

Regular/Public

September 18, 2006

President Handwerk called the meeting to order. Pastor David Kearns-Preston offered the prayer. The Pledge was recited.

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

Corfman moved and Baker seconded that the September 5, 2006 minutes be approved. Roll call vote. Ayes all. Motion carried.

Public Comment – None

Standing Committee Reports:

A. Finance – Mr. Miller stated that a meeting was held September 11th concerning the capital improvement fund and the proposed one-quarter percent city income tax increase that will be on the ballot in November. We talked about getting information out to the public. We are filming information sessions for broadcast on Armstrong cable. We are going to be having public meetings as well as visiting local organizations and some other things. Public input is requested by calling 684-5011 to respond to this subject. You can also follow the links on Orrville.com and respond there as well. The next meeting will be on September 25 after the public utility board.

B. Utilities – Mr. Landaw reported the Public Utility Board meeting adopted a number of items at there meeting which he will report on at another time.

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

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

Handwerk: Where are we at on the tennis courts? Jewell: The final stripping should go on the tennis courts at the end of this week and the fencing is nearly completed.

E. Transportation – Mr. Baker advised there is going to be a meeting in Wooster on Friday, September 29<sup>th</sup>, at 10:00 a.m. concerning SARTA to look into funding for a study to see if Wayne County would be eligible to have that expanded into our area. We have five representatives that are going to that and it will be representatives from all over the county, not just Wooster and Orrville.

F. Planning – Mr. Purdy had no report.

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

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Steiner had no report.

B. Safety Service Director- Director Jewell reported that on Orrville.com there is a link that will

## Regular/Public

September 5, 2006

take you to the Orr Bid where Orrville has items out on E-Bay. One of the most popular things we have done over the years is the annual bike auction. Right now there is over 30 bikes out on Orrville.com and they will be out there until 09/22 when the bidding ends. Anyone who is interested in these bikes – these are the bicycles that have been turned into the Police Department that were never claimed that we used to auction in the spring. On Friday we opened bids for our Detention System. That detention basin's original engineer's estimate prior to the bidding was \$570,300. The successful bid given to us by G.E. Baker Construction was \$409,381.40. We are very pleased with that bid. The work will be getting started as soon as a contract is signed and we hold a pre-construction meeting. We do expect substantial completion of the project this year. Perhaps next year would be the final seeding and final grading, but we do expect the project to be completed before the snow flies this year. Fifty percent of the cost of that project will be paid by the Ohio Public Works Commission. We came in quite a bit under the engineering estimate and we are getting fifty percent grant. At the next council meeting you will be seeing a piece of the legislation that you received last year for the first time, so this will be the second year and you will see them coming every year after this. Those are the two pieces of legislation, which will approve the tax incentive review counsel's recommendation regarding tax abatements that are out there. The reason you will have two pieces of legislation is that one piece reflects the whole abatement that are out there. The county commissioners had approval authority so the county commissioners are involved in those. The other tax incentive review counsel will be the ones that are strictly members from the Orrville area. There are probably about ten different abatements in that. I don't expect anything controversial in that because I believe everyone was in substantial compliance and there was a vote to continue on all the abatements. Another thing to be made aware of in case we come next month with an emergency piece of legislation, we had a salt bin in our plan that was going to be originally constructed in 2008 which the rafter are now following down and the sides are bulging out. We have determined that salt bin has to be replaced right away. We are in the process right now of getting pricing on a pre-engineered building. As soon as we can get the pricing together, we will bring that back to you, but we feel we are going to have to move on that within the next month in order to have a salt building before the winter hits. I just wanted to make you aware of that so it was not a surprise. We are working on it right now and hope to have it finalized within the next week or two.

Handwerk: What was the figure on the retention basin? Jewell: The engineer's estimate was \$570,300 and the bid came in at \$409,381. Handwerk: We get half of that in the grant then too? Jewell: We get half of that in the grant. Now we do have the engineering money that is on top of that cost, plus we have 40 days of construction observation so we will have an inspector eight hours a day on the job. That total for the engineering is \$56,825. The total cost we have in this project is \$409,381 plus the \$56,825 and then we get fifty percent of that back. It is well under our estimate. Handwerk: We are looking at two hundred and something for the city's part of it? Jewell: Yes. Handwerk: As opposed to what? For a while we were thinking it could be \$500,000 even with the grant. Jewell: Yes, even with the grant we thought it could be \$400,000. That is a good thing because we will probably need that money to build the salt bin.

C. Utilities Director – Director Preising commented that at the next meeting we will probably be seeing some legislation for coal. We are looking at possibly a one-year contract on coal and will probably/possibly that is going to lead into discussion of electric rates and things like that. I ask that sometime after the public utility board that you maybe schedule a workshop to have discussions in this area concerning the coal cost and electric rates and how we are going to look at proceeding with those. We are looking at coal costs increasing approximately 25%. In

Regular/Public

September 5, 2006

round numbers that is about \$2 million under our line item for coal. That is a pretty big hit for the electric utility for next year. There may be some substantial discussions that we want to have.

D. Finance Director – Director Leggett distributed the August 31, 2006 Fund Balance Report prior to the meeting. Miller moved and Purdy second that the report be accepted subject to audit. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director Lutz had no report.

F. President of Council – President Handwerk had no report

Special Committee Reports - None

Old Business

Ordinance I-06

Leathers moved and Purdy seconded that Ordinance I-06, an ordinance amending the zoning map created by Chapter 1120 of the Codified Ordinances of The City of Orrville, Ohio, to reclassify Lot 747, City of Orrville, now owned by Schantz Organ Company, from R-3 (Residential) to I-1 (Light Industrial) be placed on second reading. Roll call vote. Ayes all. Motion carried. Mr. Purdy advised that this cannot be voted on tonight because of the need for a public hearing which will be held October 2<sup>nd</sup> just before the city council meeting.

Ordinance J-06

Leathers moved and Purdy seconded that Ordinance J-06, an ordinance amending Chapter 1327, Section 1327.99 of the Codified Ordinances of The City of Orrville, Ohio, regarding the Penalty Section of the Property Maintenance Code be placed on second reading. Roll call vote. Ayes all. Motion carried. Director Jewell advised that this does not have to be passed tonight. Leathers moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate dates be suspended, Purdy seconded. Roll call vote. Ayes all. Motion carried. Leathers moved and Weaver seconded that Ordinance J-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Ordinance K-06

Leathers moved and Purdy seconded that Ordinance K-06, an ordinance changing the name of Smithville Road as it runs East and West from N. Elm St. to its terminus east of Main Street in the City of Orrville, County of Wayne, State of Ohio, to Hostetler Road be placed on second reading. Roll call vote. Ayes all. Motion carried. Mr. Purdy advised that this cannot be voted on tonight because of the need for a public hearing which will be held October 2<sup>nd</sup> just before the city council meeting.

Handwerk: I would encourage anyone watching that if they have concerns about this, one way or another, to let your council people know. I have had several that live on that street that would have a changed address that are entirely in favor of this change and I have had one or two that are not. It would be nice to know exactly what people are thinking on this. Some people think it is a great idea, some don't. Let us know.

Regular/Public

September 5, 2006

Landaw: Were the notices for the public hearing sent out to the people on that street?

Peppard: The public hearing notice has been put in the newspaper, but it is required to be to the abutting property owners within seven days – that will be done this week.

New Business

Leathers moved and Corfman seconded that Resolution 43-06, a resolution authorizing the public utilities board of control to enter into a contract and/or contracts for the installation of replacement air heater tubes for Boiler #11, and declaring an emergency be placed on first reading. Roll call vote. Ayes all. Motion carried.

Purdy: Refer to Director Preising's September 12<sup>th</sup> memo. These air heater tubes were last replaced in 1986. Several of the tubes are plugged and/or leaking. This is going to be done in the October, or the fall, outage. The estimated cost is \$130,000. This does not need to be passed this evening. If we are comfortable with it, it would be helpful so they could get rolling and get the process rolling, but they can work with whatever we do.

Leathers moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate dates be suspended, Landaw seconded. Roll call vote. Ayes all. Motion carried.

Leathers moved and Corfman seconded that Resolution 43-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Leathers moved and Landaw seconded that Ordinance L-06, an ordinance amending Section 913.70(f) of Chapter 913 of the Codified Ordinances of the City of Orrville, Ohio, regarding control of industrial wastes, and declaring an emergency be placed on first reading. Roll call vote. Ayes all. Motion carried.

Landaw: Mr. Auten is here tonight if we would have any questions on this because this is being requested to be passed tonight on first reading. This is really a compliment to our industries that have a pretreatment plant for their wastewater and they send it to our treatment plant. They have been doing a good job and been sending the product/flow within the requirements that we need to have. This has made the EPA happy and made Orrville happy and our utility happy. What we need to do with this is to change our code of codified ordinances so we can get our EPA permit. This is a good comment to our departments in the city and again to the industry that is sending us this wastewater.

Handwerk: We do have Mr. Auten here tonight. Do you want to add anything to that.

Auten: No, I think that was very well put. Denny is correct that we have spoken with the affected industries and they have no problem with it. Even though we are doing away with this part of the ordinance that has specific limits, we still have blanket authority under other ordinances and administrative orders that if we would have a problem we still have some control and leverage.

Denny is right, we would request that this be passed tonight so that we can proceed with our permits from the EPA. We have been in negotiation with them for about ten months and it would be nice to finish that up.

Handwerk: If anything would change as far as industry goes, we go back to what we have here now or what do you do then. Auten: Probably not. We would probably just issue an administrative order or permit to that specific industry. We have that authority and then we would state what pollutants we wanted limited and at what strength.

Miller: I would think that one of the keys here is if the EPA is happy they would not have let it get this far. Auten: Actually the EPA was not really happy. They were the ones that were not happy.

Regular/Public

September 5, 2006

We kind of had to negotiated and prove to them that we didn't need limits because they are actually in favor of limits. Unless you can prove that you don't need them, they will not let you rescind them like we are asking. Miller: So the whole thing is a checks and balance sort of thing. Auten: Right.

Leathers moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate dates be suspended, Corfman seconded. Roll call vote. Ayes all. Motion carried. Leathers moved and Corfman seconded that Ordinance L-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Good of the Order – None.

Corfman moved and Landaw seconded that the council meeting adjourn. Roll call vote. Ayes all. Motion carried. Meeting adjourned at 7:53 p.m.

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Tamra Peppard, Clerk of Council

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Date

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Dave Handwerk, President of Council