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President Baker called the meeting to order. Pastor Brad Drews of the Orrville Baptist Church offered the prayer. The Pledge was recited by all.

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

Landaw moved and Vance seconded that the March 17, 2008 regular meeting minutes be approved as amended. Roll call vote. Ayes all. Motion carried.

**Public Comment:** Mr. Dan Lutz provided an update on the *Bloomin' Orrville* program.

Lutz: As I was driving in this evening I was just watching all the people out walking about and that can only mean one thing, that in a few weeks the hanging flower baskets of *Bloomin' Orrville* will be up again. I am excited to report on behalf of Main Street Orrville that Main Street Orrville took a step of faith this year and decided to actually double the number of baskets that will be going up this year. It would not be possible without the generous donation and manufacture of the additional brackets by The Will-Burt Company and also the fair pricing we get from Buchwalter Greenhouse. Lastly, and most importantly, it wouldn't be possible without the voluntary donations it takes to support the program from the community. The step of faith is having faith that the people in this community will step forward and continue to contribute money and support the downtown flower program. As I have indicated previously, the National Main Street Institute reports that communities with well established flower programs enjoy 20% increase in retail sales on average from communities that don't have such programs. So it is also an economic development tool. The bottom line is it is just simply beautiful. On every available light pole this year there is going to be hanging flower baskets. If you have not filled out one of these forms, which can be found in various businesses downtown, you can get one of these forms and simply check off yes. The best way we like to receive the donation is through the Orrville Utility bill. If you are on Orrville utilities you can agree to put \$1, \$2, \$5, or \$10 each month on your utility bill. The reason we like that, but we will take direct donations also, is because we can count on them usually from year to year and know what our budget is from year to year. Each year we would like to expand this program in some fashion. This year it is doubling the number of flower baskets. Next year it might be something different like flower box programs. I encourage everybody to participate. It is a great way to make Orrville beautiful. As I have said, I think it is the most visually striking and cost effective way to make the appearance of the downtown that much better.

Leathers: If you did the donation through your utility bill last year, do you have to renew that or does that continue?

Lutz: No, that will continue. That is why we like it. It continues until you notify us you don't want it to happen. Everybody I have talked to that is doing it enjoys donating that way. They know it is out of sight, out of mind. They are helping the program. So that will just continue until you otherwise notify Main Street Orrville in writing that you want it to terminate. Any other questions?

Baker: Just so everyone knows, this is all funded by donations. There are not any city tax monies spent on this.

Lutz: That is correct. I don't want anybody to think that because it is going through the Orrville Utility bills that the City is funding it in any fashion. They are helping to facilitate it by allowing us to have that donation go through the utility bill system, but other than very low administrative cost in that regard, people just helping us out to get that money to us after it is donated, the City

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is not contributing any money towards the program. It is entirely supported by voluntary donations.

Handwerk: Do you have your dates for the volunteer nights?

Lutz: April 17<sup>th</sup>. If you would like to contribute also by getting your hands dirty, you can help plant the flowers at Buchwalter Greenhouse beginning at 5:00 p.m. The baskets will go up on the poles on Tuesday, May 20<sup>th</sup>. So if you are young and don't have medical problems we encourage your help out there. Maybe we will recruit the football team or something because that can be somewhat of a strenuous job. We are hoping to have some lift trucks too this year to put them up on the light poles. Thank you.

**Standing Committee Reports:**

A. Finance – Mr. Miller had no report.

B. Utilities – Mr. Landaw had no report.

C. Health & Safety – Mr. Corfman reported on Wednesday, April 23<sup>rd</sup>, the Wayne County Rails to Trails meeting is at 7:00 p.m. at the Rittman Rec Center. I plan on attending. Councilman Vance will probably also attend. I believe State Senator Ron Amstutz is planning on being there. These are the people that are working towards getting our rail completed; getting Orrville attached to the Clinton trail head which ties us into the Cuyahoga Valley Tow Path. It is a great opportunity. These are the people working for us. It is a chance to talk to at least one state representative that is also hopeful that will help bring that along. It will be a great benefit to our city if that is to ever happen.

D. Parks and Recreation – Mr. Aspiras provided an update on the City parks. In Orr Park the bleacher project for the main diamond, some of you have probably noticed construction work has started to finish that project. Currently Director Jewell is also looking into pricing for wheelchair pads. As far as lower Orr Park, you have probably noticed we are digging around down there too. Everything is in that is needed to do the replacement for the water line. The plans are to finish that around May 1<sup>st</sup>. As for the Hilltop playground, I mentioned this a couple months ago. The new equipment is in and the installation date will be Saturday, April 26<sup>th</sup>. Maybe Director Jewell can elaborate on whether we have enough volunteers.

Jewell: At this time, we are still gathering volunteers so if anyone is interested in volunteering they just need to let anyone know that is on council or call my office and let me know. This will be for the actual installation of the playground equipment. The only hiccup with that will be the weather. Right now we are waiting on it to dry out so we can actually get in there and do some of the things we need to do. Before our next council meeting on the 21<sup>st</sup>, I will know a little bit more and be able to report on the 21<sup>st</sup> if we are actually going to go out on that Saturday or whether we have to postpone it.

Aspiras: As for the Mill Street playground, Director Leggett had mentioned at our last council meeting that some of the funds being tight. Plans are to relocate some of the equipment from the North School demolition and that will go to the Mill Street playground located by the Junior High.

E. Transportation – Mr. Shupp had no report, but mentioned the construction renovation on the intersection of North Crown Hill and Back Massillon Road has started this week so be aware of the detours and your traffic patterns.

F. Planning – Mr. Vance had no report.

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

**Special Committee Reports:** None.

**Administrative Reports:**

A. Mayor - Mayor Handwerk reminded the community there will be an Orrville Community Week April 20-26. This has been an annual event for the last several years under the direction of Susie Auble and also the Chamber of Commerce. What we would like for people to do, whether it would be groups of people, neighborhoods, or individuals, maybe pick a street that they would like to clean up. I am sure everybody has noticed now that the snow is gone there is a lot of debris laying around everywhere that has blown around from the winter and we would like to see a lot of that get picked up if we can. The idea here is that if you can pick a street that you want to take care of; you notify the Chamber so they know your group is going to take care of that street during that week some time. There are supplies that are supplied for you, as far as trash bags, rubber gloves, that sort of thing. You can pick those up at the Chamber office, Buehlers, or Dunlap Hospital. When you are done, you can also drop off your trash by putting the bags by the dumpsters under the overpass near Walnut Street on Jefferson Court. The City will then dispose of them. Hopefully we will have a good turnout for that and get things looking cleaned up for this spring when we get the flowers hung up. The employee of the month for March was Mr. Mark Bergman. Mark works with the AutoCad Data systems for our Utilities. Mark is married, has two daughters, and is an avid bike rider. He lives in Seville and sometimes actually rides his bike to work, which is about a 45 minute ride. We had lunch at Senor Ponchos.

B. Safety Service Director- Director Jewell reported she had received another call regarding the Lenore Street Park. This is the little mini park located in the south end of town. Now that spring is here we have received several calls. What I would like to clarify is that this park is intended to be open again, but right now BP is working on an underground storage tank project on the property right next door. While they are working on that project, we can't have that park open. Once they are done, we will be able to put the fence back up and get that park back in operation. I think the reason we are getting so many calls is because there is no playground at Oak Street at this time. People are really noticing that it is not there. We do intend to open that back up again at some point in the future; hopefully, by the end of the summer.

C. Utilities Director – Director Preising was absent.

D. Finance Director – Director Leggett reported that prior to the meeting Quarterly Investment Report and a copy of the Engagement letter with the State Auditor's Office was distributed. This is the letter we have to sign each year with the State Auditor. We have no choice in this matter. They decide to do our audit and we have to agree to let them do our audit. That is what this letter does and it also states the estimated cost. If you recall we had legislation for the audit. That legislation estimated cost was \$32,000. This letter says that cost could be as high as \$38,000. The main reason for the difference is that this year we were required to perform a single audit. That means there is a lot more detail, a lot more scrutiny, a lot more investigation, a lot more review of documents on the grants we received that were actually federal money. That would be our truck route grant that came through Ohio Department of Transportation and the CDBG money that come through in conjunction with the Main Street Orrville project. Those monies are federal monies that pass through the State and therefore require a lot more scrutiny. We look at a single audit as a favorable thing, because that means we got more than \$25,000 in

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federal money. Any year we get that we are more than happy to put up with the extra audit and hopefully the expense. No action is required on these items.

E. Law Director - Director Lutz had no report.

F. President of Council – President Baker inquired about the new school zone area on Hostetler Road. I have had a couple people ask me about flashing lights there and I told them at this time there is no money in the budget to put flashing lights up. They want to know, what are the restricted hours? The sign there says during restricted hours and many people don't know what those hours are.

Jewell: We are actually working on that and exchanging e-mails at this time. The restricted hours are when students are coming and going from school. That can vary in different communities and at different schools. Because of that and to try to alleviate the confusion we are going to actually put hours on there that reflect the coming and going hours of the Middle School. It will probably be a half hour before and then a half hour after they come and go from the Middle School. We are in the process now of getting those hours and then we are going to put an auxiliary sign underneath the 20 MPH which would indicate what those hours are.

Baker: Is there soon going to be any enforcement in that area? I drive that road every day and I have not seen any police there yet. The reason I am asking that is that when I slow down for that people bunch up behind me. I have horns blow behind me already because I am going 20 MPH. I think a lot of people may not know that speed zone is there.

Jewell: I know we were out there quite a bit the first week that the students moved into the Middle School. I believe, the Chief is here, we can give that extra patrol as needed.

Baker: I had person ask me if firewood is going to be available. They heard there were a bunch of trees going to be cut down and it would be available at the City Recycling Center. Is that true?

Jewell: I haven't heard lately that we have a lot of trees. If we do have them, we make it available at the compost center which means someone would have to get there on a Wednesday in order to get it. The other thing we also do is dump a couple truck loads on East Jefferson Court next to where we have the bullpen area. If we have firewood area, it would be available at those two different locations. They can call the City Garage and check to see if there is any available so they don't waste a trip.

Baker: I have two appointments to make to the Housing Council. They would be Denny Miller and Paul Vance to represent City Council to that Housing Council. Corfman moved and Leathers seconded the appointments. Roll call vote. Miller and Vance abstained; remainder ayes. Motion carried.

**Old Business:**

**RESOLUTION 16-08**

Leathers moved and Aspiras seconded that Resolution 16-08, a resolution authorizing the Safety-service Director to advertise for bids and to enter into a contract and/or contracts for the installation of street and infrastructure in Industrial Park #2, located in the City of Orrville, Ohio, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Vance: We have had some discussion of about the possibility of installing sidewalks at this industrial park. Is there a way or is it too late to try to insert that into the plan or could it be done at a later time? I guess it is going to be like a park like setting and perhaps employees might want to take advantage of that to get some exercise of their lunch hour.

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Jewell: At this point we do not have the sidewalks in there and we are right at the limit of our budget. We don't have the capital funds to do the sidewalks. I would say it is too late. We probably would have borrowed that money up front.

Leathers moved and Corfman seconded that Resolution 16-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

**New Business:**

Corfman moved and Leathers seconded that the Application for Placement of Farmland in Agricultural District of Mr. William Arnold be rejected as it will present a substantial adverse affect on provision of municipal services; is not an efficient use of land within the municipal corporation; and does not contribute to the orderly growth and development of the municipal corporation and the public health, safety, or welfare of Orrville.

Lutz: Last Monday a Public Hearing was held where the Administration and Mr. Arnold were given the opportunity to present evidence to Council and testimony regarding Mr. Arnold's application. As Council may recall last year his application came before you and it was modified, rather than rejected outright, and it was modified and he was granted a one year application as opposed to the customary five year application on the condition that he would clean up his property that is within the city limits. You heard testimony last Monday that he has not done an effective job at cleaning up the property. He is in violation of our Zoning Code which is a different issue, but I think it is relevant to what you have to decide tonight because our Zoning Code, Chapter 1120, Section 03 K lists a junkyard as a prohibited use. You heard the testimony about what is out there; how long it has been out there not being used and so I think based on the evidence it would be my recommendation that you reject the application. It was modified last year and he was given the opportunity to do something about it and really hasn't. It would be my recommendation to reject the application on the basis the rejection is necessary to prevent a substantial adverse affect. There are really three bases that could apply here. The efficient use of land within the municipal corporation; the order growth and development of the municipal corporation; and the public health, safety, or welfare. The last one is really the strongest because that is what our Zoning Code deals with. If he is operating a junkyard out there, by definition he is in violation of that. I believe the other two could also apply in this instance. That is the language directly out of the Revised Code.

Baker: If it is rejected, can he come back at a later date after the property has been cleaned up and everything to the City's satisfaction and resubmit this?

Lutz: Yes, he is able to reapply for the designation.

Jewell: I believe that reapplication would be next year. There is a time period.

Lutz: There is a time period. He can reapply at the appropriate time period. He can't just come reapply when he cleans it up next week, which I don't would be possible. He would have to wait for the appropriate time period as it is designated in the Ohio Revised Code.

Miller: Just so we are clear, the motion is to reject so a yes vote is to reject correct?

Corfman: Yes.

Roll call vote. Ayes all. Motion carried.

Director of Finance, Jim Leggett, presented the Annual Report for the Finance 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 8:28 p.m.

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Tamra Peppard, Clerk of Council

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Date

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Lyle Baker, President of Council