

Regular/Public

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President Baker called the regular meeting to order. Pastor Ray Pfahler of the CMA church, offered the prayer. The Pledge was recited by all.

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

Aspiras moved and Hamsher seconded that the minutes of the October 3, 2011 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 had no report.

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

D. Parks and Recreation – Mr. Aspiras had no report; however, Mr. Wheeler will cover the dog park updates in his report.

E. Transportation – Mr. Shupp was absent.

F. Planning – Mr. Hamsher reported the committee met this evening to discuss alley vacations. There was an alley vacation that was petitioned with two owners on the southeast end of town. After much discussion and consideration we decided to send the request back to the Planning Commission for possible adaptation that would satisfy the parties involved.

G. Ordinance & Personnel – Ms. Leathers reported there will be an committee meeting next Monday, October 24th, at 7pm or after Utility Board whichever is later to discuss several issues including salaries of certain appointed and elected officials and also our clerk position.

**Special Committee Reports:** None.

**Administrative Reports:**

A. Mayor - Mayor Handwerk reported the October of the Month is Mr. Dwight Hartzler from the Power Plant Maintenance group. Dean Kallenborn, Supervisor at the plant had this to say, "It is a great pleasure to announce Dwight as the employee-of-the-month. Dwight has a great attitude and will do pretty much whatever it takes to keep our Power Plant in fantastic shape. While Dwight's title may be Maintenance Welder, he truly is a "jack of all trades". Dwight has been with the Power Plant 23 years. He has pretty much seen it, done it, and worked on just about every piece of equipment we own, as well as many items from other departments. Many of you may already know Dwight as an easy going guy that is always willing to help out. Here at the Plant, we often chide Dwight about the size of his lunch box and the amount that he can eat. I'm sure he will appreciate lunch with the Mayor." We did eat at Jake's and he did real well. Dwight also built the time capsule for the new elementary school last spring and I was there when we had that ceremony and he did an excellent job on that. He made that out of spare parts down at the power plant – stainless steel, old signs and so forth and grinded it all down and it looked very nice. It was a good size capsule and the school students were able to put an abundance of materials in there to be buried. So we thank you, Dwight, for your compassion, skill, great attitude, and dependability. We think he is just a real fine employee.

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The other thing I had was I just wanted to mention that I received a letter from Jon Husted, our Ohio Secretary of State, last week just to remind voters that on November 8th there are three State issues that will be voted on. One is judicial retirement age constitutional amendment, and the second one is referendum on Senate Bill 5, and the third is healthcare freedom amendment. I know the Daily Record always does a good job of explain those for voters if they are truly interested in getting the facts on what these different issues represent, but they were just encouraging people if they weren't sure about what the issues were that they could go to the Ohio Secretary of State website and get the information there or they also gave a phone number of 1-877-767-6446 and they could also get the information that way or be directed to the website. I just wanted to pass that forward as requested.

B. Safety Service Director- Director Wheeler reported Mother Nature continues to be unkind for our dog park construction. We did get some work done over the last two weeks. Concrete pad has been installed. This is for the entrance into the actual dog park fenced in area. The fence also on the concrete pad has been completed so all the fencing is actually in and complete. Really the final main piece is the concrete walkway construction which was scheduled to begin last week once the concrete had cured and right around that time we did get some rain in and some forecast for rain so he did push it back to start tomorrow and I know that rain is in the forecast for tomorrow now. Let's hope the rain will stay away for at least a couple days to help us finish this project up and hopefully get some dogs and some dog lovers in there to enjoy the park before the end of the nice fall weather. Our leaf pickup schedule is out. South side pickup will begin Monday, October 31st. That is actually a week ahead of last year. We know the leaves have started early so we are going to try to adjust our schedule to the leaf schedule this year. All streets south of and including Market Street please have your leaves placed and ready for pickup between the curb and sidewalk on the tree lawn by Monday, October 31st. On the north side, Monday November 7th. All streets north of Market Street please have your leaves placed and ready for pickup between the curb and sidewalk on the tree lawn before November 7th. The final pass through will be November 15th for those areas that may have recollected leaves or were somehow missed in the initial go around. Also, the Orrville Compost Center will be closed for the season after Wednesday, October 26th. We also began a landscaping project around Schmid Hall so if you see some dirt and digging around there that is what is going on there. We are doing some beautification in that front area of Schmid Hall. Also, our fire department has done our annual Fire Prevention Programs with Firefighter Phil for the K-4 at the grade school last week and at Kingsway and have also hit many Head Start programs and daycare programs in the area as well. Just a reminder on the drug drop off program, they are doing this again. The Police Department will be accepting prescription drugs with no questions asked in the lobby of City Hall from 10am to 2pm on Saturday, October 29th.

Handwerk: Just not to confuse people, at Schmid Hall the sidewalk was dug up but that was because of a water line break.

Wheeler: We actually ran into some water leakage and also while we are doing this project they are doing some storm water work as well since it is a good opportunity since it is dug up. There is a variety of things being done down there including the landscaping.

Handwerk: I didn't want people to think we dug up the sidewalk to plant bushes.

Wheeler: The only planned project was the landscaping.

Aspiras: Mr. Wheeler can you cover the city wide Halloween outing.

Wheeler: That is 5-7pm on Sunday, October 30th. This is what we call our city wide Halloween time. We do recommend folks utilize that time for their Halloween and trick or treat. We will have additional police forces out on the street during that time and of course we encourage everyone to be careful, watch for pedestrians during that time and also have the little ones be careful crossing streets and things like that as well.

C. Utilities Director – Director Brediger reported in the water department we have started our every five year inspections on our main water towers. We inspected the south tower last week, we will be

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inspecting the west tower this week and the central tower downtown the week following that. During those inspections there will be no change in service. There shouldn't be any notice at all from any of our customers, but this is just a routine inspection we do on a periodic basis. Last week I was in Washington DC. I was there for an association meeting and also had the opportunity to meet with staff from Senators Brown and Portman's office and had an opportunity to meet and talk with Representative Renacci on some upcoming bills, some EPA regulations, and preservation of some tax exempt financing that we do on some of our projects. In the Council's packet I did provide copies of letters that we wrote to the Speaker of the House two weeks ago along with a letter from Richard Smucker from the J.M. Smucker Company supporting a house bill that basically was tagged an EPA regulatory relief act. Basically what was contained in the act from the House perspective was to ask the EPA to slow down in their rolling out of this onslaught of regulations coming out, review the impact of these costs, and the issues that it has on the (inaudible) sector and our consumers in general. That rule did pass the House last week. There is a companion Senate bill that goes off into debate over the next couple months. We have about 35 Senators cosigning supporting that bill and we will be working on those efforts in Washington over the next several weeks. We do expect some resistance from the President if that bill gets past the Senate, but that was one of the co-purposes of my meeting last week and we do appreciate the J.M. Smucker Company for their support in realizing the impact these regulations will have on the electric utility. The EPA rule making that we have been sitting on the edge of our seats is still expected to come out the end of this month and we will just kind of wait and see what happens with respect to that. A couple other items, we did issue our renewal industrial discharge permits to seven industries this past month. This is kind of a unique program that the EPA has that the Orrville Utilities actually manages. There will be some surcharge fees that will be increasing sometime between now and the end of next year due to some increased limitations that the EPA is putting on some of our discharge limits at the wastewater treatment plant. When those limits go down we have to go back to our industries to either tighten those things up or to pay a surcharge for the additional treatment that we are required to do to keep those limits at or below those limitations. Just a reminder I know it was mentioned last week and we've mentioned the last couple council meetings about the natural gas aggregation program. It is getting colder out; the rates are starting to climb up on the PUC website. The AMP natural gas aggregation program again is still a fixed one year rate at \$5.59/MCF. That is five percent lower than it was last year. I just checked the website this morning on the Public Utilities Commission website and a comparable program is, the cheapest I saw was \$7.10 and it went up to \$8.12 so \$5.59 versus something that is still a dollar and a half better than that. Customers can still subscribe through this month. That billing will take place, depending on when you subscribe, either November or it may be as late as December and it will continue through October of next year. If you are a current subscriber you don't have to do anything. If you want to switch, give our office a call or visit the utilities website and we will walk you through that. If you have any other questions, don't hesitate to call our office.

Vance: Mr. Brediger, in your letter to John Boehner this is the first time I have seen numbers associated with the EPA rulings. Are we pretty firm on those numbers?

Brediger: No, those are still estimates right now because we haven't seen those final limits, but our best estimation based on the proposed limits that are being discussed are amounting to those exposures.

Vance: Three quarters of the cost, I am just going to go with that from the numbers we have right now, being for controlling emissions that do not propose a health threat? Could you just provide a word of explanation there?

Brediger: Yes. There is a, in these upcoming regulations they are looking at controlling an number of additional pollutant beyond what are currently controlled and one of those is hydrogen chloride and that is an acid gas that is produced when you combust coal because there is chlorine in coal. We have done a number of testing and there are national health standards out there that put exposure threshold limits and the limits that are in the proposed EPA rule making are well below those limits that exist and would require very extensive pollution control equipment to be installed beyond what already exists. Right now the levels that we emit those acid gases are above that threshold limit so

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we are already comfortably in the safe zone from a health risk perspective. They are lowering those proposed standards to a level that would require some very costly controls. Yes of that roughly \$40 million estimate to retrofit the plant roughly \$30 million is to control something that is not today a present health risk. That is part of the angst that we have with some of the regulations.

Vance: With the \$40 million, there is some math here, that would be a little over \$4800 per man, woman, and child in the city of Orrville.

Brediger: It is kind of nice to put perspective out there. It is kind of like the national debt clock that we can assign those kinds of costs to every citizen in the United States. So when you break it down and put it down on what it is going to cost our customers, that is the breakdown.

Vance: You're suggesting here that if the EPA were to take a health based approach to the limits that the city would already meet those standards.

Brediger: That is correct.

Vance: It can be said that if the goal, which is ostensibly what the EPA says is to increase health, we would already meet those standards, as far as the health risks associated with pollutants that were already there.

Brediger: At the present time, yes.

D. Finance Director – Director Strimlan reported we have been notified by Dave Yost, he is the auditor of the State of Ohio, that the City of Orrville has received the Auditor of the State of Ohio Award with Distinction for 2010. That award is given to entities that file an annual CAFR and file financial reports in accordance with GAP and receive a clean audit report. For those of you that aren't familiar, the clean audit report means that the city's financial statements didn't contain any findings for recovery, any material citations or weaknesses, any significant deficiencies, any single audit findings, or any question costs. I am sure all of you know that our audit did go very well. Our CAFR was completed in June and we did also submit it to the GFOA for the Excellence in Financial Reporting award. We are still waiting for their decision so when we receive confirmation back from that we will let you know what their final decision is as well. The CAFR is available on the City's website for viewing or if anyone would like a hard copy you can let me know, but we were pleased to receive that award from the Auditor of the State. I had the opportunity earlier in the month to visit Prairie State and two of the hydro projects we have invested in with Mr. Brediger as well as Gary Gossard from the Public Utility Board. I did leave some information from those visits for all of you to look at. I encourage everyone to set aside some time in your schedule to visit the next time the opportunity arises to see what we have invested in in those projects and just how impressive those facilities truly are. For those we receive pictures in the weekly progress reports that Mr. Brediger passes out, the pictures really do not do justice to the projects. To go and hear first-hand the professionalism and the expertise of all the employees there and the contractors onsite, as well as seeing the state-of-the-art technology that they are installing, to listen to the economic impact that these projects bring to the area as well as the states that they are located in is something all of you should try to experience first-hand if you have the opportunity to do that the next time those visits take place. Also, at the next meeting we will be submitting to you a schedule for temporary appropriations for 2012. Involved in those appropriations we will be estimating the year end balances, we will also be implementing those budget reductions that were outlined to you in my memo back in August. We will also be trying to take a look at 2012 and 2013 to make some estimates, what might be taking place there. Also, prior to tonight's meeting I did distribute the Fund Balance reports for August and September. I would ask for a motion to approve those reports subject to audit. Miller moved and Aspiras seconded. Roll call vote. Ayes all. Motion carried. The last thing I have tonight is I did distribute the Quarterly Investment reports dated August 6, 2011. The Investment Policy dictates that we do not need any action from Council, but I do need the minutes to reflect that those reports were distributed to Council.

E. Law Director - Director VanSickle had no report.

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F. President of Council – President Baker had a question for Mr. Brediger. Is the he work on Burton City Road near completion or what is the status?

Brediger: We are coming up on completion. The contractor was scheduled to be completed with that work at the end of this month. It will be close. The work is coming along a little bit slower than what we thought things were, but he had a couple milestones to get over this week and if the weather doesn't set him back he will be pretty close to that. It is coming along okay. We kind of wish it would be a little speedier on where he is at, but he is not encountering problems it is just a smaller contractor than what we have had do some work before in the past, but the work has been meeting expectations and the workmanship is there he is just a little bit slower than we wanted him to be.

**Old Business:** None.

**New Business:**

**RESOLUTION 32-11**

Leathers moved and Corfman seconded that Resolution 32-11, a resolution authorizing the Director of Utilities to enter into an agreement(s) to sell a parcel of property which is a portion formerly known as the Rosemount property, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Brediger: A little bit of background, we did discuss this opportunity with the Utility Board last Monday night. The Board did pass a resolution supporting this sale of approximately two acres of the former Rosemont site. As a little bit of background, the Electric Utility purchased the buildings and that nine acre property back in 2008 for about \$390,000. Since we purchased that and took down the buildings we have been marketing that property for the past several years. We have entertained a couple of offers that have come and gone. We have been approached by a local realtor to purchase two acres on the north end of the property which has no real immediate value to the utility. It would give us an opportunity to jump start some development in that portion of the property. We do have an agreement mostly worked out with the realtor that looks like it will be an attractive offer and again really an opportunity for us to jump start some development on that north end track of property. We would still have seven plus acres to utilize of that we would still have some interest in maybe selling an additional two to three, maybe four more acres of that property. It fits real nice in with our plan and helps us recover some of our cost that we have invested in that and that was part of our plan in the beginning when we ended up with a little bit more property there when the opportunity was presented to us. I can answer any other questions on that. Mike Hedberg has worked real extensively on this project for us. I give him a lot of credit for locating a buyer and working with the realtor on this. They are anxious to work out the details of this arrangement so they can start looking at design and bring a plan to the City here in the real near future.

Miller: Can we talk about the who the buyer is? Can we or can't we until there has been something worked out?

Brediger: The ultimate buyer is not public information at this time. The developer, the realtor is Gant Realty.

Miller: The amount of the sale is not quite worked out either?

Brediger: The amount of the sale is worked out and maybe just need to confer with Tim....is that sale price okay to discuss?

VanSickle: Yes. I think that sale price is fine.

Brediger: The offer we are looking at is \$175,000 for roughly two acres. So we are looking at selling a little bit less than a quarter of what we purchased for about a little bit less than half of what we paid for the entire site three years ago.

Leathers moved and Corfman 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 Corfman seconded that Resolution 32-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

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**Good of the Order:**

Miller: I just like to mention that this Saturday, October 22nd, Main Street Orrville and Orrville Community Theater is cosponsoring something called a Walk Through Orrville's Past. This is a tour of four different historical scenarios, one-act dramas that you will see. You will get a lot of the details on MainStreetOrrville.org and you can buy tickets at Audrey's Attic and the Wayne County Credit Union.

Leathers: The Orrville High School band, with the help of their percussion instructor Grant Smucker, has entered a video in a contest. There are three top prizes of \$50,000 each. The top 70 videos will receive a prize. Please vote for us. Go to [www.gleegiveanote.com](http://www.gleegiveanote.com) and search for Orrville in the schools and you can vote one time per day per IP address. Voting is open until November 11th. We need all the votes we can get. We would love to have \$50,000 for our music program at Orrville High School so please vote.

Hamsher: I would like to congratulate the Orrville Girls Tennis team. Great season. Specifically Miranda Adcock set a school record for wins, 79 wins. Tremendous season for the girls. I think they exceeded the expectation and worked extremely well together as a team.

Aspiras: That 79 wins is the most wins by any tennis players on the Orrville High School Girls Tennis team in the history. Quite an accomplishment and I know Julie Smith finished her career with the second most wins. So a great year for Coach Kent Smith and the girls.

Leathers moved and Aspiras seconded to adjourn the council meeting. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:06 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