

Regular/Public

October 16, 2006

President Handwerk called the meeting to order. Pastor Brad Dews offered the prayer. The Pledge was recited by all.

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

Purdy moved and Miller seconded that the October 2, 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 October 9th concerning the capital improvement fund and the proposed one-quarter percent city income tax increase that will be on the November ballot and getting information to the public about that issue. The finance committee will host public meetings on this issue Monday, October 23rd, and Thursday, November 2nd, at 7:00 p.m. in Council Chambers. We will also speak on this issue at a legislative breakfast at Heartland Point, Tuesday, October 24th at 7:30 a.m. The next meeting will be on October 30th after the public utility board.

B. Utilities – Mr. Landaw reminded everyone the public utility board will not be meeting on the 23rd. That meeting has been moved to Monday, October 30th, at 6:30 p.m.

C. Health & Safety – Mr. Corfman had the opportunity to visit the firehouse over there at the Wayne County Historical Society and Orrville is quite represented. If anyone gets a chance to see that, it is pretty impressive.

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

E. Transportation – Mr. Baker had no report.

F. Planning – Mr. Purdy had no report.

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

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Steiner reported that afternoon (Monday, October 16th) himself and members of administration and several council members were able to attend an open house and tour of the JLG facility. It is quite impressive what they have done in a few months there. Their employment continues to rise. They have some products coming in to be assembled at that plant within a couple weeks. We are very happy to have them back in town. It is pretty awesome what they have accomplished already.

B. Safety Service Director- Director Jewell reported it is that time of year again for leaf pick up. It will start November 6th with every street south of the Conrail tracks from the 6th through the 10th. The next week (13th – 17th) they will do every street north of the Conrail tracks. Then there will be a cleanup time when they will go all over town, which will be the 20th, 21st, and 22nd. Also during this time the composting center is open on Wednesdays and through the month of October.

C. Utilities Director – Director Preising had no report.

D. Finance Director – Director Leggett reported that prior to the meeting he distributed the quarterly investment report. This does not require any action; however, if council members do have any questions on that, please feel free to contact my office. The monthly fund report was also distributed. This shows the fund balances for the period ending September 30, 2006. Again, if you have any questions on that report, please do not hesitate to contact me. I will be happy to answer any of those. Mr. Miller made a motion to accept the fund balance report subject to audit, seconded by Mr. Baker. Roll call vote. Ayes all. Motion carried.

Director Leggett also stated that last Monday (October 9, 2006) afternoon, we were pleased that the Auditor of State, Betty Montgomery, was here in Orrville to present the City with the Auditor's Award. This award is actually presented to the Finance Department. It is something that the Finance Department is very, very proud of. The state audits 5000 entities across the State of Ohio and approximately 4% or about a two hundred of those receive this award. It is based on the cleanliness and the thoroughness of the audit, as well as the internal controls the city has in place.

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Unfortunately, there may not be anything in the newspaper about this. Our local reporter, Mr. Locher, was out of town that day. The Daily Record did not send another report. They did, I think, receive a press release and I don't know if that will get in or not. The reason I wanted to mention something this evening is that I would like to thank some people. Specifically, the Finance Department for the work they put into our audit that allows us to receive this honor. I also want to thank my fellow directors, Mr. Lutz and I counsel on a number of things that pertain to our internal controls and legal effects of our audit. But especially Mr. Preising and the Utilities Department and Mrs. Jewell and the Safety-Service Department because this award comes to us (the Finance Department), but it is really to the entire city. A lot of things we do, we could not do without the cooperation of all the members of the other departments. So I would just like to ask them to pass our thanks on to their departments. It is a citywide effort and we are very proud of it. We have won this award four years in a row and we hope we can win it again next year. We were also very pleased this year to have our accounting supervisor, Tim Neal, except the award on behalf of our department. It was a very nice day, it was a nice event, we had some nice comments from the Auditor of State, Ms. Montgomery, and we are very proud of that.

Handwerk: Congratulations Mr. Leggett and all of your department and as you mentioned, all of the administrative offices.

E. Law Director - Director Lutz had no report, but did ask for a motion to amend Resolution 48-06 when we get to that piece of legislation.

F. President of Council – President Handwerk stated that for his part of the meeting he would allow anyone who wanted to give any discussion on the name change of Smithville Road to Hostetler Road. We had anticipated those business owners that were here before that were going to come here and give us some figures and I don't know if we have anybody that is going to do that or not, I don't see anybody. I know I have not heard anything from any of them. I did get one comment, a small letter back from a Robert Borders who I believe is a resident down there that said he would be against the change because of inconvenience. I received two letters from actually family members of the Hostetler family who said they would be certainly in favor of the change. I actually got a little bit of history lesson on there...It was M. & J. Hostetler and his family that farmed that land for over 75 years. C. & W. Hostetler were Gordon parents and they also farmed in that area for many, many years. Gordon, of course, was our former mayor and I had alluded that that was named after a mayor and I think in part it is, but it is also named because of those families that were so important and farmed that area for so long. As I said, both of those letters were very much in favor of changing that. That is about all I have heard other than a few comments from individuals about the meeting. If there is anyone here who would like to comment about that now before we get into the rest of the meeting we can do that now.

Bob Stoller a resident on Meadow Lane and owner of the toy museum on Smithville Road approached the podium to speak. The museum has been there for 15 years. I did ask the safety director when I built why it was Smithville Road because it did not go to Smithville. I was sure it was going to change so I didn't come before. I was disappointed that it is not changed. My reason is that I have more customers come from out of town and people don't know where Smithville Road is. I stopped last week or two weeks ago when this was in the paper and I stopped three places and three out of four people do not know where Smithville Road is. One person did direct me out past the college. The other two didn't know at all, didn't have an idea. It doesn't go to Smithville so I guess that is my reason for changing. If it is going to be a hard thing for people, why don't you tell them it is going to change next year? That will give them time to use up their advertisement things, but I think eventually it should be changed. If it would have been taken care of when I built, Smith Dairy wasn't there, the strip mall wasn't there, First Merit wasn't there, Taco Bell wasn't there. The longer it goes I think the worse it will be. It is not a big deal to me, I don't have that long to go, but I just wanted to let you know and I thank you.

Handwerk: Thank you Mr. Stoller. Mayor Steiner and I were just talking about that before the meeting about why it never did get changed when that road was opened up and we don't know. That was before we were on council here or before Mayor was the mayor, but I imagine it was maybe because they didn't want to ruffle any feathers then. My feeling would be right now is that it is not going to get any easier. You will have more business down the road eventually. To me it is still an awkward situation to have it named two names. It is going to be inconvenient to people no matter when you do it. It seems to me like it just needs to be done and get it over with, but that will be up to our council and we will decide that whenever we are ready to. Are there any other comments?

Purdy: I think the benefits far exceed any setbacks that might occur from this change and I think that business owners might possibly have an increase in business if it is easier for people to find their location.

Handwerk: My only other comment was, and we kindly bypassed this quickly last week but Mr. Purdy did mention, our Planning Commission already approved this and sent this to us. So they have already looked at it and they felt too that it could be or should be changed.

Landaw: I would be in favor as Mr. Stoller suggested and I heard some others say maybe saying that it would not go into effect for six months or several months, but then also I realized the post

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office will deliver for a year when the street name is changed so knowing that they will still get their mail for another year, I don't know if a year and three months or a year and four months is going to help or not.

Handwerk: Actually most of the business people the last time said that they didn't think that would make any difference. The feeling I got was it was going to be inconvenient. That is why we were asking to get ideas on what it was going to cost and as I said, we did not get any of that information. I agree, I am sure it probably will be a little inconvenient. But as we all know, banks for example change names periodically – somebody buys a bank and it is a new name and that stuff has to be changed so it does happen.

Baker: I was wondering would it be possible if this would pass to let the signs stay up for a period of time. Right now at both ends it has both Smithville Road and Hostetler Road both signs listed one above the other. If those signs could remain that way for a year or whatever time limit. That way the official name change would be made, but if they already have advertising out there that says Smithville Road someone out there would still see the street sign. After a year, or whatever period of time it would be, the street sign could come down that said Smithville Road.

Jewell: There would be no problem with leaving them up for any period of time. It could be a year or two years. We already have the street name signs so we would just leave them up and then just put Hostetler Road above it.

Miller: I just think it is the right thing to do. We certainly don't need a street with two names on it.

Handwerk: I agree and now that it goes through which apparently at one time it didn't, but it does now.

Miller: It has been a long time coming and in light of the fact that those concerned didn't provide us with any additional information we could look at tonight. Would it require a motion to take it off the table or is that something we need to address in old business.

Handwerk: We can do that, we can take it off the table or it can be tabled and you can meet on it. That will be up to you guys whatever you decide to do.

Leathers: I just have a question. How would it work for the property owners when the name change is made? Are they responsible for notifying the post office or does the city do that as to the address change?

Handwerk: I would imagine as a business or a resident you would notify the post office since you have a change.

Leathers: Because the mail would start coming through with the Hostetler Road address on it and that business owner had not put a change of address in, will that mail get lost?

Jewell: This is somewhat of an unusual circumstance. Usually you have a new street that's established. In this case it would not be a problem for us to notify the post office just so they are aware of it. I do know that they forward at least first class mail for a year. Along those same lines we also have this recorded with the Wayne County Record so it gets changed on the tax maps and the official records too. But it wouldn't be anything to call the post office and let them know.

Leathers: I think that would be definitely an advantage for most property owners so that is one less thing they would have to worry about if we could do that for them to make the transition a little easier.

Jewell: They will still need to notify anyone who sends them mail; they still have to do a change of address.

Leathers: But they would have a period of time to do that?

Jewell: Right.

Handwerk: I think all of your comments are good and leaving the sign up there for a period of time would be helpful. Mr. Stoller commented about several people not knowing where Smithville Road is. My guess is those are people probably that have lived here a long time. I bet you a lot of people that if you said, "where is Grinders?" they can get you there, but they may not know the name of the street. The out of town people that are looking for names of streets, if it is changed you are going to have both names up there for a period of time. Eventually it will be just Hostetler. To me you are looking at the inconvenience of changing. Like I said, somewhere along the line it has to be done unless it is just going to remain that way forever and I think it is kind of a mess to leave it that way. Any other comments? We are going to go to our old business and council that will be up to you if you want to bring it off the table and vote on it that's fine; if you want to go to committee meeting with that that is fine too; it is up to you.

Old Business

Ordinance K-06

Leathers: What is council's pleasure in regards to this ordinance.

Several Council Members: "Take it off the table"

Leathers moved and Miller seconded that Ordinance K-06 be taken off the table. Roll call vote. Ayes all. Motion carried. 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

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third reading. Roll call vote. Ayes all. Motion carried. Leathers moved and Purdy seconded that the amended Ordinance K-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Ordinance M-06

Leathers moved and Weaver seconded that Ordinance M-06, an ordinance amending Chapter 913 and Chapter 923 of the Codified Ordinances of the City of Orrville, Ohio, regarding Orrville property owner obligations to connect to city sewer and city water services, and declaring an emergency be placed on second reading. Roll call vote. Ayes all. Motion carried.

Landaw: We have got Director Preising's memo on this dated September 28th. It is for connections for water and sanitary. The memo is clear and we have talked about this before.

Handwerk: Mr. Preising anything to add? Preising: No not really, I think we discussed it last time. If anybody has any questions, I would be glad to answer them. Just trying to clarify things and get it into the Codified Ordinances the way it should be.

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 Landaw seconded that Ordinance M-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

New Business

Leathers moved and Corfman seconded that Resolution 45-06, a resolution authorizing the Board of Control to advertise for bids and enter into a contract and/or contracts to meet the requirements of the City of Orrville, Ohio, for the year 2007, for the following: medium curing asphalt, asphaltic concrete and asphalt emulsions; liquid insecticide for mosquito control; services, supplies and machinery needed to chip and seal roadways and/or alleys; traffic paint service; concrete; and road rock salt be placed on first reading. Roll call vote. Ayes all. Motion carried.

Handwerk: Any questions for Mrs. Jewell on this? It is kind of a yearly thing that we have here to make sure everyone has everything they need.

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 Purdy seconded that Resolution 45-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Leathers moved and Corfman seconded that Resolution 46-06, a resolution authorizing the Public Utilities Board of Control to advertise for bids and enter into contracts, each for no more than a one year period, for: the purchase of electric distribution poles; the purchase of transformers and voltage regulators; the purchase of electric meters and components; and the purchase of chemicals for all utilities be placed on first reading. Roll call vote. Ayes all. Motion carried.

Handwerk: Anything to add Mr. Landaw?

Landaw: No, I don't have anything to add.

Handwerk: Again this is pretty much a yearly ordinance for supplies.

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 Corfman seconded that Resolution 46-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

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Leathers moved and Miller seconded that Resolution 47-06, a resolution to accept the recommendations of the Orrville Tax Incentive Review Council regarding tax abatements for companies located in the City of Orrville be placed on first reading. Roll call vote. Ayes all. Motion carried.

Handwerk: Mrs. Jewell anything to state on this.

Jewell: I would just like to cover the next two resolutions together. Resolution 47-06 covers those tax abatements which deal with companies that were issued an abatement which is only reviewed by the City of Orrville. This is not one that was approved by the county commissioners nor do they have to review it. So that's the reason there are two separate pieces of legislations is because we have tax abatements under the old system and we have some under the new system. So the ones you are looking at today 47-06 refers to those that come only from Orrville and the first three which are Smith Dairy, Orrville Chick Hatchery, and American Weather Seal, those three are all enterprise zone agreements and the next two which is CLS Holdings, also known as Stoller Floors, and Jarrett Companies, those are both done as a CRA. Each year these come through they have to be reviewed, they have to fill out an annual report that says whether or not they have met their goals as far as the investment they were required to make and the number of jobs that they were required to create. When those are reviewed they come to City Council for final approval before they are forwarded on to the state. That is why there are two pieces of legislation; 47 deals with the Orrville ones and 48 deals with the ones that were older under the old system which involves the county tax incentive review. That would be for Smith Dairy, Bekaert, Quality Casting, Ameristeel Bright Bar, and Refcotec & RCT Land Company. That is the one amendment that we need to make to the next one. Contours needs to be changed to Bekaert. If you have any questions about any of those abatements, both Mr. Leggett and the Mayor serve also on the Tax Incentive Review Council.

Leggett: Just to point out as Mrs. Jewell said, Tax Incentive Review Council, which is a little different in each one of these. The one is made up of solely Orrville residents and the other is made up of some county officials. The review council has reviewed and approved all of these.

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 Corfman seconded that Resolution 47-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Leathers moved and Weaver seconded that Resolution 48-06, a resolution to accept the recommendations of the Wayne County Tax Incentive Review Council regarding tax abatements for companies located in the City of Orrville be placed on first reading. Roll call vote. Ayes all. Motion carried. Leathers moved and Baker seconded that Resolution be amended to reflect the name change of Contours, Ltd. To Bekaert. Roll call vote. Ayes all. Motion carried.

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 Landaw seconded that Resolution 48-06 be adopted as amended. Roll call vote. Ayes all. Motion carried.

Leathers moved and Corfman seconded that Resolution 49-06, a resolution authorizing the Public Utilities Board of Control to enter into a contract and/or contracts, without bidding, each for no more than a one year period, for various services and supplies required by the Department of Public Utilities, Orrville, Ohio be placed on first reading. Roll call vote. Ayes all. Motion carried.

Landaw: This is an annual ordinance.

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

Leathers moved and Corfman seconded that Resolution 49-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

Leathers moved and Corfman seconded that Resolution 50-06, a resolution authorizing the Safety-Service Director to enter into a contract and/or contracts for the year 2007 for the following: the purchase of gasoline and diesel fuel; general miscellaneous engineering and architectural services; the sale of surplus equipment no longer needed for municipal services; and public officials liability insurance with riders for employment practices liability, extended employment practices liability and police professional liability insurance be placed on first reading. Roll call vote. Ayes all. Motion carried.

Handwerk: Is there a reason that this one is different than 45-06, why there are two separate ones?

Jewell: The reason this one is different is that this one is done without bidding. 45-6 is with bidding.

This one is without. However, in the cases where for instance gasoline and diesel fuel – even though we don't bid that and get a yearly contract, each time we need fuel we call and get pricing so we buy it on the spot market, but we still get pricing for those just to be sure we are getting a good deal.

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 Miller seconded that Resolution 50-06 be adopted as read. Roll call vote. Ayes all. Motion carried.

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Good of the Order – None.

Corfman moved and Baker seconded that the council meeting adjourn. Ayes all. Motion carried.
Meeting adjourned at 8:08 p.m.

Tamra Peppard, Clerk of Council

Date

Dave Handwerk, President of Council