

Regular/Public

June 5, 2006

President Handwerk called the meeting to order and the Pledge was recited.

Pastor John Beck offered the prayer.

Roll call: Purdy, Landaw, Baker, Weaver, Corfman, and Leathers were present; Miller was excused.

Purdy: Changes to minutes: Regarding Resolution 25-06, Nay should be Purdy. Corfman: Under Good of the Order, it should read TEL instead of telephone. Corfman moved and Baker seconded that the minutes be approved. Roll call vote. Ayes all. Motion carried.

Public Comment – None

Standing Committee Reports:

A. Finance – Mr. Miller was excused.

B. Utilities – Mr. Landaw had no report.

C. Health & Safety – Mr. Corfman stated that we would not be at the next council meeting.

D. Parks and Recreation – Mr. Weaver reminded citizens to use Orr Park.

E. Transportation – Mr. Baker had no report.

F. Planning – Mr. Purdy had no report.

G. Ordinance & Personnel – Ms. Leathers reported that she had a letter of resignation from Michelle Hedberg, Council Clerk. Leathers moved and Purdy seconded to accept the resignation. Roll call vote. Ayes all. President Handwerk thanked Michelle for her years of service and quality work.

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Steiner was excused.

B. Safety Service Director- Director Jewell reported that the Wayne County Senior Transportation will no longer be in service as of October 1, 2006. She is working with another company to continue the service; information about the new company will be given to council. She stated that recently during threatening weather, Orrville's tornado siren did not work due to a blip in power. She tried to have it set off manually and it did not work and the cable emergency interrupter cut off her message. The siren has been working during recent drills—May 1. This will be checked into and computerized equipment may be purchased; it is not a budgeted item and estimated to cost \$11,000. Leggett stated that all of the City's computer systems have power backup.

C. Utilities Director – Director Preising reported that a memo from AMP-Ohio was distributed. The recent air permit was the most extensive we have had. Notification was recently received that the 594 funds may be cut. One million dollars may be needed to replace part of our pipe.

Regular/Public

June 5, 2006

D. Finance Director – Director Leggett reported that at the last finance committee meeting, questions and answers were discussed on the income tax analysis. He also reminded council about the '07 budget schedule. It is expected that the Utilities Board will approve the department budget. The budget hearing will be June 19. Council should receive the audit conference 2005 memo. On behalf of the Mayor, Director Leggett reported that the Mayor took part in the ribbon cutting ceremony for Heartland Point and Director Leggett asked council and citizens to visit the facility. He congratulated the Orrville High School track state qualifiers.

E. Law Director – Director Lutz was excused.

F. President of Council – President Dave Handwerk commented that the street department and cemetery did a good job at the Memorial Day Service. He inquired if the platform could be extended.

Special Committee Reports - None

Old Business - None

Resolution 30-06

Leathers moved and Landaw seconded that Resolution 30-06, a resolution authorizing the Board of Control to enter into a contract and/or contracts without bidding for sidewalk repair, and declaring an emergency be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: Sidewalk (some) owners from Ward 1 have not repaired the sidewalks following the notices.

The quotes are \$4,400 to \$20,580 which exceeds the Safety Service Director's limit.

Handwerk: Why the difference between the quote and bid?

Jewell: Concrete prices are higher than in the past.

Leathers moved and Purdy seconded that the rules, regulations and statutes requiring the reading of a resolution on three separate days be suspended.

Leathers moved and Baker seconded that Resolution 30-06 be adopted as read. Roll call vote.

Ayes all. Motion carried.

Resolution 31-06

Leathers moved and Landaw seconded that Resolution 31-06, a resolution authorizing the Board of Control to advertise for bids and enter into a contract and/or contracts for the resurfacing of West Oak Street, West Paradise and Maple Street, Orrville, Ohio, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Leathers moved and Baker seconded that the rules, regulations and statutes requiring the reading of a resolution on three separate days be suspended.

Leathers moved and Landaw seconded that Resolution 31-06 be adopted as read. Roll call vote.

Ayes all. Motion carried.

Resolution 32-06

Leathers moved and Landaw seconded that Resolution 32-06, a resolution authorizing the Safety Service Director to take bids and enter into a contract and/or contracts to affect a cleanup of property pursuant to Section 1327.17 of the Codified Ordinances of the City of Orrville, Ohio, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Handwerk: Information from Director Jewell was received on this.

Regular/Public

June 5, 2006

Jewell: This has been ongoing with property maintenance code issues. We have filed charges on this through the Wayne County Court in February. Property owner was notified that we intended to clean up the property.

Mrs. Duncan, property owner: We worked on this for two weeks and hauled away a bunch of stuff and painted. We mowed everything except a section that is sunk in.

Handwerk: This has been a long procedure and I do not think the neighbors should have to look at this.

Duncan: I did not have help but I do now.

Purdy: Why would you allow it to get like this in the first place?

Duncan: I had no heat and water so I didn't spend much time at home.

Purdy: There is a lot of stuff there.

Duncan: A lot of this stuff has been taken out. We will get the autos out as soon as we can.

Handwerk: Why would we believe that it will be taken care of now?

Duncan: I had no help before.

Jewell: I have files from previous actions that were taken and this goes back to 1996 when charges have been filed. I suggest you put this on first reading and we do a recheck prior to the next meeting and we can see if it has been cleaned up satisfactorily.

Handwerk: I do not want to stop anything that you have started but if the City employees have to clean this, then it is better to wait. (until next meeting)

Corfman: Anything that the owner does will reduce what the City will have to do.

Jewell: I believe the cost will exceed \$15,000. We will need to bid this. I would like to see if we can have someone bid this that is trained to do this; our city employees are not trained to do this.

Handwerk: Why have the Courts failed? I am in favor but this irritates me that we have to spend \$15,000.

Jewell: The Courts have found the owner guilty but the fine is very low, about \$100 multiple times, but we go through the process and we received a conviction and fine but it is not cleaned up. The bill will be assessed to the property owner for the cost. It is time consuming to collect it but the taxpayer's money eventually will be recouped.

Purdy: I understand Mrs. Duncan and her son are working to clean this up. Can you clean up this mess in two weeks?

Duncan: I am working on it and Community Action will help with this because my income is eligible for it.

Jewell: Can you get us a copy of the letter?

Duncan: When I get the letter.

Corfman: Both vehicles do not run so they can be towed even if the ground is wet.

Jewell: They can be hooked up and pulled even through the wet (ground).

Handwerk: Start the process as long as the money can be recouped.

Purdy: I would like to wait until next meeting to vote.

Landaw: The misdemeanor charges keep adding up, can we do anything to give us more power?

Jewell: I can check with the law director; the violations escalate to \$1,000 and six months in jail.

This resolution will appear for second reading at council's next meeting.

Resolution 33-06

Leathers moved and Purdy seconded that Resolution 33-06, a resolution to oppose the tax and expenditure limitation (TEL) constitutional amendment be placed on first reading. Roll call vote.

Ayes all. Motion carried.

Corfman: There may be a compromise in the works at the state level that make this unnecessary.

Purdy: Is this the law director's interpretation?

Regular/Public

June 5, 2006

Corfman: He added some language.

Leggett: It is important that council opposes this. The constitutional amendment will not change based on our legislation.

Corfman: It states that we notify the state representatives especially Senator Amstutz.

Preising: On June 1, there is action in court. Should it pass, it can be removed from the ballot.

Leathers moved and Weaver seconded that the rules, regulations and statutes requiring the reading of a resolution on three separate days be suspended.

Leathers moved and Corfman seconded that Resolution 33-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Good of the Order – Landaw stated that he received two residents' comments about big truck traffic on North Crown Hill.

Jewell: We have studied this last year and I asked the law director about this. The opinion from the court decision rendered on our ordinances which require them to stay on a truck route is unconstitutional. They can travel to and from businesses on Crown Hill.

Handwerk: We can suggest but they do not have to follow it.

Corfman moved and Weaver seconded that the council meeting adjourn. Roll call vote. Ayes all. Motion carried.

Meeting adjourned at 8:20 p.m.

Michelle L. Hedberg, Clerk of Council

Date

Dave Handwerk, President of Council