

Regular/Public

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President Baker called the meeting to order. Reverend Ray Pfahler of the Christian and Missionary Alliance Church offered the prayer. The Pledge was recited by all.

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

Corfman moved and Landaw seconded that the minutes of the September 15, 2008 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. Landaw had no report.

C. Health & Safety – Mr. Corfman reported the Health & Safety Committee had a meeting on September 22<sup>nd</sup>. Several landlords and residents were present and shared concerns. It was a productive meeting. The ongoing legislation from these meetings is still progressing. Mrs. Jewell will probably have it ready for us to start talking about a committee meeting in the next week or so.

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

E. Transportation – Mr. Shupp had no report but mentioned the South Crown Hill construction project from the railroad tracks through the intersection towards the fertilizer company will be closed for about three weeks. Try to avoid the area as much as possible.

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 read a proclamation declaring the week of October 6<sup>th</sup> through the 10<sup>th</sup>, 2008 as Public Power Week. We got off to a little rocky start Saturday with our Power Week, but I do want to thank our distribution department who was out there all Saturday morning working on the problem. They did a great job getting things fixed as quickly as possible. I know there were a lot of things going on in town with our garage sales and the schools had lots of stuff going on with Cross Country meets and JV Football games and Volleyball games and a lot of people had to do some quick changing. So we apologize for that. I am not going to say who caused that problem, but I will say he will never do it again. And his friend is Bullwinkle if that tells you anything. I will let Mr. Preising explain all the particulars about it in his report. Lastly, I would like to mention that fireman Aaron Keener has been chosen as the Employee of the Month for September. Aaron has served many years on our fire department and also on our hazmat team and Chief Ballentine said he has been very helpful to him. Aaron work's second

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shift so he is available in the daytime. He takes a lot of his time to help do the school programs at all the schools, not only Orrville but other local schools in our area too. We appreciate this service very much. We went to Jerry's for lunch last week.

B. Safety Service Director- Director Jewell reported that we did receive bids and we will be starting the curb ramp project on South Main Street. At all times during this project they will still maintain the traffic in two directions on Main Street. They may have some temporary closures on the side streets, but they will be working with traffic control on those closures. That project is scheduled to be completed before November 15<sup>th</sup>. We have not received an exact start date, but the completion date we do know. Another piece of information is relating to salt. As you have heard, across the United States there are shortages of rock salt that is used for ice control. I believe that Orrville is going to have to do some things we have never done in the past in order to have enough salt to get us through this winter. Right now we are pretty much as full as we can get in our salt bin although I think we are going to try to get a little more in there in the near future. We are stocked up for salt, but we do anticipate possibly making some changes that may include putting sort of a grit material in and mixing our salt down. We will keep you posted on that as we know more. Right now we really don't know a whole lot, except that we are experiencing those same shortages here that a lot other places are.

Shupp: Can you give us any reason why we are having this shortage of the salt this year?

Jewell: There are two different reasons. One of those reasons involves the fact that last winter, especially at the end of the winter, was really rough and that almost all of the salt suppliers took their stock piles – they always keep a stock pile over and above what they think they are going to need for that year – down to nothing. So there was not salt at the end of last year. They are being very cautious about committing to giving people salt for this year. Even though they have had a year to catch up, but they haven't really fully caught up. They can only promise as much salt as what they think they will have. The other part of that I don't understand totally, but it has something to do with the fact that Southern Ohio gets a lot of their salt on barges up the Mississippi and the Ohio River and there has been for some reason the barges haven't been able to bring the salt like they had in the past. I don't really understand everything I know about that, but I do know that Southern Ohio is then depending on other sources which would probably be the ones we typically use for their salt.

Corfman: Mrs. Jewell I am not sure this is appropriate during your report, but I would like to continue to encourage people to call in to the dispatchers when they see suspicious behavior. I think our police have done an excellent job lately. A few times people have called and some problems have been taken care of that way. I would like to encourage people to keep doing that. It is being very effective.

Jewell: If you see something in your neighborhood that just doesn't look right such as people out at odd hours of the night, in the middle of the night, or acting strangely those are the kinds of behaviors to report. If you see someone going around with dark clothing and flashlights, chances are they are not up to any good. Those are the kinds of things that doesn't look right, then report it to the police department. It really does help.

Carrozza: I think the Safety-Service Director is right on the money and the same with Mr.

Corfman because we made three arrests just last night and the BP B&E was a result of a citizen complaint/concern. Keep up the good work. It is a partnership.

C. Utilities Director – Director Preising explained the power outage. A squirrel actually got into the main power transformer coming into the plant off of our 138,000 volt line. By contacting two phases or between a phase and a ground he caused a minor explosion there which he came out of it pretty good. He is not alive, but he was in one piece. It caused two insulators on the line

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coming in to fracture and so those two insulators had to be removed and replace. That is what took most of the time. Along with that is caused the industrial substation, which is a backup for that substation, to also trip off the line. It caused a small fire in one of the breaker cabinets there. At that time also all these things knocked the power plant off too so we were totally in the dark. We didn't have power to start back up and we need power to get things rolling to be able to keep it going. We were going through a couple different avenues. One was getting the diesel generators ready to go, but that is a fairly long process too. We were working that avenue along with the employees repairing the damage that was done. We actually have a good portion of the industrial substation bypassed right now. Through switches and things out on the circuits we are able to feed everything off of the plant. So we are back to the way we used to operate without the industrial substation. We should have that back on sometime this week. It took three hours to replace the insulators on the transformers and then we just gradually brought people back up. We had a few problems with a couple of the industries due to the fact they are fed out of that substation it was a little more complex to bypass them around things to get power to them. By the end of the afternoon we had everybody on. I would also like to point out this is Public Power Week and the week starts on Sunday so hopefully it is a good week.

D. Finance Director – Director Leggett reported the Quarterly Investment Report was distributed to Council prior to the meeting. This outlines our current investments and it is required to be distributed to Council at the end of each quarter. No action is required. Also I wanted to tell Council that hopefully at their next meeting we will bring a policy for their approval. It will not require legislation, but it will require a motion and approval of Council. This policy will deal with the F.A.C.T. Act. If you are familiar with that, F.A.C.T. stands for Fair and Accurate Credit Transaction Act. It is part of the Patriot Act passed back in 2003. It has to do with identity theft and so forth. For a long period of time it was felt that municipal utilities would be exempt from this act and it was discovered not that long ago that no we are not since we do gather what is considered to be pertinent information such as social security numbers. Account numbers on utility accounts is considered pertinent information, balances, usage, all that kinds of stuff is covered under the Patriot Act. This stuff must be protected. We have been working diligently the last few weeks with the Policy Committee of the Utility Board to get a policy in place for them to pass at the next Utility Board meeting. We are assuming that will happen. We have met a couple times and we think the review of the policy will be fine next Monday night when they meet. Coupled with this there are a number of new policies, or I should say revisions to policies, that pertain strictly to the Utilities that the Utility Board will be passing at the same time. Those separate policies do not require Council action, but we will bring a portion of that to you so we do get Council approval on the procedures we have to deal with. This procedure/policy has to be in place by November 1<sup>st</sup> so we will be asking you to make a motion and approve that at the next meeting. After we get approval from the Utility Board next Monday, I will send you copies of that policy so you can review it. It is basically protecting our customer's identity. We are going to have to make a lot of changes. We are going to have to physically change the Utility's office and so forth. It is going to end up being somewhat elaborate, but we will explain all that when we get there.

Miller: I think people would be interested in whether there is any correlation between the current economic situation and our investments as we see in this report.

Leggett: There is indirectly. The investments, as I mentioned before we do have some investments on there from Fanny Mae and Freddy Mack which I told Council a couple months ago. However, those agencies have been taken over by the federal government. Our feeling is that those are fairly secure. Because of a number of things the interest rates that we are able to get now have been steadily dropping. I think I mentioned that to Council in the past too.

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Primarily tied of course to the fed funds rate which of course is all tied in to the economic situation we have now. Currently we do not know of any investments that we have that are in danger and primarily because of the laws of the State of Ohio and our Investment Policy which mirrors those laws in the State require that all monies that have funds be collateralized. Those are all collateralized with the same investments that we are capable of investing in. As I have mentioned before, Fannie Mae and Freddy Mack are some of those. Banks that we deal with and the collateral they have would be in Fannie Mae and Freddy Mack. That was a bigger concern even though I was very comfortable that the government would do what it did. The rate drop has just been going on, even before this recent problem developed. Of course, that hurts us. Every percentage costs us about \$250,000. When it goes down three percent over what we were getting a year ago it is a problem. We do still have some investments that are in the five percent range. A lot of those are in callable bonds and I think we have a bond at the five percentage range that is being called Wednesday. Because anybody that has a callable bond is not going to continue to pay five percent when they can pay two. We were protected to a certain extent, but that is only for the short term. Eventually, because of what we are invested in, we have to get down to around that federal fund rate. When the fed keeps dropping the rate, that is going to affect us. There is virtually no way we can get around that.

Vance: What kind of impact does it have on us if we have lost, for example \$750,000?

Leggett: That is \$750,000.

Vance: Out of what fund?

Leggett: That is across the entire range of our funds. The largest chunk of that will affect the electric utility since they have the most money. Then next to that is the tax deferred funds which in essence would be the general fund. And then the other funds trickle down through the utilities. Most of the tax supported funds, the interest from those, goes to the general fund. We only have a couple where the interest actually stays in the fund.

E. Law Director - Director Lutz had no report.

F. President of Council – President Baker: I think it is really good that we, as a community, are a member of the APPA. It is an organization that, without that organization throughout our country – not only in Orrville, there are many people that would not be able to have affordable power or would have power that is not nearly as reliable as it is. I do want to remind people that this coming weekend there is an open house at the Waste Water Plant. It is going to be on Saturday from 10-2. So if you want to see what happens to your water after it disappears from your house, stop down there on Saturday.

#### **Old Business:**

##### **ORDINANCE O-08**

Leathers moved and Corfman seconded that Ordinance O-08, an ordinance amending Section 937.01 of Chapter 937 of the Codified Ordinances of the City of Orrville, Ohio, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Jewell: Just as a reminder, this is the ordinance that changes rates for the use of the facilities at Orr Park. It does not need to be passed on first or second reading. I would recommend it go three readings.

##### **RESOLUTION 49-08**

Leathers moved and Miller seconded that Resolution 49-08, a resolution authorizing the Safety-Service Director to take bids and enter into a contract and/or contracts to effect a clean up of

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property pursuant to Section 1327.17 of the Codified Ordinances of the City of Orrville, Ohio, be placed on second reading. Roll call vote. Ayes all. Motion carried.

Jewell: Again, I would recommend letting this legislation go three readings. I did go past the property on Friday of last week and they have not starting making any improvements to it as of this time. It is at 249 West Chestnut Street. I am hoping they will be able to get this matter taken care of so that the City doesn't have to do it, but as of now there hasn't been any change.

Leathers moved and Corfman seconded to strike Resolution 51-08 from the agenda. Roll call vote. Ayes all. Motion carried.

**New Business:**

**ORDINANCE P-08**

Leathers moved and Landaw seconded that Ordinance P-08, an ordinance accepting and confirming the dedication of a portion of North Main Street and West High Street, as shown on the CVS 4605 OH Allotment and Dedication Plat, Green Township, City of Orrville, Wayne County, Ohio to the public use forever, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: When we were working with the CVS project there was some discussion at that time that centered around the work we were doing with the truck route and looking at the various turning radius of various intersections in town. At that time, since this was a new development project, CVS has agreed to donate the right-of-way needed there to make the 50 foot radius at that corner. The purpose of this ordinance is to accept that dedication and accept the dedication plat. We do have Shawn McDermont of the Zaremba Group who represents CVS and he can answer any questions.

McDermont: I have been before you prior to this regarding the CVS project and I am happy to answer any questions you may have regarding the project itself or the dedication of right-of-way at the corner.

Handwerk: If we do decide that we want to widen that intersection, is it going to mean that you need to remove any of the things you have put in there so far?

McDermont: We have accounted for a 50 foot curb radius as the truck route study suggests as one of the alternatives. If a different alternative is chosen, something that requires a larger radius for a larger truck turning movement you would need to do some reconstruction at that corner, but if the plan goes forward with the 50 foot curb radius we would not need to do any reconstruction at the corner. The project was designed to take that into account.

Baker: Does anyone else have any questions for Mr. McDermont.

McDermont: I do want to say in closing since we are nearing the end of the project, it has been a pleasure working with all of you, Becky and your staff. We really appreciate how smoothly the project has gone.

Baker: I would like to commend you for the appearance of what is coming up there. When I first saw the bricks going up closer to the corner, I wondered what all the bricks were. Apparently these are brick planters that are going to have trees and other vegetation. I think it is going to be a good looking project when it is finished.

Corfman: Since you brought up the truck route, is there a meeting still coming? Is that planned yet?

Jewell: The next meeting is not scheduled. It will be sometime after the first of the year. At this time they are doing environmental studies in the identified corridors so they have some scientific facts about whether or not one corridor over the other would be chosen. Right now they are in the process of conducting those studies and doing soil boring and soil testing and things like that. We should have that information compiled and right after the first of the year have another

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public meeting. I might mention again that the public's input at those meetings is very critical to helping us choose the right alignment for the truck route.

Leathers moved and Corfman 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 P-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

**RESOLUTION 50-08**

Leathers moved and Landaw seconded that Resolution 50-08, a resolution to abolish the classification of water Quality Coordinator, to modify the classification description for Water Plant Operator II, and to establish the classification of Water Plant Operator III in the Classified Service, and to establish the classification of Instrumentation and Controls Engineer in the Unclassified Service of the City of Orrville, Ohio, and repealing all legislation inconsistent herewith, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Lutz: Just for clarification, the reason Resolution 51-08 was stricken from the agenda was that was an early draft of Resolution 50-08 that was brought over which the Clerk mistakenly thought it was another piece of legislation. Also Resolution 50-08 has to be pre-published so it can't be passed tonight. Mr. Forrer is here if you have any additional questions.

Corfman: Can Mr. Forrer explain how this is going to work as far as why we are doing this. I know we are moving hourly to salary.

Forrer: No, we are not changing hourly to salary. They are all still going to be – the water plant operators – hourly employees. The Instrumentation and Controls Engineer is a salary position.

Aspiras: What was the old position of the Instrumentation and Controls Engineer? We are moving someone into that position?

Forrer: Someone will probably be promoted from within the organization. No new employees. No one loses their job.

**Good of the Order:**

Miller: Announced that Orrville Community Theater will have a Christmas presentation called Humbug. It is a contemporary adaptation of A Christmas Carol by Charles Dickens and it should be a lot of fun. Auditions are this Saturday and Sunday at Main Street Orrville at 2:00pm.

Leathers moved and Corfman seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 8:09 p.m.

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Tamra Peppard, Clerk of Council

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Date

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Lyle Baker, President of Council