chapter 1131 of the Zoning Code of the City of Orrville, Ohio, regarding exclusions, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Handwerk: This was also at the public hearing tonight and will go another reading.

Resolution 3-07

Leathers moved and Landaw seconded that Resolution 3-07, a resolution authorizing the Director of Utilities to enter into a contract and/or contracts, without bidding, for engineering services for the installations of a new water main and declaring an emergency, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Landaw: I gave some details the last time we talked about this. I really don't have anything to add. I did not hear from folks that we needed to have a committee meeting on this or workshop or anything on this, so I hope folks are getting their questions answered. I have nothing else to say on this this evening. They don't have to be passed tonight.

Handwerk: It is up to you council.

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

Leathers moved and Corfman seconded that Resolution 3-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

Resolution 4-07

Leathers moved and Baker seconded that Resolution 4-07, a resolution authorizing the Public Utilities Board of Control to advertise for bids and to enter into a contract and/or contracts for the installation of a water main on South Main Street and declaring an emergency, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Landaw: Total project is estimated at \$648,000. There are grant dollars and loan dollars to help with the program.

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Handwerk: This will be done before the street is paved, correct?

Preisling: That is correct.

Miller: If this is out of order, just tell me. I need a clarification about something. I would like to ask the Law Director a question.

Handwerk: It is fine with me.

Miller: Why do we go three readings on these things? Is it a Charter thing? Is it looking for responses? Is it looking for discussion?

Handwerk: Time for responses and discussion.

Lutz: No. It is also Charter and as required by law. Normally you go three readings unless you suspend the rules. Which you have to do by three-fourths vote for council to be able to suspend the rules. Tonight, for example, all six of you would have to agree to suspend the rules not to go three readings.

Miller: As we did on the last one?

Lutz: Right.

Miller: So we have to make that determination as to when it is appropriate and when it is not appropriate to go three readings.

Lutz: That is right. If there is no reason to wait. Then typically like you do, we will suspend the rules and pass it tonight so you don't have legislation accumulating on a snowball effect so you have thirty pieces legislation due next time, for example. So if there is no reason to wait, it makes sense to suspend the rules and pass it.

Miller: Okay. I appreciate the explanation.

Handwerk: That is why sometimes when we have those ordinances where we are purchasing asphalt for the year or salt for the year, you know we are going to do that. There is no sense holding that, but on other ones where you might want to hear from people in your ward or wait to see if there are any comments/questions about things like that, it gives us time to make those decisions.

Miller: Okay. Thank you. I appreciate it.

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

Leathers moved and Landaw seconded that Resolution 4-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

Resolution 5-07

Leathers move and Landaw seconded that Resolution 5-07, a resolution authorizing the Public Utilities Board of Control to advertise for bids and to enter into a contract and/or contracts for the installation of a water main on West Market Street and declaring an emergency, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Landaw: The total cost of this project is \$700,500. There is again an Issue 1, zero percent loan and also I believe some matching fund grant dollars in this project also.

Leggett: No grant dollars. Just a loan.

Preisling: This is the construction portion. The last one you authorized was the engineering.

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

Leathers moved and Corfman seconded that Resolution 5-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

Resolution 7-07

Leathers moved and Baker seconded that Resolution 7-07, a resolution authorizing the Safety-Service Director to enter into an agreement and/or agreements with the State of Ohio Purchasing Cooperative to purchase one police cruiser for the City of Orrville, Ohio, or in the alternative, to advertise for bids and enter into an agreement and/or agreements for the purchase of one police

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cruiser to meet the specifications of the City of Orrville, Ohio, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Handwerk: Mrs. Jewell, anything?

Jewell: This is an annual ordinance that we purchase one cruiser or sometimes we do two, but this year we are just going to replace one cruiser. Chief Carozza is here if anyone has any questions.

Handwerk: Pretty self-explanatory I guess. The car that you are replacing, I think you said, has 135,000 miles.

Jewell: In excess of 130,000 miles, I believe.

Carozza: It is over 136,000.

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

Leathers moved and Corfman seconded that Resolution 7-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

New Business:

Ordinance D-07

Leathers moved and Baker seconded that Ordinance D-07, an 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.

Jewell: This is an annual ordinance that we do. The replacement pages look like this. What it does is it incorporates changes that are in the state law to come into our own city code.

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

Leathers moved and Corfman seconded that Ordinance D-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

Ordinance E-07

Leathers moved and Corfman seconded that Ordinance E-07, an ordinance authorizing a contract with the Board of Wayne County Commissioners for administration and enforcement of the Ohio Manufactured Homes Installation Standards by the Wayne County Building Department and authorizing an application to the Ohio Manufactured Homes Commission for the certification of the Building Department through a Certified Building Department, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: This is an ordinance that will allow us to contract with the Wayne County Commissioners for them to use the Wayne County Building Department to enforce Senate Bill 102 which became effective back in September. The Wayne County Building Department is going to be certified to do the inspection of manufactured homes. They have to be certified through the Ohio Manufactured Homes Commission. What they did was they offered to also get our certification at the same time they get their own certification if we get this information to them. It requires us adopting this ordinance which allows us to do two things. It allows us to have that code for inspection of the installation of manufactured homes and it also allows us to contract with the commissioners to do that inspection for us. They are our State Certified Building Department now as it stands. So it would make sense to allow them to also do this. There are no fees to the City of Orrville itself. The fees are all paid by the people who get permits to put in the manufactured housing.

Landaw: That fee paid by them goes directly to the county?

Jewell: Yes. It goes to the Wayne County Building Department.

Purdy: You need that passed tonight?

Jewell: It would be helpful if it was passed tonight. They will send it in along with everything they have on February 16th. They said if they have our packet by February 16th they will send it all in together. Otherwise, they will still do it, but it would mean just doing it at a later time.

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Leathers moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate dates be suspended, Purdy seconded. Roll call vote. Ayes all. Motion carried. Leathers moved and Landaw seconded that Ordinance E-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

Ordinance F-07

Leathers moved and Purdy seconded that Ordinance F-07, an ordinance accepting and confirming the dedication of a portion of North Crown Hill Road 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.

Purdy: On January 24th I received a letter from the Orrville Planning Commission in regards to the street dedication. At their meeting on January 18th the Orrville Planning Commission reviewed a request for dedication for a portion of North Crown Hill Road. The Commission voted to approve and recommend to council the dedication of this portion of roadway.

Handwerk: Any other questions?

Purdy: Has everything been constructed and finished to the satisfaction of our Safety-Service Department?

Jewell: In the case of the dedication of this roadway, it is dedicating an existing roadway, so there would be no improvements that would be required. They are building the condominiums in the Blackberry Farm Development and each one of those will have to have a certificate of occupancy prior to being occupied.

Leathers: Is this dedication just because that land was brought in in an annexation and it just was never done?

Jewell: Yes. A lot of times, well all the time, when the annexations come in the land is annexed and the road is not dedicated out of the county. So that is the reason. These usually come up as they are re-platted. The map office then requires that they dedicate that roadway and pretty much just clean that up.

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

Leathers moved and Corfman seconded that Ordinance F-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

Resolution 8-07

Leathers moved and Corfman seconded that Resolution 8-07, a resolution authorizing the Board of Control to enter into a contract and/or contracts not to exceed three (3) years, without bidding, for selected insurance needs for the City of Orrville, Ohio, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: This is not an annual ordinance. It is one we do every three years. What we do is we do this without bidding, but we do seek quotations from various different insurers. This is our property coverage, our vehicle coverage, our crime insurance, our general liability insurance, and our umbrella liability insurance. Last year we spent approximately \$45,000 for those various coverages. It does not need to be passed on first reading.

Handwerk: Does it look like it is going to be about the same amount this year?

Jewell: The other two insurance policies we have actually went down a little bit. I think the insurance market is leveling out a little bit right now. So I would look for it to be about the same or maybe even a little bit less.

Resolution 9-07

Leathers moved and Landaw seconded that Resolution 9-07, a resolution to support development of Orchard Glen, a proposed single family home lease purchase tax credit development located in the City of Orrville, Ohio, be placed on first reading. Roll call vote. Ayes all. Motion carried.

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Jewell: This is the WODA group that is asking for a resolution of support. WODA does have a representative here this evening who can answer any questions and I believe he would like to read just a short statement.

Ian Maute – WODA Group: I would like to say thank you for allowing me to speak. Last year two gentlemen from our group, Tom Simmons and Jeff Woda, addressed council regarding the same development. Orchard Glen is a 32-unit, single family, lease purchase community. Our attempt last year for funding was unsuccessful, unfortunately. But we are applying again this year. There really are no changes to the plan. Our application is going to be submitted pretty much identically to the way it was last year. Also, Jeff and Tom do apologize for not being able to make it. They had prior commitments that they could not rearrange. Basically the reason I am here tonight is just to inform you that we are going to submit it again and ask again for a resolution of support. Also to answer any questions you may have. There may be a question or two that Tom or Jeff would be better suited to address and if that is the case they would be happy to attend your next council meeting. That is all unless you have further questions.

Miller: Did you say that they funding you went after was denied?

Maute: Right.

Miller: Why was that?

Maute: The way the tax codes are allocated, the Ohio Housing Finance Agency (OHFA) is the allocating agency. Last year there were roughly 140 applications for funding. Developers from all around the state submitted applications for this pool of money. I think it was 32 received funding. The way it was set up last year, every application that met their threshold minimum criteria their name was written on an index card and it was put into a box and the allocating agency pulled cards out of the box. It was essentially a lottery system. If you were one of the fortunate first 32, you got a piece of the pool to do your development. If you were after that, you didn't. Unfortunately, Orchard Glen was not in the first 32. This year their process has been completely overhauled. There is no more lottery system. Which is good. It is much more subjective this year. They are going to look at each application more closely. The resolution of support does weigh more heavily this year. They like to see there is community support and local support for the project. They are going to come out to the site and look at it. They are going to look at our market study which we will have done by a third party independent market study firm. We think this year we have a better chance than just a random draw. We feel confident that our application will be able to stack up well against others from around the state.

Mayor Steiner: Is this information you gave us pictures of house that you have built?

Maute: Yes, those are examples of the kind of homes we are proposing to build here. They are neo-traditional style. Those are in communities in St. Clairsville and also Washington Courthouse.

Mayor Steiner: It appears some have double garage. Are most of them single garage?

Maute: This year all will have double garages. It is a requirement that the state has mandated, so they will all have two-car garages.

Mayor Steiner: This development will have a community building for the residents?

Maute: Yes it will.

Mayor Steiner: What size building is it that you normally put up? Do you go by the zoning or do you build something they can actually use.

Maute: I believe for this community it is going to be between 1200-1400 square feet. It will include an office for the manager, a kitchen, and a laundry facility, as well as, a common area where they can host Tupperware parties, bible studies, birthday parties, anything.

Miller: You guys probably recall, I went down to Westerville last year and took pictures and shared them with council. It is a nice area and I think it would be a good addition to our community. I think we all agreed on that when we looked at it last year. Just a reminder about that.

Jewell: Kristin Endsley and I also went down to St. Clairsville and looked at one of the developments that they have down there with the neo-traditional homes. The pictures that you see here do represent the homes we looked at. We looked at several different styles. All the homes in that

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development looked as they are portrayed here and we did go inside them also. They are energy efficient; some of them are handicap accessible. We felt that what they are representing here is indeed what they do build.

Handwerk: Have your previous developments seemed to, after a few years, keep good quality?

Maute: Yes. Our name will be on the sign. We will not only develop and build; we will own them down the road. We will manage them. We have WODA Development and we have WODA Construction which is the general contractor who will build them and then we have WODA Management who manages the units. So we have a vested interest to keep the upkeep well and keep them appearing nice for the time period we own them, which will be at least fifteen years.

Landaw: Are you proposing any handicap accessible homes? Out of the 32 units, how many would be handicap accessible.

Maute: I can't remember of the top of my head, but there is point item, I believe it will be 10%.

Landaw: I see for Orrville you have brick veneer and vinyl siding. I assume that is probably just around the top of the basement block probably?

Maute: Right.

Landaw: That is it for the brick?

Maute: Yes. As far as I know right now. Like I said, the plan right now is preliminary. I can provide more information down the road. I can also leave my card for anybody that would have any questions.

Mayor Steiner: If you do receiving funding, is this total unit going to be developed or are you going to do it in phases?

Maute: It will all be built at once. If we receive funding, what we will do is request that we can use either the City Building or perhaps the library to have a plan day and we will have a bid day for contractors for different trades...framing, masonry, stuff like that. They will all be built at once. Obviously some will be further along than others on the interiors, but it is not going to be done in phases.

Handwerk: Any other questions.

Maute: Thank you.

Handwerk: Thank you for coming tonight.

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

Leathers moved and Purdy seconded that Resolution 9-07 be adopted as read.

Purdy: I would like to ask one more question. I just wanted to make sure as when we did this before. This is for them to go for funding. If there is some questions or problems or concerns that come up with the development that can all be reconsidered later. At this point, this just gives them the go ahead to go to the state.

Jewell: What this does is gives an endorsement of their application from the City and they still then have to come back and go through the Planning Commission to go through that process of preliminary review, construction, and then final approval.

Maute: Essentially it is moral support. As we move forward and if we do receive funding we will ask for it all permitting Mrs. Jewell explained.

Landaw: I just wanted to make sure. I knew that is what we did before.

Roll call vote. Ayes all. Motion carried.

Safety-Service Director Becky Jewell presented the 2006 Annual Report for the Safety-Service Department.

Good of the Order: None.

Handwerk: We need a motion to go into executive session for the purpose of pending litigation.

Regular/Public

February 5, 2007

Leathers moved and Baker second that council go into Executive Session to discuss pending litigation. Roll call vote. Ayes all. Motion carried.

Council entered into Executive Session at 8:57 p.m.

Landaw moved and Miller second that the Executive Session be adjourned. Ayes all. Motion carried. Executive Session was adjourned at 8:58 p.m.

Miller moved and Baker seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 8:59 p.m.

Tamra Peppard, Clerk of Council

Date

Dave Handwerk, President of Council