### October 20, 2008

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

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

Miller moved and Aspiras seconded that the minutes of the October 6, 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 reported the Public Utility Board met and adopted some new rules and regulations for all of our utilities. They made some updates to some of the regulations and language and they made a few bigger changes and I will just go over three of those changes fairly quickly. I know some of the information was mailed out on the F.A.C.T. Act so I won't go too much on that. One of the things that was changed is the deposit policy for the utilities. In the past we had a \$90 fee to pay for an electric deposit. Now when an applicant goes in they will go through a credit check and based on their credit rating that is what their deposit will be. Someone with a very exceptional credit rating would pay a \$75 deposit. The second level would be \$150 deposit and the third level for someone with a greater risk would be \$225. The next change, when someone connects for electric services in the past there has not been charges for the utility lines, poles, meters, transformers, now there will be fees to recover some of those costs. Someone needs a temporary pole put up for electric service while they build their home. there will be a fee for that now. Those rates vary whether you are in the city limits or outside the city limits. The third item is the F.A.C.T. Act. The Public Utility Board adopted guidelines or procedures to meet that requirement. It was part of the Patriot Act. Basically that is protecting our utility customer's identity. It prevents identity theft. Through the guidelines they adopted there will be a committee set up. A lot of changes to tighten up security to protect personal information. Director Preising has a lot more information on all of that.

C. Health & Safety – Mr. Corfman: Mrs. Jewell, it is my understanding we are close to ready with at least legislation or rough legislation to present to a committee concerning the nuisance law. Do we want to hand that out first, before we schedule a meeting and let people read it and comprehend it?

Jewell: Actually it is ready for Council to review. I thought I sent it out in an e-mail. Council: I got an e-mail.

Jewell: I sent it out as an e-mail attachment so that everyone could look at it. We will be ready to hold a meeting to discuss it. One thing to keep in mind is that we are probably not available on November 10<sup>th</sup>. We are holding that date open for a meeting.

Corfman: Let's hold off on that until we get some feedback.

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

### October 20, 2008

E. Transportation – Mr. Shupp had no report, but scheduled a meeting of the Transportation Committee for November 3<sup>rd</sup> following the Council meeting to discuss some of the situations on the South Main Street project for next year.

- 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 reported reminded the public that if anyone knows of anyone who needs help with racking leaves or snow shoveling, we did have our Adopt-A-Citizen program get started late last winter and never really got going. This is not something for just anybody who doesn't feel like going out and doing their own leaves, but if you know of somebody that is not capable of doing that – maybe handicap or elderly and they don't have family in town – then this would be the type of people we would want to give us a call and hopefully we can set one of those groups up to help them. I know there are other groups out now. We have a group at our church that is going to be raking leaves to actually try to collect donations to help a third grader here in town who was just recently diagnosed with leukemia. Lots of different groups are willing to help. I have had many people ask as to how the process is going as far as interviews and getting people online to replace our soon to retire directors, Mr. Leggett, Mrs. Jewell, and Mr. Forrer. The process is going very well. We have had lots of applications come in for each position. This week we are in the second round of interviews for the Finance Director position and next week we will be starting first round interviews for the Safety-Service Director.

B. Safety Service Director- Director Jewell reiterated there is no citywide trick-or-treat in Orrville. I think there is an attempt to have all the trick-or-treats – if they are going to have them in their neighborhood – all on the same night, but what I wanted to do was remind everyone that we do not have a citywide trick-or-treat. It is only done on a neighborhood basis. If your neighbors have arranged to have a trick-or-treat then you will have it in your neighborhood, but people should not go door-to-door in the entire city and expect it. Also, as a part of that, when a neighborhood is doing a trick-or-treat - if someone has that organized - they can call into the Police Department on the business line and let them know what neighborhood and what time and then they will give some extra patrol to that area. Another thing I wanted to mention is the time of the year is here for leaf pickup. Last year when we did leaf pickup it was kind of an odd year to begin with as the leaves didn't come down when we had planned for them to come down. What we are going to do this year is that we are going to try to keep the leaf pickup to two weeks so we don't have as many man-hours into the pickup. We are going to try to keep it to two weeks and then we are going to do one mop-up week right before Thanksgiving. Every area south of the tracks will be picked up November 10<sup>th</sup> through the 14<sup>th</sup> and then everything north of the railroad tracks will be picked up November 17<sup>th</sup> through the 21<sup>st</sup>. Mr. Staley has prepared more information that will be going into the newspapers. One of the things to remember is to not rake leaves out into the street because they end up washing down and blocking basins. Prior to that if anyone has leaves that they have raked up, they can bag those leaves and put them out for the trash or take them to our compost center or to the Green Meadows compost center. Another item I wanted to mention...we were just talking with Chief Carrozza and Captain Birkbeck in the Police Department and we want to try to get the information out again about the Tip Line that the City has. Anyone with any kind of a tip about any kind of suspicious activity or drug activity in their neighborhood and they do not want to be identified with that, they can call in on this Tip

### October 20, 2008

Line and it does not pick up on their number. There is no caller id there and they do not have to leave their name. The Tip Line is 330-684-5151. The final thing I have is to let you know the Police Department console project is complete. After tonight's meeting if anyone wants to go down and see it, Chief Carrozza will take you down and give you a personalized tour. Aspiras: Could you tell us what the hours are of the compost center?

Jewell: It is open Wednesdays through the month of October. If someone has something other than those hours, if they call to the Service Center they may be able to make arrangements. Vance: Is there an update on the salt situation?

Jewell: Here is where we are at with the salt situation. We purchased 150 tons of salt that was available through NEOSO. That is the limit of what we can hold. Last Thursday we traveled up to Independence and we watched a demonstration of a product called haydite and that product is used for mixing with salt. You can mix it a various ratios. What the haydite does is extend the salt so you don't have to use as much salt. It is pretty much like a grit type of material, but it has some absorbency to it. The haydite stays on the street so when you get the first part of the next new snow we will have some salt or grind in it which will have some melting capabilities right in the beginning. We think haydite is going to be a product for us and right now we are trying to decide how much we want to do. We would mix those two together and then use those in our spreaders. That is what we will be seeing as winter kicks off.

Vance: So is the plan to try to make do with the salt we already have on hand.

Jewell: The plan is to try to stretch it as far as we can. If they come up with some salt pricing that is reasonable, then we would try to replenish at that time. But right now we are going to try to stretch what we have.

Shupp: The haydite, is that going to be any kind of a problem with our catch basins and our storm sewers?

Jewell: When we looked at the demonstration, they said it is actually better for your storm sewers than like a cinder material would be. We used to use limestone material. This is a lighter material and when you pour water on it the, the water just drains right through it and they said that it pretty much washes away. One of the first uses they had for this haydite product was to use it as a soil amendment. They mixed it right in with soil and it gave...I don't really want to say the same properties as sand, but a very similar property to sand as you would make in a soil mixture. Even when it is wet, it does not clump and does not harden so it stays loose. As such it wouldn't be a problem any more than any other product, but like they said when you get to that time in the winter time when you really want to get rid of all the snow and everything you are going to have this laying off in the side and you are going to have to sweep it up and then of course you vacuum your catch basins out like you normally would clean them. Landaw: How would you mix the haydite with the salt.

Jewell: We watched them demonstrate mixing it on the ground. What they did was put on scoop of salt, one scoop of haydite, and one scoop of salt. Then they would just back-drag it with the bucket and then scoop it and then back-drag it and then scoop it about three or four times. They recommend doing it up against a concrete barrier or a concrete wall. Our building is full right now, so we are looking at someplace we could mix it. That mix was a two to one mix. You could do it 50:50, 80:20, 75:25.

Vance: We have 150 tons now, right?

Jewell: We have 150 tons additionally...on top of what we had before.

Vance: Normally didn't we use 500 tons?

Jewell: We use anywhere between 500 and 800 tons. Last year was an exceptional year and we used 800 tons. This year I think we have 175-200 tons and we are getting another 150 tons in. That is about where we are going to be. Normally we would consider that enough to get us through the December holidays.

Handwerk: The haydite will extend that a little bit too.

# October 20, 2008

Jewell: Depending on what mother nature does, we may make it through the winter.

C. Utilities Director – Director Preising reported that on Monday, November 24<sup>th</sup>, following the Public Utility Board meeting at 7:00 p.m. there is going to be a workshop that you are all invited to to discuss the electric utility service study. That is the available date the fellow that is doing the study has. He is from Michigan and couldn't come. We have a preliminary report now and we are finalizing that and he would like to go through that report with the Public Utility Board and Council prior to establishing any legislation for rate increases or whatever. He has done everything but actually go through a rate design and he wants to get some feeling from Council and Public Utilities Board before he actually does a rate design.

D. Finance Director – Director Leggett encouraged all of Council to attend the workshop on November 24<sup>th</sup>. It is a very important issue dealing with electric rates. Prior to the meeting I distributed the Fund Balance Report for the period ending 09/30/08 and I would like to have a motion to accept that report subject to audit. Miller moved and Landaw seconded. Roll call vote. Ayes all. Motion carried. Also, Mr. President, during the week I sent a memo to members of City Council and attached was a copy of the procedure adopted by the Public Utility Board in dealing with the F.A.C.T. Act. Once again, F.A.C.T. stands for Fair and Accurate Credit Transactions. It was part of the Patriot Act. It is also referred to as Red Flag Identification Act and this act primarily deals with theft identification. It was originally thought that this act would primarily target banks and credit card companies and anybody who issued credit to individuals. This law was to protect our identity. It was discovered kind of late in the game - just to give you a little background – that this act really applied to us. We have a number of sources we get information from as to what we legally have to do. Of course on of those sources is our Law Director. We also have outside council that alerts us when some of these things happen. We also have different organizations we belong to - Municipal Treasure Association, Government Financial Officers Association and all that stuff and also the City belongs to AMP-Ohio and the American Public Power Association. Most of those organizations were under the impression – or at least did not alert us to the fact that this act really applied to us. I guess it was the legal folks at American Public Power Association that determined that yes this act does apply to us because we do indeed take people's personal identification and we send them an invoice and we give them 40 days to pay it and therefore we do give credit. There has been a lot of scurrying all over the state; Finance Directors everywhere trying to get policies in place by November 1<sup>st</sup> which is the deadline. We sent people to seminars and training put on by AMP-Ohio. The Policy Committee of the Utilities Board met several times to discuss this policy and last Monday night the Utilities Board approved it. Hopefully when I sent this out, you did read through it. There are certain things that Mr. Landaw alluded to. There was a committee established; we have a privacy officer; we have procedures in place to deal with many of these items. We are currently making physical changes in the Cashier's Office in our department so that people are not standing behind one another when someone may be filling out a credit application. We have moved computers so people can't look through the customer window and see computer screens which may have personal information. We bought shredders for all of our cashiers. We have done a variety of things to already comply with this act. This act is a living document. It is supposed to be that so by your passage tonight or your approval of this policy - it is not the final action; I am sure we will be back to you as more things change there may be some additions to the new deposit policy we have. The deposit policy is tied in with a third party that not only gives us a credit rating, but positively identifies the customer. They determine if there are fake social security numbers or an alive or dead social security number. We think this act meets the requirements. It has been approved by the Public Utility Board and that may or may not be all that is needed. The directions and stipulations are not really aimed at municipalities. It talks

October 20, 2008

about your Board of Directors being involved. It doesn't even say that there has to be approval. It just says there should be involvement from your Board of Directors, but the approach we are trying to take is to have both Utility Board and Council approve this as it stands. I would ask for a motion to approve this.

Miller moved and Corfman seconded.

Leggett: Is there any questions about this?

Aspiras: I didn't see anything that dealt with terminated employees, policy procedures, whether they're fired or they resign, password changes...

Leggett: There is something in here. We have current password policies in place and that falls under our normal procedures. When someone leaves they are taken off. If we terminate an employee, our System Administrator takes their name and password out of the system and the new employee gets a new password and ID.

Aspiras: That is not required to be in this policy or at least referenced?

Leggett: No.

Baker: Any other questions?

Roll call vote. Ayes all. Motion carried.

E. Law Director - Director Lutz had no report.

F. President of Council – President Baker had no report

Peppard: We received a renewal for CVS's liquor license indicating the new address.

### 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 third reading. Roll call vote. Ayes all. Motion carried.

Leathers moved and Corfman seconded that Ordinance O-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

### RESOLUTON 49-08

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

Corfman: Has there been any progress?

Jewell: The owner of the property, I believe it was last week, started working on the project. It is not even nearly complete, but this ordinance, when passed, will have a 30 day waiting period before it is effective and I am hoping that during that 30 day period that the project is completed. Then we would not have to bid it.

Vance: If there is progress – if he is half done – what do you do in that case after 30 days? Jewell: If there is substantial progress on it then we would not need to do anything. If it is just barely started then we would probably go ahead and get bids and move forward since this has been ongoing for so long.

Vance: This is giving you the authority to enter into that contract so really you could do it at any time?

Jewell: Yes.

Leathers moved and Corfman seconded that Resolution 49-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

# October 20, 2008

# RESOLUTION 50-08

Leathers moved and Aspiras 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 second reading. Roll call vote. Ayes all. Motion carried. Miller: Mrs. Jewell, I had a note from our last meeting that this has to be prepublished?

Peppard: Yes, it was prepublished.

Lutz: It has to be prepublished by seven days and according to our Clerk it has been seven days so if you chose to pass it tonight you could.

Leathers moved and Vance 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 Landaw seconded that Resolution 50-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

# New Business:

### ORDINANCE Q-08

Leathers moved and Landaw seconded that Ordinance Q-08, an ordinance amending Chapter 181 of the Codified Ordinances of the City of Orrville, Ohio, regarding income tax, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Leggett: I won't be brief so I won't tell you I am going to be. There is a little bit of history here. Last year when we passed the ordinance to require universal filing within the City, the ordinance requires everyone that lives in the City over 18 years old to file an income tax return. That was our first experience with that and of course our Income Tax Administrator was inundated with a lot of questions, a few complaints although the citizens were really great about dealing with this, but there were a lot of people that were confused. Many of those were people that were not required to file federal or state taxes for various reasons. Many of these people tend to be elderly because they are on retirement income it is a low level, fixed income and they are not required to file federal and state taxes and now all of a sudden they are required to file municipal income tax. This created a couple issues for us. Number one, it filled up a lot of files, took a lot of work, and almost all these there was no tax due. Secondly, one of the reasons we went to universal filing in the beginning was for auditing purposes so we could make sure that people that should file income tax with the City of Orrville actually were doing it. Our ordinances also required filing if you had taxable income always. The way we planned to audit that is through a report we can get from the State of Ohio Tax Department which tells us every individual in the 44667 area code that filed a State tax return and our software system will allow us to download that information; match it up with our income tax files; and see who does not match up. When we enter all these files for the people that are not required to file state income tax then that creates all these mismatches because they are not on the State's report. It just creates an additional burden for our Tax Administrator and it also creates an additional burden for our citizens that fall into this category. So one of our income tax administrator's goals this year was to find out how other cities handle this situation and devise some language to put into our ordinance that would rectify this situation. He has been working with Mr. Lutz to get that done. They have been corresponding back and forth and there was some miscommunication as to when this was going to hit the council agenda. I thought it was going to come later in the year, but that is not what happened and discussion with our Tax Administrator and Mr. Lutz was advised it was to be on this meeting and that is the reason it came to you and it came rather late. This was a Friday afternoon thing. We did not really intend this to be here, but we did

### October 20, 2008

intend to get provision in before the year was over. The provision you see in front of you is not the one that was originally there on Friday. Mr. Lutz and I worked this thing out today and we were able to come up with some verbiage that fits what we need and that is what you see in front of you. Basically, all this amendment says is that persons not required by law to file a State of Ohio income tax return and who otherwise have no income taxable by the City of Orrville shall not be required to file an annual return. It eliminates a lot of those filings that are basically unnecessary for us. We did manage to get that changed. Because of wording, our thoughts, was to put this before Council in November or December and pass it as an emergency item. This legislation is not an emergency item. So to get it in and go three readings, we need to have first reading tonight. That is all this is. You don't need to pass it tonight. Think about it and if you have any questions we would be happy to answer them.

Vance: Is there an effective date to this?

Leggett: It would be effective when passed. So it would be for the 2008 calendar year. Vance: But, somebody who hadn't yet filed, for whatever reason, from last year, this would not apply to them or would it.

Lutz: I think we could let it apply to them. Technically this is not effective until this passes. So if they were required to file last year and the way it was written they would be in violation. But we wouldn't enforce it.

Leggett: There would be no benefit if they fall in this category.

Landaw: This was our intent all along.

Leggett: Right. We talked about it to try to get to a point where we could audit what we were getting and this will make that process easier. We were surprises at how many returns we got from people who are disabled or who are not required to file a state or federal income tax. Corfman: Because we required them to file last year, if they don't catch wind of this and they try to file this year you can refuse to accept it and then therefore keep the software clean can't you? Leggett: We could just not enter it. Those people are all on our records to receive a return and rather than send them a return, we will send them a letter saying if they are in the same situation they will not have to file this year. Just as another general comment, we are estimating that universal filing probably brought us in somewhere in the neighborhood of \$40,000.

#### **RESOLUTION 51-08**

Leathers moved and Corfman seconded that Resolution 51-08, a resolution providing for cooperation between the City of Orrville and ODOT to perform pavement repair and resurfacing of State Route 57 from WAY-057-02.19 (Orrville South Corp) to WAY-057-03.27 (Orr Street), and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried. Jewell: This is the resolution that we have been waiting for for a long time. Finally South Main Street is going to be resurfaced. ODOT contacted us last week and they wanted to know if it would be possible to get this legislation on our agenda and have it passed tonight. Normally we try not to do that, but we are requesting that you pass this legislation on first reading so that we can get executed and get it to them. It's part of a packet that they then submit I think on to Columbus with plans so that they can get this set for a bid date. The project starts at the South city limits; stops when it gets to the concrete in the downtown and then starts up again just north of Church Street and goes up to Orr Street. We will not be resurfacing anything in the new concrete area in the downtown. ODOT has what they call an Urban Paving Policy and as part of that policy they pick up 80% of the top coat. They will pay 80% of the top 1-1/4" of the asphalt. They will pick up 80% of the cost of the striping, the planning cost, all of those different costs is split 80%/20% with ODOT. Any of the repairs for pavement, sidewalk curb ramps, drainage, signs - those are all paid for by the City. As part of this project we will be doing some pavement repairs just north of Sassafras Street and just south of Chestnut Street. Those are two areas we will be doing some pavement repairs that will be paid 100% by the City. Right now the curb

# October 20, 2008

ramp project is underway. We are going to have those ready by the time this project occurs. The hope is that they can put this out for bids in January or February and then it will be actually constructed during the construction season next year. The cost is estimated at with the upfront money from the City being around \$188,736 so for budgeting purposes for next year I had put \$200,000 in the budget because we don't know what asphalt prices will be for next year. So for budgeting purposes I am saying our portion is going to be around \$200,000 and I think ODOT's portion is \$195,000. They said they used an inflation factor on that number and so they are fairly confident for that number, but we had extraordinary inflation with asphalt products this year. Landaw: I know some of those curbs are very old and low and maybe some of them are even in rougher condition, but we are not really replacing curbs. Jewell: No.

Landaw: Where it would be nice if we had the money to do that. A lot of those curbs are the old ones and they are following apart.

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 Resolution 51-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

### RESOLUTION 52-08

Leathers moved and Corfman seconded that Resolution 52-08, a resolution authorizing the City of Orrville to enter into a memorandum of agreement and/or agreements with the United States of America (acting through the Army Corps of Engineers, Pittsburgh District) regarding the Pike Island Hydro Energy Project, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried

Lutz: As council may recall Pike Island has been around a long time. The City of Orrville acquired the ferk license for the hydro project back in 1989. This project langwished for years because of the alternative energy sources I guess the money wasn't there to get the interest in it that should have been there. We had an agent on behalf of the City that wasn't doing much: however, that changed a couple years ago Gen Power Services got interested in it because alternative energy sources became more profitable and approached the city to negotiate an agreement for the City to transfer its license in return for a certain amount of money that would recoup the money that we had spent on this project years ago. At the end of last week Bill Bailey from Gen Power Services, our agent, contacted me and indicated that he would like to get a resolution passed authorizing the City to sign a memorandum of agreement with the Army Corps of Engineers. They had been negotiating this agreement and it still isn't final, but he had gotten to the point that it was in substantially the form that it would be once it was presented to the City for signature and he wanted to get it passed as soon as possible because what's happening is the Corps of Engineers who has jurisdiction over the Ohio River has been allowing Gen Power to get in there and do various studies and surveys that they are required to do, but this memorandum of agreement is involving access to the area and ultimately construction of the hydro energy project and the Army Corps of Engineers has told them "no stop, no more until we have an actual agreement signed" and so as a city we don't want this held up and certainly our agent, Gen Power, doesn't want it held up at all because it's making good progress and so they are asking and I am asking that this would be passed on first reading. After this what will happen in the future – this is regarding again access and in terms of agreement regarding construction of the facility – after the facility is constructed we will have to sign another memorandum of agreement with the Army Corps of Engineers regarding operation. This is just a preliminary manner. This is good for the City. This continues to show that this thing is moving along where we will recoup our money which is a good thing.

# October 20, 2008

Miller: I understand what this is and what you are saying Mr. Lutz, but there is like 20 some pages of information here that I know I haven't read because we just got it. Would it not be due diligence of us to have an opportunity to read this before we...

Lutz: It is your call. I am just saying this would just delay it further and if you are more comfortable waiting I don't think the project is going to disappear into the Ohio River. We are just asking that it pass so it doesn't hold up what they are trying to do. They have gone round and round with the Army Corps of Engineers to get it to this point. Delay is delay and he was pretty insistent that we try to get it passed on first reading if possible. Of course the final agreement will be reviewed by me again and it is going to ultimately signed by the Mayor. There is already a provision in it that is going to be removed from the sample agreement regarding water monitoring. They are going to put that in a different agreement.

Miller: I understand what you are saying. I mean if we are provided 20 some pages of this to read, I assume we are meant to read it before we...am I wrong.

Lutz: Or you can trust your Law Director to say the agreement is fine and the Mayor can sign it on behalf of the City.

Miller: Well that is not fair. It is not a matter of trust.

Vance: As I am skimming through this and I am no expert here, it appears to be operations that would be normal to an establishing of hydro electric power plant.

Lutz: Correct. I allows the access of the City, which through our agent, Gen Power, to do the studies they have been doing and then to continue on through the construction.

Landaw: Is this an AMP-Ohio project or totally private.

Lutz: Private. I will say this, they have gone round and round regarding the terms on this thing and they still are hammering out the final details. As he (Bill Bailey) indicated, the Army Corps of Engineers is not known for moving quickly on things.

Miller: I appreciate what you are saying. I understand, but my vote will be with total trust in the Law Director because I have not read this...for the record.

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 Corfman seconded that Resolution 52-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

### Good of the Order:

Aspiras: As you all know this is Wooster week so it is a big week for Orrville and Wooster and just wanted to say good luck to Coach Devault and the Red Rider football team as they will be traveling to Follis Field to take on the Wooster Generals. Go Riders.

Leathers: I just wanted to mention that Thursday night we could have a very busy city. We have got potentially the volleyball team playing in Smithville. We have a loop walk from 5-7 which starts at Heartland Point. We've got the League of Women Voters Candidates Night at Wayne College and then a bon fire at 9pm. So it is going to be a very busy night in the City of Orrville and hopefully everyone will get out and participate in one of the above...one or more. Corfman: You can't say there is nothing to do in Orrville.

Corfman moved and Leathers seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 8:35 p.m.

October 20, 2008

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council