

Regular/Public

May 16, 2011

President Baker called the regular meeting to order. Pastor John Miller of New Hope 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 Hamsher seconded that the minutes of the May 2, 2011 regular meeting be approved. Roll call vote. Ayes all. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller had no report.

B. Utilities – Mr. Vance reported the Utilities Committee along with the rest of Council had a workshop last Monday to discuss an item that is on our agenda tonight for a second reading regarding a power sales contract and there should have been a good opportunity to get information and have any questions answered. There still will be another opportunity to get more information at the Public Utility Board meeting next Monday so there is another opportunity then this ordinance will be up for third reading at our next meeting.

C. Health & Safety – Mr. Corfman made the following comment: Being the funding of our Health & Safety Services is by our municipal income tax something troubled me, that in the Daily Record on Saturday, May 14th, 2011 on the top front page an article about the elimination of the estate tax it was printed “tax policy has been controversial over the years and it is not perfect, Amstutz said. While the potential loss of a state tax revenue might sound unfair, Amstutz said that there are people who work in Wooster that do not live there. They pay the city taxes that subsidize the residents he said.” State Representative Amstutz has implied that the municipal tax of one percent the tax payers who work inside a municipality that supply the safety services, utilities, infrastructure, and the maintenance of it to the employer of those tax payers is a subsidy to the residents of that municipality. I object to this and very much disagree with State Representative Amstutz. The municipal tax of one percent is a fair tax that allows a municipality to supply city services to employers who in turn naturally have employees. The employee that chooses to work in Orrville made that choice to work for that company that already made the choice to locate here. If that employee wants to have a say in the one percent tax they pay, they are free to move to Orrville. They also have the choice to live elsewhere and depending on the tax policy, they may or may not have the benefit of reciprocity. Some cities such as Canal Fulton and Akron will still require a payment of a municipal tax regardless of where the citizen works. I request State Representative Amstutz reconsider his position on the municipal tax as a fair and equitable tax for the services rendered.

D. Parks and Recreation – Mr. Aspiras announced the Orr Pool will open Friday, June 3rd. Mr. Wheeler will have the details as far as the various passes and costs in his report tonight. I did have a couple Orrville citizens, one actually knocked on my door yesterday asking about the 4th of July celebration week. He wanted to plan his cookout and his gatherings with relative. I will go ahead and just announce the dates for that week. The parade will kick-off Wednesday, June 29th at roughly 7pm. The carnival midway will also kick-off that same day, Wednesday June 29th and it will run all week through Sunday July 3rd. The fireworks will commence at roughly 10:15pm on Sunday July 3rd. I have asked Mr. Wheeler to update us on the happenings with the dog park so he will do that in his report tonight. The only other tip I have for Mr. Wheeler is that with all the rain we are getting, if we plug up the pools between now and June 3rd they might be full by then.

Regular/Public

May 16, 2011

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 the May Employee of the Month is Mike Hostetler from the Fire Department. Mike joined the department on March 12, 1980 and 31 years in the department at this time. Mike has worked his way up through the ranks to his current position of Captain and he serves as the northside Captain for the department. Mike was the 1991 Firefighter of the Year. He is married to his wife Tina and they have four children. One of them is Craig who is also a member of our fire department and who has also been firefighter of the year himself and employee of the month himself, actually our very first one. Mike and I will be eating lunch this week at Ming Hing. I also wanted to mention that the letters for mowing grass or ready to be sent out. They have actually, I think, been sent out this past weekend. I know Karen had some 26 or 28 letters ready to send. A few of those I don't think we had to because they were mowed Friday afternoon. There are a few that are very, very bad. I have been seeing those myself and my attention has been drawn to those by several other people that have called in. They will be taken care of, but there is a procedure we have to go through every year in order for us to be able to take care of those. It is not something the service department wants to do. It is not our job to mow people's yards, but we will do that at one point. Two of the worst ones in town right now are actually empty houses. One of them is owned by a bank out of state and basically they don't care whether it gets mowed or not. So we will take care of that and at least they will be mowed before graduation and Memorial Day weekend.

B. Safety Service Director- Director Wheeler reported as Mr. Aspiras mentioned, the pool will be opening June 3rd. That is a Friday. We will begin presale of passes Thursday June 2nd from 10am to 12pm and from 1pm to 3pm at Orr Pool. When the pool does open on Friday June 3rd the pool will open at noon for adult swim and then at 1pm for public swim. Regular hours are weekdays noon to 1pm for adult swim; 1-4:45pm for public swim; 5-6pm for adult swim; and 6-7:45pm for public swim. On weekends the pool opens from noon to 1pm for adult swim and from 1-6:45pm on Saturday and 1-5:45pm on Sunday. Daily pool admission is \$4 for adults; \$3 for children under 18; children under the age of 3 are allowed in free and can use the wading pool. 2011 season passes are \$80 for resident families; \$120 for non-resident families; \$40 for resident single; and \$60 for non-resident single; and senior citizens with a Golden Buckeye card are eligible for half-price pool passes. Also swimming lessons can be scheduled through the Orr Pool office starting June 3rd. The cost is \$35 for a two week session that runs Monday through Friday and we offer lessons for preschool age children, beginners through advanced swimmers, and also lifeguarding classes. The class sizes are limited and registration is first come, first serve basis and you can call Orr Pool at 330-684-5070 for more information. Of course, that phone will be available when the pool opens. If you have any questions prior to that date, please feel free to call our Service Department at 330-684-5004. Also, the Orrville Performing Arts will kick off Thursday June 16th with Gaetano Letizia & The Underworld Band. This is a powerhouse of blues and funk. The following Thursday June 23rd is Higher Calling which is a southern gospel trio. Performances start at 7pm. Be sure to bring your chairs. Also the first family fun night kicks off Friday June 17th followed by Nanny McPhee Returns on June 24th at Rehm Pavilion and the movies do start at dusk. Again, I would like to recognize and send our appreciation to those folks that donate to both of those different performances. Without them we would not be able to put on those shows. Also, the dog park, engineering plans will be submitted to the State this week and once they are approved we can go out for construction bids and the goal is to still have the project complete by mid to late June.

Regular/Public

May 16, 2011

C. Utilities Director – Director Brediger reported two updates. One is to update Council on the status of our energy efficiency programs. We currently have fourteen businesses and industries participating in those various energy efficiency programs to date. We off to a very good start so just a point of information – if any of you are aware of any businesses or industries in town that are considering upgrades, remodels, expansions, please have them contact our office of Mike Hedberg and we will get them linked up with our program directors. There are very, in most cases this program has offered some incentives for them and we have done projects so far that have returned monies from a few hundred dollars to tens of thousands of dollars so far. We will be getting a formal report from our consultants here in about another month that will be quantifying some of these efforts to date, but that program is off to a very good start even though we just started roughly two and a half months ago. The other bit of good news coming out of Washington, which is rare these days but, today the EPA did stay the rule making that was effective in March. Basically, what that stay means is they are delaying or stopping the three year clock from ticking while they further go back and review this rule making. As you were aware, there were over 4000 comments that were made as part of this rule making and the EPA themselves admitted that they did need a little more time to fully digest and study the impact of this rule making. With this stay they are granting themselves more time, but not allowing the compliance date to continue on. This is not permanent; the EPA can revoke this at any time. How long they are going to need to go through this reconsideration process is still up in the air, but it is going to be at least several months depending on the information that they get. So that is a piece of good news. We were a part of a broader coalition that submitted some pretty broad comments on this in favor of supporting this stay. Certainly the more time we can get the legislatures and the agency to review this rule making, the better we think our chances may be in coming up with something that is a little bit more palatable to us. That is all the comments I have. I may have a few comments concerning the resolution under old business later on.

Aspiras: Mr. Brediger, I wonder if you could just take a moment – I know you said the energy conservation efforts have been going well – can you recommend how we would dispose of the CFL fluorescent lamp properly?

Brediger: I can get you that information. There is a lot of confusion because there is mercury contained in those bulbs, but we do have some information that is available that I will forward to you. I just can't tell you what that is right off the top of my head on proper disposal of those. I think it is important to note that if they do break you use some common sense to clean those up. You don't have to call in a HAZMAT crew to dispose of that material that is in there, but on the website, the energy efficiency website that we have a link through our website, there is a section in there that talks about proper disposal of those bulbs. I will follow up with some information there, I just can't tell you what that is off the top of my head.

D. Finance Director – Director Strimlan reported that prior to tonight's meeting I distributed the Fund Balance Report for the period ending April 30, 2011 and I would ask for a motion to approve that report subject to audit. Miller moved and Shupp seconded. Roll call vote. Ayes all. Motion carried. Also, the State Auditors are still in the process of auditing our 2010 financials; however, this year they should be able to have that complete by June 30th. So that is some good news for us and just as soon as that is complete I will get you a copy of that final audit report.

E. Law Director - Director VanSickle had no report.

F. President of Council – President Baker hopes everyone has some type of floatation device for their lawnmower. Fortunately I am not on the list to get one of the letters, but if it keeps raining that could be possible. We do appreciate the rain because it makes the flowers look really beautiful, but wading through the back yard sometimes is not fun.

Regular/Public

May 16, 2011

Old Business:

RESOLUTION 17-11

Leathers moved and Miller seconded that Resolution 17-11, a resolution authorizing the Director of Utilities of the City of Orrville to execute a Power Sales Contract with American Municipal Power, Inc. and taking other actions in connection therewith regarding participation in the AMP Fremont Energy Center, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Baker: We had a workshop on this. Does anyone have any further questions for the Utility Director?

Apsiras: Mr. Brediger, can you explain the scenario whereas the Utility Board is recommending 20 megawatts. That hasn't really been settled, that is the recommendation in this legislation I believe. Can you explain what would happen should Orrville participate, this legislation go through, and we are we are part of the group consuming from the Fremont plant energy at 20 megawatts a month goes by, two months go by and we have consumed five megawatts. What happens to Orrville? Do we breach contract? Is there a penalty? Is there not? How does that work?

Brediger: There is an obligation depending on the amount we sign up for whether it is 20 megawatts or 10 megawatts. This contract is referred to as take or pay contract. So if we sign up for 20 megawatts and that plant is generating, for example, then we will receive that full amount of capacity from that plant. Now as we explained in the workshop, that plant will only operate when it is below market. In the example that we would only need a lesser amount of that energy, say half of that amount, we would take that energy because we would need that, it would be cheaper than our other alternative of purchasing that on the market and then that excess capacity or that excess energy that we would not need at the particular hour or particular time of day would be resold back into the marketplace and we would receive a credit back on our energy bill.

Hamsher: Mr. Brediger, would you explain very quickly, I know we went over this but I am not smart I need to hear it two or three times, what is our capacity as a power plant now? What are we consuming as a city? If I remember right, we have one unit that is due to kind of expire on us so the reason we are bringing in 20 megawatts is? I guess it is a three prong question.

Brediger: I will try to get all three of those prongs. Our current plant capacity is roughly 60 megawatts. Our peak needs during the summer times and peak winter time is right around 60 megawatts. So the short answer is during the peak energy demand periods we are at the capacity of the plant. Our plans are for the potential retirement of unit and/or units, we have no plans at this time to retire any units. We are running a number of different scenarios to try to do some "what ifs" and what we had looked at on this is the fact that our oldest unit, which is the most vulnerable to the EPA regulations at the time, is again the most vulnerable unit that we have. Our strategy with selecting this 20 megawatt level would be what happens if the next largest unit, which is roughly a 22 megawatt unit, would be forced to retire as a result of these rule makings. The smallest unit right now we have covered with existing two hydro projects and the new coal fire project out in Illinois. That can account for the smallest of the units which is going to have the most difficult time being retrofit to meet the EPA regulations. Our thought process was that is we would have to be forced to shut down the second largest unit that we would have, this Fremont project would come close to replacing that capacity of that second unit if it would have to be retired.

Hamsher: So what I am hearing you say is we are at capacity?

Brediger: We are at capacity today.

Hamsher: And fortunately we are attracting new businesses. As we attract new business we need to provide for those new businesses and this is an avenue that we can do that.

Brediger: These are long term power supply strategies that we are developing. Not so much for today, but these are long term. This is roughly a 30 year project. Our hydro projects, for example, are 80-90 years. The Prairie State project was a 35 year project. So these are long term, reliable, low cost projects that we are making those investments in.

Leathers; That is scheduled for third reading at the next meeting.

New Business:

RESOLUTION 18-11

Regular/Public

May 16, 2011

Leathers moved and Corfman seconded that Resolution 18-11, a resolution to accept the recommendations of the Wayne County Tax Incentive Review Council regarding tax abatements for companies located in the City of Orrville, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: Prior to 2004 enterprise zone agreements had to be approved by the County Commissioners until finally in 2004 the State did authorize cities to have their own enterprise zone agreements. Thus there are still three agreements currently in place which the Wayne County Tax Incentive Review Committee must either approve to continue or modify or eliminate annually. They did meet and they did review the three agreements. The three are with Ameristeel Bright Bar, Revcotec, and Quality Casting. They did make a motion to continue those agreements. Keep in mind that the Ameristeel Bright Bar agreement actually does expire July 1st so that will not be one that you will see next year. But they did meet with all the clients, did go through a review of all the facilities, and all three of them are meeting or exceeding project investment commitments and they are all very close to meeting or exceeding employment commitments as well. Some have varied as a result of the different financial climates that we have been over the last few years, but overall they have all been very good about meeting their commitments and definitely not had any problems meeting the project investment commitments. With that being said, I recommend that we approve the Tax Incentive Review Committee recommendations of continuing the agreements.

Miller: Mr. Wheeler, I assume because of your recommendation these three have lived up to their end of the bargain as well?

Wheeler: They have and all three have been very good companies to have in the City of Orrville and we are glad to have them.

Miller: Certainly, yes. As far as Ameristeel goes, you say that expires in July?

Wheeler: July 1st, 2010 it expired. The approval is for that portion of 2010 where it was still in place.

Leathers moved and Vance 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 Hamsher seconded that Resolution 18-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

Good of the Order:

Mayor Handwerk; I have one that I wanted to mention and just failed to bring that up. The Memorial Day Observance, the processional will kick off from the American Legion area on Memorial Day and that is usually approximately 9am when that gets started and that will again continue out on Market Street to Crown Hill, out to the cemetery. The ceremony will be at the cemetery unless it is raining, and I am sure that won't happen this year because there can't be any rain left by then. But if it does rain, they will hold that at the Methodist Church auditorium. Just so everyone knows that. We certainly want to support and remember our veterans.

Leathers moved and Aspiras seconded to adjourn the council meeting. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:00 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council