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President Baker called the meeting to order. Councilman Denny Miller offered the prayer. The Pledge was recited by all.

Prior to council's regular meeting, public hearing was held regarding Ordinance M-09 which is the flood damage ordinance. Baker swore in all attendees who desired to speak during the public hearing.

Baker: Is there anyone who would like to address Council during this public hearing?

Endsley: I spoke about this legislation at the last council meeting. I do have the updated flood plain maps. If anybody has any questions, we can take a look at those, but if not that is all I have. The boundaries have changed a little bit, but really no new properties are affected. The same properties that were in the flood plain with the last map update, are still on the flood plain.

Leathers: This was changed because someone up above said it should be so?

Endsley: FEMA came and evaluated all the flood plains. They re-evaluated the maps and came out with a new set of guidelines for flood plain regulations. So in order to stay current with the flood rate insurance program we need to update.

Aspiras: That would be uniform to the entire State of Ohio?

Endsley: At some point in time it will be. I think they are taking blocks of the state at one time. We did not update the last time around because our regulations were compliant at that time. Now they are not so we do need to update.

Wheeler: I know some other states, particularly North Carolina, South Carolina, throughout the east coast have already went through the same process so FEMA is making their way around the country to my knowledge.

Baker: Anyone have any other questions or comments?

Public Hearing ended at 7:35 p.m.

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

Aspiras moved and Corfman seconded that the minutes of the May 18, 2009 regular meeting be approved. Roll call vote. Ayes all. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller reminded Council of the 2010 Budget schedule. June 15th is the first reading and public hearing. June 22nd will be the special meeting for the second reading and a workshop and we will also update everyone on the Capital Improvement account. July 6th will be the third reading and vote on the budget.

B. Utilities – Mr. Landaw reported at the Public Utility Board meeting they looked at the power cost adjustment formula and recalculated it. There will be a reduction in electric rates for our electric users. The average residential customer will see about a \$4-\$8 reduction in their electric rates per month. It is going back to February, with the decrease in fuel prices a few months back is what is causing the rates to go down now. Although whenever they re-evaluate the formula in a couple months with the rising fuel costs, we can almost expect what will happen, but again I am pleased to see that this formula is working the way it is intended and as costs come down our customers see

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that reflected. As costs go up that is also reflected in the bills.

C. Health & Safety – Mr. Corfman had no report, but reminded Council there will be a Health & Safety Committee meeting at 6:45 p.m. before the next council meeting in two weeks (June 15th).

D. Parks and Recreation – Mr. Aspiras congratulated the 109 now alumni of Orrville High School. Also, we met just prior to the meeting on showing movies in Orr Park this summer. Mr. Wheeler welcomed me to share the information there, but I am just not going to steel his thunder. I am going to let him take care of that.

E. Transportation – Mr. Shupp had no report, but ask Mr. Wheeler to update us on the South Main Street project and maybe some of the other bids we had out.

Wheeler: That was going to be part of my report.

Shupp: Okay, we can wait for that.

F. Planning – Mr. Vance had no report.

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

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk announced the pool is open and we will have a recycling program at the swimming pool this year. There will be containers out there for people that are swimming. I imagine that would be mostly the plastic drink bottles and that sort of thing. Also, I would like to congratulate all of the State Track qualifiers from the High School Track Team. We had one girl that qualified and several relay teams for the boys and also several boys in individual events. That is coming up this Friday and Saturday in Columbus. Patrolman Mike Smith has been nominated and chosen to be our Employee of the Month from the Police Department. Mike has been employed since January 29, 2008 so just about a year and a half on the police force. Mike is very dedicated, dependable, hardworking officer and he volunteers for almost every public relations request which allows him to be very accessible to the public. His demeanor and approach to the job are an excellent example for all employees for the police department to follow. Mike was recently selected to become a member of the Department's Special Response Team and completed the basic SWAT school held at the Ohio Peace Officer Training Academy in May. Congratulations to Mike. That is a pretty good thing to be only on the job for a year and a half and be selected as Employee of the Month.

B. Safety Service Director- Director Wheeler reported bids have been opened on a variety of capital projects that we have proposed for this fiscal year. Bell Avenue paving; that bid was opened. We had an engineer's estimate of \$39,000. Low bid on that project was \$42,000 which is within the 10% as required by the State of Ohio. The low bidder on that project was Superior Paving. Superior Paving is our South Main Street contractor. They are scheduled to start after the July 4th holiday and they will do both projects while they are here. Hostetler Road we have a concrete replacement project at the intersection of Congress and Hostetler. The low bidder on that project was Tony Zumbo & Son Construction Co., Inc. and they bid \$47,000. The engineer's estimate on that project was \$55,000 so that was a pleasant surprise to be below the engineer's estimate. The downtown revitalization project which includes Vines Street and Railroad Alley paving; the low bidder on that was Barbicus Construction Company, Inc. The engineer's estimate on that project was \$201,500. The low bid was \$165,000 so they too are considerably under the engineer's estimate. As part of that project we had several alternates in there including a stamp concrete alternate and tree grates. We are having quite a few problems, if you noticed with the maintenance of the pavers around the trees. We do plan to move forward with the tree grate alternate which would bring that bid up to

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\$207,000 which is still \$35,000 below the engineer's estimate as a whole. At this point it appears there will be very little City funds that will have to be utilized as a majority of that will be through our various grants including the CDBG grant. Kudos to Mrs. Endsley on that as well. We have postponed our re-bidding the storm water project adjacent along the railroad as we are bringing in these others we wanted to see if there was going to be enough money available as the engineer feels like we are going to have to increase it as the bids came in so much high; which I mentioned at a previous meeting. As Mr. Aspiras mentioned, we continued to pursue the Friday Night Family Fun Movie Night. At this point it appears that the funding is potentially going to be there to make that a reality. If it comes to fruition it will begin June 26th with the movie Hotel for Dogs. The schedule will be available and is currently on there in a draft form of the whole entire six week program. We welcome families and neighbors to come out and have a community event together. It is free of charge and there will be concessions available as well. Finally I would like to thank the 3rd and 4th grade teachers, as well as their students, for letting Mrs. Strimlan and I teach them about municipal government over the last few weeks. We had a great time and we are very impressed with the interest as well as the intelligence of the students and we look forward to doing it all over again next year. We had a really good time.

C. Utilities Director – Director Preising reported on the water line projects. We are still waiting on the Corp of Engineers. We are hoping sometime mid this month we will get the approval to go ahead and tell the contractor to go ahead. We have bids in. They were substantially under budget so we are working towards getting that project done. Electric plant is still working on rewinding a generator. We had some inkling that is going to be late. We are working to get that back on schedule. Hopefully it will still be back in before the first of July.

D. Finance Director – Director Strimlan reported the State of Ohio has completed their audit for the year ending December 31, 2008. I would be expecting some notification from them in the very near future about the closing meeting and the CAFR should be completed and ready for distribution the end of June. Lastly, I too would like to echo Mr. Wheeler's comments and thank the 3rd graders for visiting. We did have a great time. I would also like to thank Bill Hummel and KCs for donating coupons for free ice cream cones for all the 3rd graders that participated in our mock election and mock council meeting.

E. Law Director - Director Lutz reported unfortunately I don't have good news. It is a Pike Island update. I got a letter by e-mail today from GenPower. Pike Island is a hydro-electric project that we hold a license to and GenPower was our agent and they are notifying us that they are not going to proceed with construction. They site to the severe national recession and credit crisis and also unexpected significant increases in equipment costs, unexpected and significant declines in power market prices that make further development of that project unfeasible for them. They determined that actually in January and let us know that they were going to try to look for a buyer to take it over and they have gotten no suitable offers to purchase their LLC that they created for construction of this project. In December of '08 we signed an amended agreement giving them til December 31st of this year to give us a notice to proceed and they are just giving us a courtesy early notice that they are not going to give us that notice to proceed. If we were interested in trying to keep that license, we could do so; although, in talking with Mr. Preising I don't think that is probably feasible and if you have further questions about that you can ask Mr. Preising because I don't know the details of about that. Unfortunately we did get a little bit of money back on this early on on the front end. We got several thousand dollars paid by GenPower, but just because of the economy and the lower power prices now it is just not feasible to go forward. I will answer any questions I can regarding that or Mr. Preising can perhaps answer questions about the feasibility of the City doing anything with those license at this point forward.

Miller: So are you saying that after December 31st the license will have expired anyway?

Lutz: No. What happens after December 31st is that if they didn't give us the notice to proceed our agreements with them would terminate. They are just giving us an early heads up saying we are not

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going to give you that notice to proceed so the City is free to try to pursue retaining that license. I am not sure of the exact date of when the license would actually expire, but it would probably be pretty quickly thereafter.

Preising: I would say in October of 2010 I think is when it finally goes, but we may get a note before that from FERC that they will be pulling it back.

Miller: If the economy does start to look like it is going in a better direction at the end of the year, is there still a chance that something will change?

Preising: It is highly doubtful. There is a timeline that GenPower had to meet and us as a licensee had to meet to construct this and by that period of time it would be near impossible to construct it. If we were to take it over, we are probably looking at \$250,000,000 to \$300,000,000.

Corfman: Pretty much if we do nothing, we simply lose the license?

Preising: That is correct. There won't be any costs associated with it that I am aware of.

Corfman: But our chances of selling it for anything are also...

Preising: The timeline is so narrow now, that a company could not just come in and take it over and get it constructed by the time FERC wanted. They would have to go through some pretty lengthy proceedings to be able to get it extended and they have extended several times now and they pretty much said that they won't extend it again.

F. President of Council – President Baker requested an update on the Industrial Park.

Wheeler: The consultant that we hired to complete the environmental archeological study out there completed their work, completed their report, and that report has been submitted to Ohio Historic Preservation Office which is the agency that was sort of pulling the strings behind requiring that report. I was in contact with OHPO today and they said it was still on their calendar to get to as they work through. Of course, I asked for them to fast track that. Once they complete their review, their comments will be submitted to the Corp and hopefully the Corp will submit our permit in a timely manner. The good news in all this is ASC did find a few findings out on the site, but overall their report issued a finding of no impact and had recommended allowing us to move forward.

Baker: I would just like to remind everyone that school is out so watch out for those kids that might not have normally been on the streets when you were driving to work or at lunch or whenever it may be. Also, since the weather has gotten better a lot of the do-it-yourself people need to keep in mind that if they are going to dig post holes or anything else in their backyard, that they should call to make sure that there are no underground utilities where they are planning on digging.

Old Business:

ORDINANCE M-09

Leathers moved and Landaw seconded that Ordinance M-09, an ordinance replacing Chapter 1303 of the Codified Ordinances of the City of Orrville, Ohio, regarding flood damage prevention, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This ordinance is required to go three readings.

ORDINANCE N-09

Leathers moved and Corfman seconded the Ordinance N-09, an ordinance vacating a portion of Strawberry Lane, a portion of Clark Street, a portion of North Walnut Street, a portion of Arch Street, and two alleys in the City of Orrville, Ohio, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Leathers moved and Vance seconded 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 N-09 be adopted as read. Roll call vote. Ayes all. Motion carried.

New Business: None.

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Good of the Order:

Baker: Relay for Life is coming up in a couple weekends and any of you that have not participated before go down and watch what is going on. If you would like to walk around the track, you are welcome to do that. We will have our Miss Relay contest again this year which a lot of the people missed last year. Unfortunately, I am not going to dress up, but we are also this year going to have something a little bit different. They are going to have a Mr. Relay contest also. So if you would like to have some fun, go down and check it out. Make a donation and have a good time.

Vance: I just wanted to remind people that Heartland Point Café opened up today. I am sure people will enjoy being able to go back down there again.

Corfman moved and Leathers seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 7:55 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council