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President Baker called the regular meeting to order. Newton Brenneman from New Hope Christian Church offered the prayer. The Pledge was recited by all.

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

Aspiras moved and Vance seconded that the minutes of the March 7, 2011 regular meeting be approved. Roll call vote. Ayes all, except Shupp abstained. Motion carried. Miller moved and Shupp seconded that the minutes of the March 14, 2011 special meeting be approved. Roll call vote. Ayes all, except Hamsher abstained. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller reported tonight we have our third reading and vote on the final appropriations and that will come up under old business.

B. Utilities – Mr. Vance reported a number of residents on Ella and South Jefferson reported problems with their sewer systems backing up on February 22nd, when we received 2” of rain. Those areas are the lowest part of the city and the problem lies with the fact that many storm water drains are tied into the city’s sanitary sewer lines and it strains the capacity of our sanitary sewer system. Mr. Bob Auten of the Wastewater Department reports that the Utilities Department is ready to provide guidance to residents who would like to correct this problem. Solutions include a water alarm available from Ace Hardware for about \$15 to backflow valves that can be obtained from the Utilities Department at our cost and can be installed at an estimated cost of \$300—which as our mayor has pointed out is less than the cost than the deductible of your homeowner’s policy. We encourage anyone who experienced problems during this rain event to contact the Orrville Utilities Department for further information. I also want to remind our residents to look for this flyer that arrived with utility bills this month. This contains valuable information on a new energy savings program the Utilities is sponsoring called Efficiency Smart. This flyer contains information on obtaining \$50 rebates for qualifying energy-efficient refrigerators and clothes washers as well as a link to an online store where you can purchase energy-efficient lighting, such as CFL’s at discounted rates. I found some online for as low as 80 cents each. Sunday’s newspaper gave some background on this program, which is being funded as part of a consent decree reached with the EPA over our ownership stake in a power plant along the Ohio River several years ago. I want to take a moment and address why the City is finding itself in a consent decree over these violations with this plant. The violations center around something called the New Source Review rule. The rule states that a power plant has to get a permit from the EPA whenever it wants to make major modifications to its equipment. Ostensibly, this is to protect the public from possible adverse affects of these modifications. This permit would require the power plant to have to install the equipment necessary to meet the very latest emissions standards whenever it wanted to make a modification. Often the cost of these upgrades is more than the original cost of constructing the plant itself, so the result of this rule has been that many plants are operating much less efficiently than they could be if they could only take advantage of the latest technological advances. Aware of this rule, power plants have performed maintenance on their equipment while staying below the threshold to require new EPA permits. However, the definition of “major modification” was never clearly defined and what someone who operates a power plant would call “common maintenance changes” are being reinterpreted by the EPA to be major modifications. Even in cases where the plant discussed the changes ahead of time with the EPA, the boom is being lowered. This is resulting in the EPA collecting billions in fines from many power plants. It is the equivalent of having to install all the latest computers and pollution control equipment on your

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1957 Chevy just because you wanted to change the spark plugs. That is how we have entered into this consent decree. The bright side of all this is that the EPA is allowing some of the money that would be going to a fine to be put into the Efficiency Smart program which will result in meaningful savings for equipment and energy for our residents and industries. The website is www.energysmart.org or you can call the number that is on your flyer. For our family, We have a freezer that has seen better days and we will be taking advantage of the \$35 reward to have it hauled away without us having to lift a finger. Every utilities customer in Orrville can benefit from this program so we encourage our residents to take advantage of the savings that is available to them.

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

D. Parks and Recreation – Mr. Aspiras had no report,

E. Transportation – Mr. Shupp had no report, but believe Mr. Wheeler is going to discuss tonight the loop road from North Main Street to North Mill in a little bit of detail to kind of let the public know what is going on with that situation.

F. Planning – Mr. Hamsher had no report

G. Ordinance & Personnel – Ms. Leathers had no report, but I do have a correction to tonight's agenda however. Under new business it should read Resolution 8-11. That is just a typographical error.

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk announced we have a new business that will be coming to town and they will be locating in our first industrial park. This will be Wholesome Pets and they will be moving into the vacant Sonoco building. We are not sure exactly when they will be making that move right now, but the deal has been closed as far as that goes. We are excited for this group to come to town. They are a distribution center for pet food and pet supplies and will employ 25 to 30 people. Mostly those employees are probably already with them. They are located right now just outside of Smithville. They were actually looking to expand their facility because they needed more room or find an empty building that was bigger than what they had and we were able to meet that need out there with the Sonoco building. Again, we are very glad to have them come to town and look forward to that. I would also like to mention that we are very saddened today at the death of two of our young teenagers here in town. Our sympathy certainly goes out to the families of those two young men.

B. Safety Service Director- Director Wheeler pothole repairs are ongoing. So long as the weather cooperates we will continue the repairs and then pick those back up once the snow goes again which is supposed to arrive at the end of the week. If anyone is aware of any potholes that perhaps we have missed, by all means please give us a call at either the service department or the safety-service department which is 330-684-5000. Also, for Council this evening I have the 2010 Annual Orrville High Tech Industrial Park Report which I believe you have all received a copy of. This report is required by the Ohio Department of Development as part of our grants that we receive for construction of the industrial park in the amount of \$450,000. In order to market the City's new high tech park the office of Industrial Development undertook the following activities in 2010. We created a new section on the City's existing industrial development website devoted to the new park, www.orrvilledevelopment.com, published a full color 8-page booklet about the new park which is included on the website and is also enclosed with the report for the Ohio Department of Development. Also, we partnered with the Wayne Economic Development Council on a full-color postcard that was sent to 4000 national site selection consultants and industrial real estate professionals introducing our newest park. The new park was mentioned in an article in the February

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24, 2011 edition of the Wooster Daily Record which is also enclosed with this report. As a result of our marketing efforts, the City of Orrville had four inquiries regarding the new high tech industrial park in 2010. I would request a motion from Council to accept the report and that is required by the Ohio Department of Development.

Hamsher moved and Vance seconded the motion to accept the report. Roll call vote. Ayes all. Motion carried.

C. Utilities Director – Director Brediger echoed Mr. Vance’s comments on the energy efficiency program stating we are off to a good start. We actually informally began this program a couple months ago taking advantage of several projects that some of our industrial customers had in the works and were able to bring the program benefits to them earlier. We will be seeing and hearing a lot more about this program going forward. As the program matures there will be more offerings and more information in the bill stuffers and in the local newspapers. Just a comment from AMP’s board meeting, Ms. Strimlan may have some comments concerning where the state budget is going, but one item that we have been watching as an association has been the kilowatt hour tax that often comes under some budget scrutiny down at the statehouse and that tax right now is still intact with the current budget bill in front of the state legislature. We will be fighting pretty hard on trying to keep that in place. Currently we rebate that tax to all of our customers inside the city limits and that accounts for close to about \$800,000. The last comment I have will be at the next Utility Board meeting on the 28th of March we will be having a presentation for a possible involvement in a natural gas plant that AMP is looking at purchasing. There will be a video presentation to follow with some information that has already been sent out to the Board and Utility Committee members. It is a project that has some interest for us. There are several benefits from us giving some consideration to this project and we will hear a little bit more about that at the Utility Board meeting. Also, we will be getting an update from our legal council on where we stand on some EPA matters at that time too.

Vance: How many communities in Ohio rebate that kilowatt hour tax completely?

Brediger: I can’t tell you. It is a mix. Some of them give it all back. Some of them give part of it back. Some of them don’t give any of it. I could find that information out for you. I believe AMP keeps those statistics. But it depends a lot on the community.

Vance: I was thinking we were in the minority as far as rebating the entire amount of that tax back to our customers.

Brediger: Yes we are and I can’t tell you the total number what that percentage is, but I can give you a general idea where that is at at the next meeting.

Corfman: To add to what Paul was talking about earlier concerning the Gorsich plant, those violations – the new source review violations – they did happen, if I am correct, before AMP Ohio or Orrville were involved in that plant.

Brediger: Some of them were before the purchase and some occurred after the purchase.

D. Finance Director – Director Strimlan reported as Mr. Brediger indicated and I am sure most of you have heard, Governor Kasich did present his budget proposal for the State. The present budget includes a reduction in local government funding. For fiscal year 2012 we would see a 25% decrease and fiscal year 2013 a 50% decrease. I presume the budget will go through several rounds before it is finalized; however, if the budget were to be approved today, we do budget approximately \$384,000 in revenue from local government funds. We will keep you posted as the budget progresses and let you know when final approval is made and what the ultimate impact will be on the City. We are hoping for some alternate resolutions to that. Also, I distributed the Fund Balance Report this evening for the period ending February 28th. I would ask for a motion to approve that report subject to audit. Miller moved and Corfman seconded. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director VanSickle reported they had the first meeting of the Charter Review Commission on March 14th and we look forward to getting back together in a couple weeks.

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F. President of Council – President Baker reported he was at that charter review meeting and was pleased with the people that were there. There were people from the community. They were people that were selected to represent the community. Also, most of Council was there and quite a few of the Utility Board members were there as well as the City Administration. I think it is going to be a good program for us to go through. As to how many or if there are any changes to our charter remains to be seen, but it is a great group of people.

Old Business:

RESOLUTION 6-11

Leathers moved and Miller seconded that Resolution 6-11, 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, 2011, and declaring an emergency, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Leathers moved and Miller seconded that Resolution 6-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 7-11

Leathers moved and Aspiras seconded that Resolution 7-11, a resolution authorizing the Board of Control to enter into a contract and/or contracts for professional planning services for the City of Orrville Comprehensive Plan update, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Wheeler: I did go over this project at the prior council meeting and I would be glad to answer any other questions you may have. This is a request for an approval to go out for an RFQ/RFP for professional services for a plan update to our comprehensive plan which was completed in 2001 so we are due for an update in 2011 obviously. This is a request to go out. We will be accepting RFQs/RFPs though it isn't a bidding process, it is a process where we will base the selection not only on their qualifications, but also the price will be considered as well.

Miller: Mr. Wheeler, you are going to have a selection committee appointed that are going to look at these proposals right?

Wheeler: Correct.

Miller: When is that going to happen and how is that going to happen?

Wheeler: Once it is approved we do have sort of an idea who we want to represent the City, not only the Administration, but we will also want Council members present. Obviously we will want to involve the planning committee and we will want a representative from the transportation committee as well. As well as Mayor Handwerk, myself, Kristin Endsley. It will be a group of about 5 in the selection committee. Keep in mind that committee is only to choose the firm. Once the firm is chosen we will go through the process of a steering committee which is sort of the way it was done in 2001. Assuming that is the process the firm recommends as well. Council will be very much a part of obviously the comprehensive plan as well as members of the public, members of the industrial community as well as the commercial community.

Aspiras: I believe the funds are in the 2011 budget.

Wheeler: That is correct . You did budget \$40,000 in the capital plan for 2011 to complete the update.

Aspiras: What is your confidence level those RFQs will come in within that range?

Wheeler: I am very hopeful. That is always the goal to make sure it is the budgeted price. If it is not, we will negotiate it appropriately. I am not going to spend any more than what we have. I think with what we already have a plan in place. The plan does need significant changes as a result of some of the things that have occurred in the last ten years. A good example is that in our 2001 plan it was a focus on neighborhood schools. Obviously that has changed significantly. So that part of the overall plan will need to change and be updated. So there are going to be some processes that need

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improved and plans that will be changed. Although it is an update there are some major tweaks in there.

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 7011 be adopted as read. Roll call vote. Ayes all. Motion carried.

New Business:

RESOLUTION 8-11

Leathers moved and Corfman seconded that Resolution 8-11, a resolution authorizing the Safety-Service Director to enter into a contract and/or contracts for engineering services for the construction of a new loop road from North Mill Street to North Main Street, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This was a project that we actually budgeted for in 2010 and the project was not in a position to move forward in 2010 so it is budgeted again in the 2011 capital budget. What this is on the agenda tonight is approval of the engineering for what would be phase one of the project. What the overall project is, is two different phases of new roadway. Phase one would be from North Main Street to North Mill Street. Phase two would be from North Mill Street to Apple Lane. What I am requesting is approval to move forward on the engineering tonight for phase one. That is in the amount of \$67,000 for design and \$57,000 for construction administration. The project will be primarily funded through a grant from the Ohio Department of Development in the amount of \$445,000 as well as a significant share of the cost being incurred by The J.M. Smucker Company as well. The location, as you can see, is where Ross Sand Casting currently exists and that is in the process of being torn down, I guess within the next few weeks. We have sort of been waiting to move forward on this of course with the weather. Now that the wet weather, knock on wood, looks like it is going to break, we are hoping to move forward on this project so we can utilize those Ohio Department of Development dollars that were made available to us in 2010.

Miller: So are you looking for this on first reading?

Wheeler: It would be very much appreciated if we can move forward with it on first reading tonight so that the engineers can move forward with it.

Shupp: Mr. Wheeler, on your e-mail to us with this information you had a total project cost of \$996,000?

Wheeler: Correct.

Shupp: And the Ohio Department of Development \$445,000 and The J.M. Smucker Company contributing \$350,000. That is \$795,000. There is a difference of \$200,000. Is the City picking that up?

Wheeler: We do have \$45,000 additional funded in the budget which would be our share of the construction. I budget \$155,000 in total engineering in case there are any additional costs in the engineering. We will only spend what we use in the engineering of course. But the \$67,000 and \$57,000 are the top dollar amounts so we will only be charged for what we incur. So we are picking up what is remaining. The \$45,000 is budgeted for construction. The remaining is budgeted for engineering at this point.

Shupp: So the \$995,000 included the engineering?

Wheeler: Yes.

Shupp: So we are not too far off when that is included.

Wheeler: We are right on the money at that point.

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 Aspiras seconded that Resolution 8-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

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Chief Ron Ballentine presented the Fire Department's annual report.

Good of the Order: None.

Hamsher moved and Aspiras seconded to adjourn the council meeting. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:29 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council