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July 5, 2011

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

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

Aspiras moved and Hamsher seconded that the minutes of the June 20 2011 regular meeting be approved. Roll call vote. Ayes all. Motion carried. Hamsher moved and Miller seconded that the minutes of the June 27, 2011 special meeting be approved. Roll call vote. Ayes all. Motion carried.

Hamsher moved and Aspiras seconded to amend the agenda to add Ordinance E-11 under New Business following Resolution 25-11. Roll call vote. Ayes all. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller reported tonight our budget for 2012, which is our initial plan for 2012, is on third reading. I trust that questions were answered at the workshop last week about that and we will vote on that on the agenda tonight. Also, as everyone is aware the state budget was passed over the weekend and when we get the specific information on that obviously all local governments in Ohio are going to be affected in some way and when we do get all the information on that final bill Ms. Strimlan and her staff will be looking at what specific impact it has on the City of Orrville. I would like to at this time call a Finance Committee meeting to discuss that on July 25th after the Utility Board meeting. We are anticipating that would be enough time to get that information and be able to have a discussion on it.

B. Utilities – Mr. Vance was absent.

C. Health & Safety – Mr. Corfman stated he thinks we all owe our safety forces and our city workers a big thank you over the festival week. Not only did they put on a great festival, but to have a large fire and quite a job to do during that time. We are grateful for all the help we got from other fire departments.

D. Parks and Recreation – Mr. Aspiras reported Resolution 25-11 is up for first reading tonight. That is the piece of legislation concerning the Blackwell-Williams dog park site improvement. We will have more detail on that when the piece of legislation comes up. Ms. Endsley is also here tonight to share some additional information. I would like to echo Mr. Corfman and the congratulations to all the people that participated in such a great 4th of July celebration and the outstanding fireworks display. So thank you to the Orrville Fire Fighters Association, the Orrville Fire Department, Orrville Police Department, Orrville Utilities, and all the city workers and citizens for making our city look well.

E. Transportation – Mr. Shupp had no report, but thanked everybody involved for another great 4th of July festivities in our community.

F. Planning – Mr. Hamsher reported the Planning Committee met last Monday, June 27th, and we discussed the sandwich board ordinance which we will be addressing today as well as I think we have come up with a resolution or resolved ordinance that will encompass all the concerns that we have heard about and talked about.

G. Ordinance & Personnel – Ms. Leathers was absent.

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Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk reported he announced this at the Utility Board meeting last week, but most of our council members were at a committee meeting then. I just want to announce that Jeff Brediger was the recipient of the Harold Kramer – John Preston Personal Service Award at the American Public Power Association national conference in Washington DC. That has been in several of the newspapers. Not always the right picture and a few other things weren't correct, but just wanted to say we are very proud of Jeff. He is certainly being recognized for service to APPA. He has gone to Washington several times to address the EPA for APPA and we certainly appreciate all he does in that aspect there. He hasn't given 232 years of service yet even though he has been with us 23 years so that is a good start to that, but he has a little bit time of time to go to get that 232 like it said in the paper. Also, I wanted to announce that our July Employee of the Month is Kristin Endsley who happens to be here tonight with us. Some of the information is from Mr. Wheeler who was unable to be with us tonight. Kristin was hired in March 2002 as the Assistant to Administration and promoted to Planning and Community Development Manager in 2007. In her current role Kristin is responsible for identifying state and federal grants that the City may be interested and qualified in submitting grant applications, working with the state and federal agencies on grant administration, and assist the Director and Superintendents in the preparation of budgets and appropriations, authorizes zoning certificates, works very closely with our engineering firm that helps us on many project bids. Due to Kristin's grant writing efforts the City has received \$4.5 million in grants over the past five years and over the past three years the City has been able to complete resurfacing of 15 of the worst condition asphalt streets due to the grant applications and also acts and fills in admirably in my (Mr. Wheeler) absence and other events. Kristin is an Orrville High School graduate class of 1994 and a graduate of Miami University. She has a husband, Tim, and three boys. Kristin is a great example of a born and raised Orrville native and has remained dedicated and passionate about bettering our community and we thank Kristin for all that she does for the Safety-Service Department and the City of Orrville. Lastly, as some have already done, I would just like to mention first of all about the great job the fire department did with the fires we had last Thursday at Jerry's and Runions. Certainly the way those buildings are all connected, that could have been far, far worse than what it was and we are thankful for the quick response the fire department had. Also, as was mentioned, the help from the other departments around the county. They certainly do a good job backing each other up. We just experienced a great week of activities connected to the Orrville Fire Fighters Association 4th of July celebration: the parade, the carnival, the softball tournament, Rotary/Growing Healthy Habits 5k run which Mr. Corfman was a participant in that. I won't tell you how he looked when he was done, but he was in there. And the carnival vault which was new this year. Pole vaulting expedition which if you were privileged to see that out there, we saw somebody pole vault 16' 6" and go out at 17' which is probably something that has not been done in Wayne County before that I can think of. Our high school record, Sheldon Riffle, has 16'. So that was certainly fun to watch and hopefully that will be bigger and better next year too. The 3 on 3 basketball tournament which took place all day on Saturday and even the baton twirling competition that Ms. Leathers coordinates every year and of course the great fireworks display that we had Sunday night. While all of this can be an inconvenience for some of the businesses and individuals, especially some that live nearby the park, we apologize for that but the positive still far away the negatives. Many, many people visit our city in those five days and the majority leave having a very, very positive experience and a good feeling about Orrville. We thank the Orrville Fire Fighter's Association for all their planning and work as well as our Fire Department, Service Department, pool staff, and Utility Departments especially distribution for getting everybody all hooked up out there before the carnival starts. Without these groups we certainly would not have such a great week in Orrville so we thank you for that.

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B. Safety Service Director- Director Wheeler was absent; however, Kristin Endsley was present on his behalf.

Endsley: I do have a quick report from the Safety-Service Director. Again, like many of you, he is echoing what a wonder week we had this last week with the fireworks and July 4th festival and he would like to thank the Orrville Fire Fighter's Association, our Police Department, our Utilities Department, the Service Department, and all the workers at City Hall for all their efforts during this week. In addition, we will be having some street resurfacings coming up here real soon. Our OPWC project was advertised for bid last week. Bids will be opened July 15th and that is the project where we resurface Mohican, Westwood, McGill, Church, and Walnut. As we open bids and select a contractor we will have hopefully more information at the next meeting and we will have time tables as well. Tomorrow our CDBG project which will be the resurfacing of Ella Street from Market to High, that bid opening will be held tomorrow at the county office so also at the next meeting we will know who the contractor will be and a time table for that resurfacing project.

Aspiras: Could you cover the trash delay this week?

Endsley: Yes. Trash will be delayed one day this week. So if your pick up is Thursday, it will be Friday and if your regular pick up is Friday, it will be Saturday.

C. Utilities Director – Director Brediger reported a few project updates. We are in the process of awarding a contract for the Burton City water main line replacement. This contract will be awarded to Ranshaw Excavators. They are out of Butler, Ohio. They were the lowest and best out of four bids that we received. That low bid came in about \$100,000 lower than our engineer's estimate so there are still plenty of eager contractors out there that are working in our favor. That project will start sometime within the next few months. We will also be replacing a water main on Church Street. This will be in front of the library and the block to the east of that. That will start this week and that will only inconvenience parking for one or two days. As you have read in the Daily Record, about a week and a half ago Wayne County and Medina County Sheriff looks like they have apprehended the wire thieves that were liberating wire off of our distribution poles as well as a few other utility poles in the Wayne and Medina counties. To date we probably have about \$20,000 worth of loss. That is the time to put up the new materials and the scrap values those individual absconded with. Other than a few comments/questions with the upcoming resolution a water treatment program for the power plant project, that is all the comments I have this evening,

D. Finance Director – Director Strimlan reported as Mr. Miller mentioned, we did have our budget workshop last week. I believe we covered everything in detail at that meeting. We did have a few questions following that and a few more today. Keep in mind that passing the budget doesn't give the authority to expend funds; it is more of a statutory requirement for the County. Also, the State of Ohio has finished their audit for us for 2010 so you will be receiving some notification from them in the near future that they will be scheduling the closing audit meeting. I believe that is going to be on July 14th. Lastly, I did distribute the Fund Balance Report for May of 2011 and ask for a motion to approve that report subject to audit. Miller moved and Shupp seconded. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director VanSickle announced that he did attend the public records training sponsored by the Attorney General's office and I would like the minutes to reflect that that was done at the request an as a designee of each of the members of council to satisfy their training requirement. At the end of our meeting I would ask that Council adjourn into an Executive Session to discuss some personnel matters.

F. President of Council – President Baker reported he also attended that same class. From the looks on faces of some of the people that were there, they could call it the Rip Van Winkle session. I did manage to stay awake the whole time. There were a couple interesting points to be made, but

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there were also a lot of long drawn out statements that were required, but it is a class were I did learn a few things. Mr. VanSickle did manage to stay awake the whole time so he is good. Peppard: We received some correspondence from the Ohio Division of Liquor Control. It is the Officers/Shareholders Disclosure Form for Buehlers Food Markets Incorporated.

Old Business:

ORDINANCE D-11

Hamsher moved and Aspiras seconded that Ordinance D-11, an ordinance amending Chapter 1009 of the Orrville Zoning Code and adding legislation regarding sandwich board signs be placed on third reading. Roll call vote. Ayes all. Motion carried.

Hamsher moved and Corfman seconded that Ordinance D-11 be adopted as read. Roll call vote. Nays all. Motion failed.

RESOLUTION 21-11

Hamsher moved and Miller seconded that Resolution 21-11, a resolution approving the Budget for the City of Orrville, Ohio, for the calendar year 2012, and declaring an emergency, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Baker: Any questions of Ms. Strimlan?

Hamsher moved and Miller seconded that Resolution 21-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 22-11

Hamsher moved and Corfman seconded that Resolution 22-11, a resolution authorizing the Director of Utilities of the City of Orrville to contract, without bid, for the purchase of a water treatment and control system for the cooling system at the Power Plant, and declaring an emergency, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Brediger: On June 14th I did provide a memorandum to the Utilities Committee of Council about this project. We did discuss it at the Utility Board. I guess I would just be open to any questions there may be on this. Again, there is no rush on this project. It is something that is still in a planning stage. We still have some work to do with the EPA with respect to some of the changes in the discharge, but in a nut shell this project is a water conservation project that will allow us to reduce the amount of water that normally get discharged to the creek as part of our cooling water process. Roughly a third of the water we use for cooling purposes at the power plant is discharged to the creek to maintain proper water chemistry. That water is mainly provided by the effluent from the City's wastewater treatment plant and in return for that water being treated we pay the water department as a source of revenue for that. So there is a consortium of three departments sort of working together. The purpose of this project is really two-fold. One, it is to save on water and the chemical associated with pretreating that water and secondly, it is an opportunity for us to start weaning the water department revenues that are basically being subsidized by the utility department. We want to do this a little bit in a proactive mode mainly to prepare ourselves for the potential reduced generation of the power plant coming down the road. Again, we want to kind of take this as a proactive measure not to have the revenues of the water department artificially subsidized by the electric utility because the electric utility is the largest water customer. This will allow us to start realigning those expenses and getting those more in the budgets of the utilities. One of the outgrowths from this project will be that this project was also integrated in the water rates study that is in its final stages of being wrapped up and will be introduced to the utility board within the next month or so. As a result of this, this will have some modest impact on the proposed rate increases that we are looking at as well as integrating just some of the other normal costs of chemicals and supplies to operating the water utility. But mainly as a proactive step to minimize cost of chemicals of treating this large volume of water and to try to get the revenues and expenses more lined and in the proper utilities departments so they can more stand on their own so we don't have this heavy reliance. This program will be introduced over a long period of time, a year or more, and will slowly kind of transition those reduced revenues to the water

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department over the course of a year to two years. Once we transition through that, this program will basically pay for itself in about two years. We are looking at about a \$200,000 expenditure for this project. It is budgeted in our Utility Reserve Fund as a capital expenditure for this year. One of the other reasons also is the EPA has imposed some stricter discharge limitations on coal-fired generating utilities that operate wastewater treatment plants. So also a reduction of this water that is flowing from the cooling towers into the creek behind the plant will be subject to these new limits. It may eventually end up driving us to having this discharge rerouted to the wastewater treatment plant which would see our wastewater fees go up. This is probably about a three prong benefit to this. It will get the cost and stuff in the water department more in line, it will reduce the cross-subsidies that are going on, it will save chemical cost on the water that has to be treated, and it will keep us from some pretty substantial costs from the EPA to treat this water if it continues to go to the creek. Based on the limits we are seeing, those will probably require us to run those into the wastewater treatment plant. On top of that, again, it has a relatively quick payback period. This process is something that has been implemented in other utilities and other processes so it is proven, but it is a proprietary process that is why we ask to approach this on a no bid basis and there is not a need to waive the 30 day waiting period on that although that did appear in the resolution. No rush to complete this or approve this resolution on tonight's reading and there is not a need to waive that 30 day waiting period.

New Business:

RESOLUTION 25-11

Hamsher moved and Aspiras seconded that Resolution 25-11, a resolution authorizing the Board of Control to advertise for bids and enter into a contract and/or contracts for the Blackwell-Williams Dog Park site improvements in the City of Orrville, Ohio and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Hamsher: Ms. Endsley, it has been about seven months since we started this process. We haven't heard a lot about this so far. Just refresh my memory. The dog park site is going to be on the east side of Ella behind the Bell Store in that open field that is to the east of the gravel parking lot. Is that correct?

Endsley: That is correct. As of right now the State has approved the set plans that we submitted so as soon as this is passed we can go out for bid on the fencing, but with only five council members here tonight we are not going to be able to suspend the rules so we ask that you pass it at the next meeting. There is some preliminary work that we need to do because there is the installation of a water line and then also the Salvation Army with their new building some of their storm water is going to need to coordinate with our storm water in that area. So we do have work to do in the meantime and it should not delay the schedule holding this off for another two weeks. For the layout of the park, there will be a walkway from that gravel parking lot off Ella Street there by the ball diamonds. There will be a fountain there for people and dogs and then that will take you back to the park. It will be all fenced and there will be two separate sections of fence, one for smaller dogs under 25 lbs. and then one for larger dogs. There will actually be several sets of gates so smaller dogs and bigger dogs will not mix at all. We do expect the project will come within the numbers that we had budgeted and we will be ready to go out to bid as soon as this is passed.

Miller: Just two brief questions Ms. Endsley. The last information that I had with the grant and everything it is showing it is only going to cost us about \$7,000. Does that still sound right?

Endsley: We should still be within that. The biggest variable will be what the fence would actually come in on with the bids.

Miller: The other question I had was that I wasn't aware that we had actually put a name to this. What was the story behind that?

Endsley: We are just calling it the Blackwell-Williams Dog Park. We haven't officially named it, but we needed to have a name for ODNr when we submitted the plans and usually we have a name when those plans go out for bid, but that is just our internal name for this park.

Handwerk: Also, the people and dogs don't have to use the same drinking fountain.

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Endsley: Correct.

Aspiras: I just want to say thank you to Mr. Wheeler and Ms. Endsley for all the work they have done. This goes back to the fall of 2009 when we had our first committee meeting and I know you guys have done a lot of work and some patience waiting for this grant to get approved I think was close to ten months from the time you submitted it to the time we heard back. Once we got that approval, I know you guys were right on it and kept things moving.

ORDINANCE E-11

Hamsher moved and Corfman seconded that Ordinance E-11, an ordinance amending Chapter 1109 of the Orrville Zoning Code and adding legislation regarding sandwich board signs and inverted T-signs. Roll call vote. Ayes all. Motion carried.

Miller: I think it is worthy of an explanation of what we have done here with this. The original ordinance D-11 which we voted down needed to be amended several times which is why we did that and then brought this ordinance to first reading if anyone was wondering what happened.

Hamsher: I think we have crafted, possibly, an ordinance that...right now for information, sandwich boards are not allowed according to the Codified Ordinances of Orrville, Ohio so we had to bring something on the books to allow them. You see them out. Several businesses have some. Nice advertising. They are very well kept, but we needed to put something on the books that says they were allowed. Otherwise, we would have to go back to these businesses and say take them down, they are not allowed. So we came up with something and we talked about it for about a month now trying to address all the concerns we had as well as business owners as to how we might best address this and we have come up with something. A definition of sandwich boards and various T-signs, what size they can be, where they can be, take them in, take them down. To keep Orrville presentable. We see a lot of them downtown so as people come through we want to have a nicely done downtown and they are and we want to keep that going. I think this is something that we can be proud of at the end of the day.

Aspiras moved and Shupp seconded to go into Executive Session to discuss personnel issues. Roll call vote. Ayes all. Motion carried.

Entered Executive Session at 8:13 p.m.

Corfman moved and Hamsher seconded to adjourn Executive Session. Roll call vote. Ayes all. Motion carried.

Regular session resumed at 8:33 p.m.

Good of the Order: None.

Shupp moved and Hamsher seconded to adjourn the council meeting. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:35 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council