

Regular/Public

March 15, 2010

President Baker called the regular meeting to order. Pastor Randy Gehres of Christ United Church of Christ offered the prayer. The Pledge was recited by all.

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

Aspiras moved and Hamsher seconded that the minutes of the March 1, 2010 regular meeting be approved. Roll call vote. Ayes all. Motion carried.

Corfman moved and Aspiras seconded that the minutes of the March 8, 2010 special meeting be approved. Roll call vote. Ayes all. Motion carried.

Public Comment:

Rod Steiger, 2410 West High Street, Orrville. I am here tonight representing Dunlap Community Hospital where I am the President and CEO. In attendance, as well, from the hospital is Becky Jewell who is the chairperson of the Board of Directors. I am here really to talk about Ohio House Bill 1 which is a 2010-2011 Ohio bi-annual budget. Dunlap Community Hospital's board and management need your help to voice opposition to our State legislators and our governor relative to an unfair tax on hospitals in the State of Ohio. In October of last year Ohio began taxing hospitals. There are 175 hospitals in the State of Ohio. 169 are not-for-profit. Dunlap is a not-for-profit hospital. This tax is not on revenue, not on profits, not on property, nothing of value. It is on expenses. The State is taxing all hospitals on expenses including Medicare and uncompensated care. So what this means really is a working tax for patient care. We already subsidize those people within our communities who cannot pay; elderly, disabled, as well as charity care. The State needed \$718 million to balance the State budget. With that money they went to the federal government and received a \$1.8 billion match for Medicare funds. But they kept the \$718 million. There is a formula to reimburse hospitals. It is a rather complicated formula based on patient mix. As far as the \$578,000 franchise tax that we will pay we probably, over this year and next year, might get \$230,000 to \$240,000 back. But this tax couldn't come at a worst time. As you know, the economy and many people are still laid off. Over half of the 175 Ohio hospitals have already laid people off. If this tax burden continues, I guarantee there will be more lay offs and people out of work. Coshocton hospital, just down the road, recently announced they had laid off 44 people; cut salary personnel by 5%; discontinued their 3% match in their pension; and increased healthcare costs to their employees from 5% to 15%. They have also cut out several services they provide. It is combination of this tax burden as well as the economy. For Dunlap in 2009 we saw an increase in charity care of \$400,000 and for the year it was \$1.3 million, plus another \$2.2 million in bad debt that we had to write off. We cut expenses. We know we have to be more efficient. We cut expenses approximately a half million dollars; did not lay anyone off, but certainly there can be no promises for the future. We have to do what we have to do to survive in this community. I am here tonight to request a resolution by the Council, signed by the Mayor, voicing an opposition to this tax and send the resolution to the Governor, Representative Amstutz, and Senator Gibbs. A copy of a similar resolution by the City of Middleburg Heights, Ohio I believe Dan Lutz has as a sample. Many counties and cities across the state have done this. As you read in the paper a couple weeks ago, Holmes County Commissioners already stated their opposition to it; Wayne County Commissioners have sent letters to our legislators voicing the same opinion; and we have further recommend that three things be contained within the resolution. One is subtract the cost of Medicare from the tax base. Also, subtract uncompensated care from the tax base and reduce the tax rate from 1.61 to 1.5. That will save Dunlap approximately a couple hundred thousand dollars. Several of you I see are looking at the handout that I passed out. That does provide a lot more detail than what I verbally presented to you this evening and certainly might answer any questions you might have.

Regular/Public

March 15, 2010

Baker: Does anyone have any questions for Mr. Steiger? I see no questions. Thank you, Mr. Steiger. Hopefully, we can work out something to where this tax can be remedied.

Steiger: I certainly hope so for all the people in our communities and keep jobs in our area. Thank you for your time.

Standing Committee Reports:

A. Finance – Mr. Miller reported the Finance Committee met last Monday (03/08/10) after the special meeting for the second reading of the final appropriations. The purpose of the meeting was to hold a workshop concerning the appropriations. They were reviewed in detail and council's questions were hopefully answered and tonight the appropriations will go on third reading and we will vote when that happens. Also, at this time I would also like to address another financial matter concerning the City. Upon some further research and there appeared to be some discrepancy in the Law Director's comparative salary information that we were provided concerning the other resolution that is coming up tonight on third reading and Mr. Lutz, to his credit, sent council an e-mail last Thursday recommending the legislation be postponed until he could update the data. No maybe I am the only one and maybe this is old school, but I don't normally use my computer over the weekend because I turn my attention to other things, so I was quite surprised today when I checked my e-mail about 5:00 and found another e-mail then from Mr. Lutz that was sent Friday afternoon that included information that was gathered in the 24 hours since the previous e-mail and based on this information Mr. Lutz withdrew his recommendation to postpone the legislation. The info was very involved and I actually took a look at it late and I for one have not had a proper opportunity to review this data and I doubt I am the only one. I am not at all sure how it compares to the old data or what all changed in it. So therefore, I want to make the motion to postpone this resolution to an indefinite date so any new or updated data concerning Law Director's salary can be reviewed. Shupp seconded the motion. Roll call vote. Ayes from Miller and Shupp. Nays from Vance, Hamsher, Aspiras, Corfman, and Leathers. Motion denied.

B. Utilities – Mr. Vance had no report.

C. Health & Safety – Mr. Corfman had no report, but for the health and safety of the City the Riders basketball team is still playing next week.

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, but scheduled an Ordinance and Personnel meeting for Monday, April 12th, after Utility Board. Topics of discussion will be proposed changes to council rules and salaries of Council, Mayor, President of Council, and Utility Board for their annual review.

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk congratulated Dennis Raber who has become a State Champion in Wrestling since our last meeting. Certainly, congratulations to Coach Budd also for a great wrestling season. Along those same lines, congratulations to the Girl's Basketball team. Although their season has ended, they had a very good season this year and Boy's Basketball team still playing and plays Wednesday night and good luck to them. Also, I wanted to mention that our Employee of the Month

Regular/Public

March 15, 2010

for March is Melissa Lehman. Melissa is the Administrative Assistant to the Human Resource Department. Melissa began her career with the City of Orrville in 1988. In that time she has become an invaluable asset to the City. Melissa fields questions concerning employee benefits, payroll, and regularly acts on employee's behalf with insurance claims. Melissa also administers the City's Family Medical Leave program helping employees find piece of mind when they need to be off for an extended period of time because of sickness or illness. Melissa recognizes the importance of our employees and their families and make sure they get all the attention they deserve. In addition to the many duties she performs for the employees of the City, she is also the receptionist at City Hall and Melissa greets all visitors to City Hall and answers phones at the City's switchboard with a genuine smile. When a citizen's question concerns trash pickup, fireworks, garage sale permits, or hiring she is there to ensure they get the help they need. Melissa is a solutions person and is constantly looking for ways to improve. Phil McFarren, HR Manager for the City says that "my recent transition into the City would not have been possible without the incredible contribution of time and effort that Melissa has put into that. She always goes the extra mile to be sure that the job is done and done well and she has been a priceless member of our team." So we want to congratulate Melissa and she has chosen to eat at Senor Pancho's this Thursdays. The other thing I wanted to mention, and I mentioned this at our last council meeting, is just to continue to remember the U.S. census. Everyone should be getting this information sent to their homes this week actually. Please just remember your response is very important. Results from the 2010 census will be used to help each community get their fair share of government funds for highways, schools, health facilities, and many other programs you and your neighbors need. Without a complete and accurate census your community may not receive their fair share. A couple other things about the census; 2010 census is one of the shortest in history and impacts the federal funding of key programs and facilities in Ohio. When the short form arrives please fill it out. It should take you about 10 minutes; there is only 10 questions to that form and mail it back. Your participation is vital to help in all those areas. Also, one last information bit about the census. There have been some concerns about scams, which as with other public efforts there is always a possibility of people trying to take advantage of certain people. One thing you need to be aware of is that the Census Bureau will never send you anything that asks for a social security number, money, or a donation or pin code, passwords, anything you might have from a credit card or bank. So if anybody is asking you that type of information, you are being scammed. The safest thing to do is when you get the census information in the mail just fill it out and send it back in then you are done with it. The only reason you will be called at your home or be visited at your home later on is if they do not receive anything back from you they will send people out to check and see if you still live at that residence or if there is anybody there. Simplest way is to fill it out and send it in.

B. Safety Service Director- Director Wheeler reported the Street Department has been out filling potholes over the last few weeks. As you would expect, the long winter had taken a toll on some of our roads. We do encourage everyone to use caution when driving. Particularly our concrete roads have seemed to have fared the poorest over the wintertime. So please do use caution when using particularly Hostetler and Mineral Springs. Also, we did get a few phone calls last week in regards to J&J Refuse starting a little bit earlier than their 7:00am time. That has been addressed again and I do think we won't have to be concerned with that any more. Also, Wednesday, March 24th, at 9:50am we will do our annual tornado siren testing.

C. Utilities Director – Director Brediger had no report, but wanted to update Council on our efforts with the EPA rule making. We continue a lot of legislative efforts on that front. We have a couple weeks while that rule is in the hands of the EPA Administrator to hopefully sway some relief into this upcoming rule making. We have had a lot of conversations with Senators Voinovich and Brown and they seem to be pretty much on board in support of this effort. We are not to sure where Congressman Bocchieri is at right now. He is not quite up to speed with us at this stage of the game,

Regular/Public

March 15, 2010

but the rest of our Ohio support as well as many other state's senators and congressmen are working pretty hard to get a little bit of relief into this rule making. Over the next two or three weeks we will see how this thing formulates and as this rule comes out later on this April we will have a little bit better indication on what the hole impact of this is. We may be reaching out a little more to our elected officials and some of our business community. We have had letters of support written by the Orrville Chamber of Commerce, Quality Casting, and The J.M. Smucker Company

D. Finance Director – Director Strimlan had nothing to report; however, we do have final appropriations on third reading tonight and I will address that legislation when we get to it on the agenda.

E. Law Director - Director Lutz asked for a motion to go into executive session to discuss personnel issues and pending litigation. Hamsher moved and Leathers seconded. Roll call vote. Ayes all. Motion carried.

Council moved into Executive Session at 7:51p.m.to discuss personnel issue and pending litigation. Miller moved and Aspiras seconded that the Executive Session be adjourned. Roll call vote. Ayes all. Motion carried. Executive Session was adjourned at 8:29p.m.

Regular session resumed at 8:30p.m.

F. President of Council – President Baker reported he received a letter from Senator Voinovich that is very comforting to know that our elected officials do pay attention when they receive a letter. I had written a letter and I received a response back from him. It is concerning the EPA. I don't know if it is going to do a lot of good, but at least he knows the feeling that I have and it is nice to know that he did read that. The second thing is I want to congratulate Mr. Wheeler and the Street Department for getting the started on the chuck holes. I know there a lot of them that have not yet been repaired, but at least I did see people out getting started on them and it may be quite a bit to do there.

Old Business:

RESOLUTION 6-10

Leathers moved and Aspiras seconded that Resolution 6-10, a resolution fixing the salary of the Law Director of the City of Orrville, and repealing all legislation inconsistent herewith, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Lutz: Just in reference to Mr. Miller's comments earlier. Last week I got information that made it appear that maybe some of the data that was provided regarding other law director's salaries throughout the state may have been inaccurate. Initially I thought the best way to handle that would be to postpone this legislation to an indefinite date to verify it. However, on Friday the end of last week I was able to make some phone calls and verify. I was confident the information from those phone calls and follow up information was accurate. I didn't put in to question all the other data that we had and therefore, decided not to ask for a motion from Council to postpone the legislation. Additionally, I had also got the additional information from the Ohio Municipal League and their salary survey from last year and was able to put that together for Council's review and get that in an e-mail by the end of last week. I apologize to Mr. Miller that he didn't see that prior to this evening, but I just figured I didn't need to postpone it. I didn't feel the additional information from the Ohio Municipal League changed anything and I didn't feel that the data that was collected and provided to Council was inaccurate. Just for purposes of explanation that is what happened.

Leathers moved and Hamsher seconded that Resolution 6-10 be adopted as read. Roll call vote. Ayes all, except Miller and Shupp. Motion carried.

RESOLUTION 9-10

Regular/Public

March 15, 2010

Leathers moved and Miller seconded Resolution 9-10, a resolution to make appropriations for current expenses and other expenditures of the City of Orrville, State of Ohio, during the fiscal year ending December 31, 2010, and declaring an emergency, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Vance: I just have a comment. I just have been very pleased, this will be my third round here on Council with how the administration has been handling our budget. It has certainly been under stress the last few years, but I felt like we have been coming through fairly well and Mr. Miller has been providing good leadership on the Finance Committee and I think he has been able to work very well with the administration and helping to meet some of the challenges the City has had. I just wanted to express my view and my appreciation for all the hard work that has gone into the City's finances here these past few years and I appreciate the attitude that has been undertaken of everybody – every department, every director finding savings and efficiency wherever they can and it has kept us out of trouble. I have been appreciate to that and just wanted to express that.

Leathers moved and Miller seconded that Resolution 9-10 be adopted as read. Roll call vote. Ayes all. Motion carried.

New Business:

Darrin Wasniewski presented the Annual Report to the City from Main Street Orrville.

Chief Ballentine presented the Annual Report for the Fire Department.

Good of the Order: None

Leathers moved and Aspiras seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 9:25p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council