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President Baker called the regular meeting to order. Mr. Bruce Smucker offered the prayer. The Pledge was recited by all.

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

Corfman moved and Aspiras seconded that the minutes of the January 18, 2011 regular meeting be approved. Roll call vote. Ayes all, except Shupp abstained. Motion carried.

Public Comment: None.

Standing Committee Reports:

- A. Finance – Mr. Miller was absent.
- B. Utilities – Mr. Vance had no report.
- C. Health & Safety – Mr. Corfman had no report.
- D. Parks and Recreation – Mr. Aspiras had no report,
- 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.

Administrative Reports:

A. Mayor - Mayor Handwerk reported Paul Skidmore is the February Employee of the Month. Paul works at the Power Plant as a Chemist. Paul's primary responsibilities include maintaining proper water chemistry for the generators that supply steam to the electric generators. In addition, Paul oversees the operation of the plant's wastewater treatment facility; manages all hazardous waste programs; and works on a variety of special projects. Paul is married to Courtney and has four children. Paul is a very versatile person and plays an important role in the safe and efficient operation of the power plant. Second, I would assume most everyone has received a letter from Armstrong Cable that their rates are increasing. I didn't think it was real clear in the letter, so I did call up to Medina. The previous rate for basic cable was \$53.95 and it will go to \$56.45 which is \$2.50 increase. My understanding from talking to Karen Troxel was that if you were a customer that has all three services from Armstrong – in other words cable, internet, and phone – that you would not incur that \$2.50 increase. I don't know how many people that involves in Orrville that have all three, but my understanding is that if you do have all three you will not see that increase. Lastly, I would like to bring up the point that everybody knows we are experiencing a very tough winter with one storm after another this year. The snow and ice have been relentless to say the least. I appreciate the fine job that our Service Department has been doing on the streets and also the hard work of our Distribution Department in the horrible weather conditions during the ice storm. They were also out all night taking care of incidents all over the area to help keep our power on. I would say that during these types of storms we can be thankful for the foresight of our Utilities Director, Jeff Brediger, and our tree trimming program with AMP. Without that program I think we could safely say we would probably many times be sitting in the dark like a lot of people were around us last week. I

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also want to thank those citizens and businesses and industries who have been doing their best to keep the sidewalks clean this winter. It has been tough with one snow after another and then last week's ice storm presented a whole new set of problems. After the ice hit it was actually safer just to let that little bit of snow we got the next day on the sidewalks then it was trying to keep that cleared. When that is the case that is just a better thing to do. I even had one resident apologize because he lives on a street with a very narrow tree lawn and he said "I have tried to keep it cleaned off, but the plows come by and cover it back over and when that ice hit he said "I just can't get it off". I assured him it is very understandable reason and we certainly appreciate his effort in trying to do that, but the streets have to take first priority and as I said our guys are doing a good job keeping those plowed, but unfortunately with the narrow tree lawns it does come back on the sidewalks in those areas. Once again, thanks to those who have worked hard this winter keeping the sidewalks clean. A special thank you to the folks who have been doing such a good job on their sidewalks. We understand that there are many who are physically unable to do so and if you are one of those people who are not only doing yours but helping your neighbors or helping somebody else we certainly thank you for doing that. That helps out a lot. We do have a number of people, citizens and businesses, who have not done much at all with their sidewalks this winter and I would like to just remind people that as a property owner that is your responsibility to try to keep those clean. That has been brought to my attention by several different people that are avid walkers around town. I am not talking about last week with the ice storm. That was a pretty weird circumstance and not much you can do about that. But just the normal snows that we are having. If you drive around town there are places you can see by the level of the snow that those haven't been touched all winter. People need to realize that is their job to do that. Thankfully only a few more weeks and possibly we will be able to start seeing the end of the snow for the winter.

B. Safety Service Director- Director Wheeler reported that as everyone has lived through it, it has been a busy winter so far. We have received a lot of positive feedback regarding the Street Department and the work they have done on the streets. With that work comes a cost associated. To date we have ordered 1100 tons of salt as compared to 900 tons in all of 2009 and 2010. We have stayed within budget so far, but that is a 20% increase over last year so kudos to them for the good job and hopefully the snow will slow down for us and we will be able to stay pretty close in line with last year. Speaking of winter storms, if you have any winter storm debris such as limbs, please contact our Service Department at 330-684-5060 so they can come out and pick up your limbs and debris after you place them by the road. Mayor Handwerk did swear in Doug Miller today as a part-time police offer. Doug is an Orrville High School graduate and we welcome Doug to the department. Hamsher – I want to pass on my congratulations, as you mentioned Mr. Wheeler, a lot of residents have come to me and commented with the street department keeping the streets clean. Even with the ice last week they are on top of it. They are doing a bang up job. Please pass my congratulations and thanks to Mr. Cross and his team.

C. Utilities Director – Director Brediger reported he will have a few details concerning a couple of the resolutions that are coming under new business. The only other item is all the departments are busy working on their final appropriations. We do plan on scheduling some committee meetings the early part of next week. There will be a workshop on March 14th following the Utility Board meeting.

D. Finance Director – Director Strimlan reported the Year End Investment Report was distributed prior to tonight's meeting. It does not require any action from Council; however, our investment policy does require that distribution and the minutes reflect that it was distributed. I also distributed the Fund Balance Report for December 31, 2010 and I would ask for a motion from Council to approve that report subject to audit. Motion by Vance seconded by Hamsher. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director VanSickle reported we are going to be voting on an ordinance today to nominate and select the citizens for the Charter Review Commission. I have a letter that is ready to

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go out to each of those individuals after tonight's ordinance has been voted on. I am looking at about the second Monday in March would hopefully be a good time to get everybody together to have our initial meeting to get that process rolling. Also, I would draw your attention to Ordinance B-11 under new business when we vote on that ordinance. Under Section 3 instead of the ordinances being included being listed as Exhibit A they are referenced as being on file at the Safety Service Director. So Section 3 will say "that the complete text of the sections listed above are set forth in full in the 2011 replacement pages to the Codified Ordinances which are available for inspection at the office of the Safety Service Director, 207 North Main Street, Orrville, Ohio. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein." That is just a small change to Section 3.

Handwerk: Mr. Brediger did you say March 14th would be a workshop after Utility Board?

Brediger: That is what is scheduled right now.

Handwerk: I was just listening to Mr. VanSickle and we might already have a conflict if you were going to try that Monday for our charter review.

Leathers: That is our special meeting for second reading and workshop afterwards.

VanSickle: So we need to come up with a different date?

Baker: Yes. It sounds that way. We are running out of Mondays real quick. The next available Monday, other than a council meeting, is March 28th.

Vance: Before we do that, is there a need for a workshop that day? I know it is listed as a possible workshop. We have already been through the preliminary appropriations.

Strimlan: We could alter the workshop. There is not a necessity to have a final appropriation workshop. But we do have to have a second reading, but a workshop is at the request of Council.

Vance: Is it essentially the same as our temporary appropriations?

Stimlan: We will be making some modifications.

Wheeler: There will be some modifications and there will also be some modifications in the Capital Budget that I definitely want Council to be aware of as well. I don't expect it to take a significant amount of time.

Vance: Perhaps we could a lot 20-30 minutes for that.

Strimlan: We could prepare a recap and send it ahead of time so that you are aware of what those changes would be and you could submit any questions ahead of time. We could make it a brief meeting and then we could go right into the charter review.\

Vance: We could do that for every meeting that would be great.

Baker: So we would have our special meeting of Council and then a possible workshop and then after that we would have the Charter Review Commission meeting.

Peppard: Would that be at approximately 7:30 because he will have to put the time on the letters I assume.

Baker: Yes.

Shupp: One of my people can't be there. Is that a problem?

Baker: With having eleven people, I am sure no matter what date we pick there may be some person that may not be able to be there. If they can't be there on that first night, this is going to be more of an organizational meeting. The next meeting would be set after that meeting.

F. President of Council – President Baker reported there is one item from our Clerk.

Peppard: We have received an application for a liquor license renewal from CVS at 415 North Main Street.

Baker: I also would like to congratulate our Service Department for the way the streets were kept clear. I know there was a lot of hard work that went in there and also with our Utility Department. I deal with a lot of people that do not live in this area. They live out of town and some in states that are far away from here. I got a phone call last week and the gentleman says well you are at work and I said yes I am at work and the comment – he was from Illinois – and his comment was well nobody is working here. But he was really surprised that we were and he said I think you are the only foundry in the world that is open today. I am sure that there was another one someplace, but there was not

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another one in Ohio or that he had dealt with. So thank you to all of our workers that made sure that we had power and clean streets.

Old Business: None.

New Business:

ORDINANCE A-11

Leathers moved and Aspiras seconded that Ordinance A-11, an ordinance appointing members of the Charter Review Commission and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Leathers moved and Hamsher 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 A-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

ORDINANCE B-11

Leathers moved and Corfman seconded that Ordinance B-11, 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.

Leathers moved and Hamsher seconded Ordinance B-11 be amended as Mr. VanSickle described in his report.

Leathers moved and Corfman 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 B-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 1-11

Leathers moved and Corfman seconded that Resolution 1-11, a resolution endorsing the Ohio General Assembly to renew the Ohio Historic Preservation Tax Credit, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Corfman: We do this about every two years I believe. It renews and endorses the historic tax credit for downtown buildings. Keeps the main street alive too. I recommend we pass this on first reading so they can get this in on time.

Aspiras: Have we submitted an application.

Corfman: Yes. It goes through Main Street Orrville. We have to endorse this.

Leathers moved and Shupp 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 1-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 2-11

Leathers moved and Corfman seconded that Resolution 2-11, a resolution authorizing the Director of Utilities to contract, without bidding, for the replacement of Electric Distribution Truck #39 with a truck which meets the specifications of the City of Orrville, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Hamsher: Mr. Brediger, this truck has been in the budget?

Brediger: Yes.

Shupp: Do we have any idea of the cost of this truck?

Brediger: Between \$150,000 and \$160,000. This has the new diesel engine, urea engine in there that probably adds another \$15,000-\$18,000.

Shupp: Is there any reason why we are doing a no bid on this?

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Brediger: We are still taking bids. We are just foregoing the formal bidding process. We only have about three qualified vendors out there and we will be soliciting proposals from all three of these.

Shupp: So you will be getting quotation.

Brediger: Absolutely.

Shupp: I like hearing that.

Brediger: When we spend this kind of money that is what we do.

Leathers moved and Corfman 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 Resolution 2-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 3-11

Leathers moved and Aspiras seconded that Resolution 3-11, a resolution authorizing the Safety-Service Director to enter into a contract and/or contracts to provide for a Job Creation Income Tax Credit for the Will-Burt Company and its subsidiaries, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: The details of this agreement are Will-Burt has acquired a company out of Alaska. Mr. Scott Hinterleiter is here. He is the Director of Marketing Business Development. He is here to answer any questions you have or give you details of the project if that is something you would like to here. The agreement itself is a guarantee of 25 jobs with \$1.4 million in annual payroll with a 10% annual job creation credit or an estimated \$1447 per year for a period of six years which amounts to about \$8600. Will-Burt agrees to stay in business two years for every one year of the agreement so it is for a period of 12 years. The State did approve their side of the agreement a week ago today. Corfman: This, like many others that we have done, we have to pass the income tax credit for the State to take affect.

Wheeler: That is correct. We are required to make some sort of match and the 10% does meet the State requirement in order for them to approve their tax credit. That is typically one of the questions they ask us when they are approving their credit.

Vance: I like these agreements. The commitment we are making is not nearly as great as the one the State makes. So a small concession on our part allows a company to receive a much larger benefit from the State. The great thing about these is there is a minimum number of jobs the company is committed to create, a minimum number of years. The benefit is tied to the number of new jobs that are created. Here we have a commitment to create another 25 jobs, almost \$1.5 million in salary every year so it is a great situation for us and for Will-Burt. We are very excited about it.

Aspiras: I might be getting a little ahead of the game here. I know we haven't even voted yet. I just wanted to ask, I know these jobs according to the memo Mr. Wheeler sent out they are coming from a facility in Alaska and they are moving it here to the State of Ohio assuming everything goes fine. But is there any information out there today or in the near future for these 25 jobs that Orrville citizens can take advantage of as far as application.

Wheeler: I would ask Mr. Hinterleiter to answer that question.

Hinterleiter: It is a total of 25 jobs over the three years. A few people are being relocated from Alaska, but the predominance of the new addition will be hired locally. We are not relocating 25 people. It will probably be 4 or 5 people that we bring from Alaska. The rest of the job creation will be local.

Aspiras: Is that going to be direct with Will-Burt or working through an agency as far as Orrville citizens interested in employment.

Hinterleiter: We would advertise locally. We typically advertise on our website and we take applications at our Human Resource department.

Shupp: Is there a problem with this going all three readings on this or would you prefer that we suspend it.

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Wheeler: There is not an issue at all with going all three readings. Will-Burt is ready and willing to move forward with the hiring so the quicker we do that the quicker we move forward with the process.

Leathers moved and Shupp 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 Resolution 3-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 4-11

Leathers moved and Corfman seconded that Resolution 4-11, a resolution authorizing the Director of Safety and Service to enter into a contract and/or contracts with GIR Holdings LLC, and the Will-Burt Company ("Will-Burt"), permitting Will-Burt to assume the rights, benefits, duties, and obligations of Round Top Window Products, Inc. under the Enterprise Zone Agreement dated December 26, 2006, between the City of Orrville, GIR Holdings LLC, and Round Top Window Products, Inc., and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This agreement was originally signed in 2006 with GIR/Round Top Windows and this agreement has continued into affect since that period of time. Obviously with Will-Burt coming into that building and assuming the guarantee of the 25 jobs, which actually exceeds the original agreement's guarantee of 21 jobs, this is a transfer over so that it is in their name as well. This agreement has continued into effect even though Round Top did not meet their commitments over the period of time in order to ensure the property would be marketable during that period. The original agreement guaranteed a \$1.4 million investment on GIR's behalf in regards to the construction of the property. Obviously they met that original guarantee within that agreement so they have done their part in the agreement.

Leathers moved and Corfman 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 Resolution 4-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 5-11

Leathers moved and Aspiras seconded that Resolution 5-11, a resolution authorizing the Director of Utilities to contract, without bidding, for the removal and abatement of materials containing asbestos from the former Rosemount buildings, located at 1201 North Main Street, Orrville, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Brediger: A little background on this for those who attended the last Utility Board meeting. On the 24th the Board passed a resolution for the abatement of asbestos and other hazardous materials inside the former Rosemount buildings and that estimate was based on a preliminary audit or survey that was done at the time. We have since then received a formal audit back and the scope of the materials has greatly increased. We are now estimating this abatement work to be in the neighborhood of around \$120,000. The main item on here that we weren't anticipating is the glazing that holds in all the glass on those buildings. The majority of those former glass windows have been covered up with siding. They are predominantly located on the south building, but there is a very small percentage of asbestos in that window glazing. We probably have 400-500 windows in there that have to be removed and the glazing material properly handled and processed. That alone is probably going to amount to close to 60% of this abatement work. We are asking that this resolution be passed on first reading tonight. We have a contractor that is currently mobilized. If you recall, we received a great opportunity from the demolition contractor that has been taking down the two schools for the City. In order to continue some harmony with his construction schedule and for him to keep that very attractive demolition price we are needing to expedite this asbestos work and keep that all on schedule. We have a contractor that is already on site. He has been in doing the work on the north building and will be in the process of preparing to demo that north building here in another two weeks. We will probably have about three weeks to spend in the south building and most of that

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will be dealing with the windows. In addition to the windows, there is a great deal more floor space that had to be pulled up and removed. Not only did we have tens of thousands of square feet of floor tiles, but the adhesive that they glued the floor tiles on to also has to be removed and that is a shot-beading process. You don't just go in there with paint scrapers and scrape this stuff up. Very labor intensive process, but none the less regardless of the timing of the demolition of this building this abatement work would have been done whether or not we are demoing the building next month or next year. That is about the story on this thing. We did have a special emergency Utility Board meeting last Friday and brought our full board up to speed on this and they have recommended this resolution go to Council. Funding is not a concern. We did not have this budgeted, but funding is not a problem for this project.

Vance: Just to kind of give a little background on the demolition of the building itself. When we were asked to approve the purchase of the building it was to possible uses were going to be controls for the power plant or perhaps bagging of some kind of pollutants or something in the building. Now we are demoing it.

Brediger: The original purchase of that property was solely for the property. We had no interest in the buildings. The buildings were never earmarked for future work. We wanted space. That investment in that Rosemount property was purely for the property adjoining the plant itself. We had hoped to be able to market one or both of the existing properties to sell those off or maybe even partition some of the property, but the property that was most valuable to us was the southern part of the Rosemount property and to allow for expansion of the possibility of future control systems. We never had any intention of utilizing any of those buildings for utility usage.

Shupp: I actually thought we were going to try to use those buildings. I thought we were going to build a new control room in one of the buildings at the time. I think Mr. Vance was right when he brought that up.

Brediger: No. There was some talk a couple years or so ago about the possibility of relocating some utility offices there, but we have never had any discussions about new controls, new environmental control systems ever on there. If anything, there was a discussion on the possible renovation on the north building and relocation of some utility offices and services to a more central location.

Corfman: I remember the most specific reason for buying was to get the area for possible future controls and the attractive price that we would have it available for future controls. If we used the office space, it would be an extra if we had that opportunity. It hasn't really shelled out that well for us. The abatement has to happen.

Brediger: We have had that property listed. Mike Hedberg, our Marketing Director/Economic Director has entertained a few offers on there. We have had a few interested parties. Those buildings really aren't very conducive to any sort of manufacturing any sort of refurbishment. The properties were the value of that. We had no interest in any of the structures, especially that south building. That building is a combination of multiple buildings that have been added to and expanded over the years. They don't lend themselves to very much use.

Handwerk: I might add that the only interest we did have the last few years, serious interest, was in the land. Somebody was interested in purchasing the building and then they were going to tear it down anyway to build their own building. As Mr. Brediger said, the buildings themselves haven't really been of much interest to anybody even people that were interested in the land.

Aspiras: Assuming the demolition goes and we are sitting here with a clean piece of land, what are the short term and long term goals for this land?

Brediger: Green space. We have no short term needs for any further development of that property. It is a liability for us right now, insurance liability. We have had a number of break ins on that building. Long term it sort of depends on whether there is any environmental expansion needs for the facility.

Aspiras: Just as the Mayor said, at one point we almost had a client come in to purchase that land and they were going to demolish the building and I assume put up a business.

Handwerk: That was more of the north end.

Brediger: They had interest in the northern part of the property at that time.

Aspiras: Is that still an option?

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Brediger: The property will always still be available. If we get these buildings out of here, actually if you ask Mike there will actually probably have more valuable resource on our hand at the end of the day to market that now that those buildings are gone. You can envision your building being on a vacant lot versus trying to have it stuck in the middle of an existing building. We would still have an interest in parceling off some of that property.

Leathers moved and Hamsher 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 Resolution 5-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

Mr. Wheeler presented the Safety-Service Department's annual report.

Good of the Order: None.

Corfman moved and Shupp seconded to adjourn the council meeting. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:34 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council