

Regular/Public

July 19, 2010

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

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

Aspiras moved and Corfman seconded that the minutes of the July 6, 2010 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 was absent.

C. Health & Safety – Mr. Corfman had no report.

D. Parks and Recreation – Mr. Aspiras had no report.

E. Transportation – Mr. Shupp had no report, but reminded Council of the Transportation Committee meeting on July 26th at 7:00 p.m.

F. Planning – Mr. Hamsher had no report.

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

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk reported that Orr Park is celebrating it's 80th birthday this summer and we will be having a few different articles. Mr. Locher is going to be doing an article in The Daily Record and OrrViews will be having a spread on that coming up. But one of the things we wanted to try and do is have a picture at the park up on Mizer Field of all the people that have been employed at the park over the years. This would be lifeguards, anybody connected with the pool, anybody connected with the concession stand, grounds keepers, anybody that has worked at the park. We have no idea weather that is going to be 15 people that show up or 350 people, but the picture is going to be Saturday, July 31st, at 2:00 at Mizer Field. Hopefully we will have a good turn out for that and have a lot of fun doing a little reminiscing while we are at it. Second thing is to introduce our Employee of the Month for July and that was Mr. Dana Booth from the Water Department. Dana is a Water Plant Operator III and has been with the Water Department for over 27 years. In addition to operating the Water Plant, Dana is responsible for managing the department's back flow cross connection program. Over the last couple of years the Water Department has been downsized and Dana has picked up some additional duties which include working in the Water Department laboratory; creating and updating EPA required documents; building and grounds maintenance; and source water protection. Dana is also a safety coordinator for the department and Dana comes to work with a positive attitude every day and is always willing to do whatever is necessary to help the department. He chose to eat lunch at Barnstone Café.

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B. Safety Service Director- Director Wheeler reported we are going to be doing some concrete repair work on Hostetler Road beginning Monday, July 26th, and that will continue through July 28th. That work will actually start from the corner of Main and Hostetler and extend to about the Taco Bell entrance. There is some concrete there that is badly in need of repair. As a result of the extent of the repair needed, we will close that section for all three days. All the industry and commercial in that area is aware of it and we encourage folks to use alternate routes to avoid that area during those three days. The Blue Lunch concert, which was the name of the band last Thursday, had over 125 people in attendance. The next concert is this Thursday, July 22nd. Different Directions is the respective band and our own councilman Dennis Miller is one of the stars of that band. They will be performing this Thursday. The performance will be held rain or shine. In the event of rain, the performance will be moved to Michael's Bakery. So rain or shine there will be a concert this Thursday. July 29th will be the Orrville Community Band and concerts do run through August 12th this year. As for the family movie night, we had over 100 people in attendance for *Cloudy with a Chance of Meatballs* on Friday. This was sponsored by the Hummel Group. The next movie will be *Imagine That* (Friday, July 23rd) which is sponsored by Armstrong Cable and then the final movie is August 5th which is a Thursday and is *Willy Wonka and the Chocolate Factory* – the original one. It is sponsored by Orrville Utilities. Again, note that it is a Thursday showing and it will be immediately following the Josh Snyder Band so you have a double header opportunity there to watch a great concert and then follow it up with a movie. A pre-construction meeting is scheduled for later this week for our road construction projects. We did have one contractor that was the low bidder on both projects. I will provide a detailed summary at the Monday night Transportation meeting.

Aspiras: Can you mention the Family Moonlight Swim and Ice Cream Social that is coming up too on the 29th?

Wheeler: That is July 29th and I believe it starts at 8:00 at the pool. They try to have a least one of those every summer and families are encouraged to come out and have fun.

Corfman: I believe our Police Department deserves some credit, some compliments on the fast resolution in some recent vandalism that was rather highly visible and an outstanding job on their part taking care of it so fast.

Wheeler: I would echo that. The Police Department did a great job and it was one of our younger officers that sort of solved the crime, if you will, and kudos to not only the officer but also the supervisor and the chief.

Aspiras: I believe the Family Moonlight swim, back on this again, members are free. Is that correct?

Wheeler: I believe that is the case. Non-members still pay the fee.

C. Utilities Director – Director Brediger hoped Council enjoys their summer break off. When we come back we have a little bit of work to do. We will be engaging in the details of the Energy Efficiency Program. What I am proposing is the Utility Board returns from their summer break on August 28th. I am proposing to have a workshop with the Utility Board and City Council following the Utility Board meeting. That will be put on by AMP representatives. I would like to, when Council comes back on the 7th, I would like to see the resolution put on first reading at that time. The Board's second meeting will be on the 13th and that will give us another opportunity to review the program, follow up on any questions that Council, the Board, public may have at that time. When Council comes back on the 20th that resolution will be on second reading and then I will be asking to see if we can get this body to pass it at that time. AMP would like to have a resolution in place by September 30th. I just wanted to keep that schedule and timeline out in front of you. I will send out some reminders while you are on break and get some reading material out for you on this program. There are really not a lot of options in this thing. Again, this is a mandated program complements of Federal EPA. We have three options in this program. One is not participate and just pay for it. We can participate at a minimum level or we can participate at a full participant level which comes with some guarantees and a wider variety of services that would be in my opinion a little bit better bang for our buck at the end of the day. We did meet with AMP representatives last week to go over the

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presentation. Hopefully we will have that thing put together that answers most of the questions that I hope will generate here. I just wanted to keep those dates out in front of you and see if there were any questions or issues or concerns with that.

D. Finance Director – Director Strimlan reported that prior to tonight’s meeting she distributed the Fund Balance Report for the period ending 06/30/10 and asked for a motion to approve that report subject to audit. Miller made the motion and Hamsher seconded. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director Lutz had no report.

F. President of Council – President Baker had not report.

Old Business: None.

New Business:

ORDINANCE L-10

Hamsher moved and Aspiras seconded that Ordinance L-10, an ordinance amending the zoning map created by Chapter 1120 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify a parcel of land known as Lot Number 3425 in the City of Orrville from I-2 (Industrial) to R-4 (Residential), be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This is a 27 acre piece of land. It is undeveloped. It is owned by the Martha Baer Trustee. It is located just north of the bridge on South Crown Hill. There was a public hearing held by the Planning Commission on June 17th and they did at that time recommend approval and forward it on to Council. Actually, they did that at the July meeting. This comes before you with the recommendation from the Planning Commission to approve. With that being said, Council is required to have a public hearing. I would recommend that public hearing be held at the September 7th meeting. Adjacent property owners will be notified prior to the meeting so they have an opportunity to speak if they wish.

Aspiras: Mr. Wheeler, during the Planning Commission meeting were there any discussions on development of this land? Are there any future plans?

Wheeler: There were some adjacent property owners that did ask the realtor that is currently marketing that property if there was any potential buyers or what their plans were. They said there were not any potential buyers at this time. The R-4 is the same zoning as what is across the street from there so it is in harmony with the area and they felt like that would make the property 1) more marketable and 2) also fit in with the surrounding area rather than I-2 which is a heavy industrial.

Miller: Do you need your motion Mr. Wheeler?

Wheeler: Yes.

Miller moved and Aspiras seconded that a public hearing be held regarding Ordinance L-10 on September 7th prior to the Council meeting. Roll call vote. Ayes all. Motion carried.

ORDINANCE M-10

Hamsher moved and Corfman seconded that Ordinance M-10, an ordinance amending the zoning map created by Chapter 1120 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify a parcel of land known as Lot Number 3426 in the City of Orrville from I-2 (Industrial) to R-4 (Residential), be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This property is adjacent to the Martha Baer property. It is 260 x 1300 currently owned by Samaritan Real Estate Ltd. It previously housed Samaritan EMS services. It currently houses the Danny Nussbaum Automotive Repair Shop. Mr. Nussbaum is proposing to purchase that property and continue his automotive repair shop business, but also to live there as his residence. As a result of that they are requesting the property be changed from I-2 to R-4 which would permit him to develop the property at that time. With that being said, he would have to sell his main property. He

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did mention that at the public hearing so I don't think this is something that would happen immediately as far as the occupancy. As I mentioned in my memo, it would make the repair shop a non-conforming use as a result that business could not continue if it were to go out of business or someone couldn't come back into there and have a different commercial use in there as well. It would restrict the future capabilities of that property if the automotive repair shop were to go out of business or something happen. Again this also needs a public hearing. I would recommend we hold the public hearing September 7th immediately following the Martha Baer property public hearing.

Hamsher: Mr. Wheeler, you said if it goes out of business or another business comes in. What if another Joe Smith comes in and wants to continue the auto repair business in that section behind the residence? Is that an acceptable use still?

Wheeler: I believe as long as it continues to be the identical business it would meet the requirements of the non-conforming use.

Aspiras moved and Miller seconded that a public hearing be held regarding Ordinance M-10 on September 7th prior to the Council meeting. Roll call vote. Ayes all. Motion carried.

Good of the Order:

Miller: Orrville Community Theater is again proud to present our summer presentation. It is called "Piano Man." It is the musical story of Billy Joel and Elton John. It is really a lot of fun. It is going to be August 13th and 14th at 7pm and August 15th at 2pm once again at the old Junior High. Please come out, you will enjoy it. \$7 for adults, \$5 for students. A great value. Continue to support live theater in Orrville.

Handwerk: I forgot to mention that yesterday the Orrville Ministerial Association had their annual community worship service at Orr Park with a community dinner after that. I would have to guess there was between 300-400 people there. It was a very good turnout and a real nice place to have the service. I want to thank the Ministerial Association for planning and organizing that.

Lutz: Ms. Strimlan doesn't want to say it herself since she is on the board for Main Street so she is making me do it. To remind everybody that on August 6th and 7th is the Rib & Music Fest sponsored by the Lions Club and Main Street Orrville. I encourage everyone to attend and eat a lot of ribs.

Baker: Okay, everyone come out and enjoy another fun weekend in downtown Orrville.

Aspiras moved and Shupp seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 7:51a.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council