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President Handwerk called the meeting to order. Pastor John Beck of Daybreak Community Church offered the prayer. The Pledge was recited by all.

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

Baker moved and Purdy seconded that the October 15, 2007 regular meeting minutes be approved. Roll call vote. Ayes all. Motion carried.

**Public Comment:** Larry Weese was scheduled to speak, but did not attend.

Handwerk: We have several of our Wayne County Commissioners here and they are going to be talking to us about our solid waste district recycling program.

Ann Obrecht: Thank you for this opportunity and we are going to tag-team on this. I have some handouts for you. We are here wearing our Solid Waste District Board of Directors hats. We represent you as a solid waste district for Stark, Tusc, and Wayne County. There has been some changes that will directly affect Orrville through our recycling and other programs. These changes happened because we had to rewrite our plan with EPA and together we wrote the plan. The programs we are talking about changed to incentivize people to actually recycle. What I want to talk about first, I am going to talk about the Recycling Makes Sense program and then also tonight we have Commissioner Wiggam and Commissioner Noah and they are both going to speak. We also have from the Solid Waste District we have Lenny Broome who is the Assistant Executive Director and Joanna Weaver and she is the new Education Specialist who is going to be here in Wayne County. The first program I want to talk to you about is the Recycling Makes Sense program. This is the money we have paid to the cities that do curbside recycling and we have paid it in proportion to population in the past. Last year Orrville got \$17,032 for your grant which was population based. But Orrville has been wonderful recyclers and this is going to serve you well as we move into this incentive program where you will actually be paid on tonnage. First let's talk about the tonnage that you have. For this year your tonnage is reported for both the first and second quarters. If I take that out and figure it for the whole year, you will have about 381 total tons for the whole year. As we are moving to this program where you are going to be paid on tonnage, we are giving you a grace period so it is not a big shock to some systems. Some cities are not recycling quite at the rate you are and it is going to mean a decrease in funding if they don't pickup their recycling. For 2007 you will be getting \$17,032 and that is what you had in 2006 plus a three percent increase. In 2008 we are guaranteeing you \$17,545 and this is because it is a transition period. After that, starting in 2009, you will be paid totally on tonnage. Right now and in the past you've been paid \$45 per ton. I want you to flip to the third page of your handout. It is the 2007 Rate Sheet. What you will be following is the blue where it says curbside programs. The base rate is only going to be \$25 per ton and you have been paid on \$45 in the past, but you can earn up to \$45 per ton if you meet certain stipulations. The first three here is 90% access rate for resident in the county and you will meet that with the residents in the city and you have to collect at least one time per week and you have to collect at least five items from the list provided in the plan. If you do those three things you will get an extra \$10 per ton and that takes you up to \$35. An extra \$5 will be added if you collect at least seven materials from the list and the list is in the plan and I can go over that with you if you want to know what those are. That would put you up to \$40 per ton. To get you up to the \$45 per ton that you have been used to in the past, you have to have an average of 60 pounds per resident in 2009. The good news for you is that in 2006 you were already at 78.42 pounds per person. I

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must say that the other cities we have went to they have not been over or even near what they are going to have to be, so you have great recyclers already here in Orrville and are doing a good job. If you can get up to \$45 per pound by offering the recycling of those items, and our Solid Waste District will work with you on expanding what you offer to recycle, at the rate you are I figure if you do exactly what you are doing now you would get \$17,000 in 2009. You would be very close to what you are currently getting. You are doing a good job of recycling, but you are going to have to change some of your articles you are recycling, because there are seven items you have to meet. Also, if you recycle more, you can earn more because it is all paid on tonnage. This is a totally incentive based plan and those cities that recycle more can earn more and of course it goes into your general fund to help pay for the extra costs of recycling. That is the Recycling Makes Sense program and I will let Scott and Cheryl talk about their two program and after that if you have questions, we can take them.

Cheryl Noah: Thank you for having it and good evening. We are pleased to be here; however, our message however well received it should be is not necessarily the best, and I want to remind you it is for your future. That is why we want to explain the incentive programs because what you have been reimbursed through grants for these programs in the past has been reduced by the Environmental Protection Agency who is now handling all of the business and overseeing all the business at Stark Solid Waste – the three counties. This is area wide, all three counties are participating in these programs, and again congratulations you're already meeting many of your requirements. I am here to explain the composting. Many of our communities do pickup compost materials and grind them up, as I know you do. What poundage you have had is 112.83 tons a year and that was reported for 2006. That will be funded for 2007. The information sheet I have is for 2007. You would be funded \$15 per ton. Then you have the incentive program and this is monthly collection drop-off, nine months out of the year, if you would increase your program and whatever your drop-off program is now or collection – normally they are in about five months of the year when the weather is good and people are out trimming trees – this would provide that you would have to have nine months participation in the program then you get an incentive rate of \$5 additional per ton which would be \$20 per ton. If your program includes educational information to all the folks that are dropping off on backyard posting and mulching of grass – the proper way to do this; what does composting mean; how do you produce valuable compost that is resellable or reusable – then you get another \$5 and that would be \$25 per ton. Under the 2007 grant agreement the maximum rate per ton is \$25; that is what you are eligible for. Now in watching some of the other communities, it is done in various ways. I am going to site some examples in which we have high wind situations. We have certainly had them in Orrville and in Wooster in our own county, but in Stark County they were getting pretty hard. They were selecting a large empty area, a parking lot if you will, and they would have people bring their branches so the trucking would not be so expensive. They had centers where you could bring all your limbs and so on and the grinder would be there and they would grind them on site and then they would be hauled away. That seemed to save them a little bit of money, but that is up to your community on how you design your program and how you make it the least expensive so you can make your \$25 per ton go farther. The educational programs and expanding your programs a few months would buy you a few more dollars per ton.

Scott Wiggam: We thank you for this opportunity. When I first came on the Board of Commissioners in 2005 and we set down and started looking at ways that we had several communities in Wayne County that do curbside. There are two other counties that are involved with this district and they are looking at ways they were going to grant money. Of course, this was before the Ohio EPA came in and reduced the grants we have available. I just want to tell you first of all the good news, Orrville did an excellent job, in fact you became our benchmark

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for recycling per person, the money that we had given to different curbside programs was based on Orrville's numbers. I just want to start off saying that, so you are in very good shape. But as the Ohio EPA likes to say to us, there is always room for improvement, so we hope that we can help you in that fact. One of the things is if you are looking at putting out, especially with composting, we can give you numbers and facts and figures if you put out a brochure on the Composting Makes Sense, even recycling, if you just put out a newsletter we can help you. Please do not hesitate to get a hold of Joanna Weaver or Len Broome on that and we will certainly make sure you get the right information to the right people. The one thing as we are going forward and you look at Recycling Makes Sense and Composting Makes Sense of course what they are trying to say is the more you recycle and the more you compost the more money you can receive. Although you are doing very well, there may be room for improvement and one of the ways the district wants to improve is through a Model Community Grant. For 2008 and 2009 there is a quarter of a million dollars available of grant money and that is for the whole entire three counties. This is for each year. As it is set up now they are looking at trying to fund a model community grant for one community in each county for each year. A model community grant of course is if you have a subcommittee that wants to get together and brainstorm, look at some ideas, maybe you want to contact some other communities in the area that are also trying to do new things with their recycling. This money, if you come up with an idea, you put it down on paper and submit it, you could get grant funding to help you layout your model and implement it into your community. That money will be available and I think it is a substantial amount that could help you grow your recycling, grow your awareness. It could be program improvements, equipment, or just education. All these types of things you could look at possibly. Once you put it down on paper and submit it to the district, it could be funded. It could help you grow your numbers. Please consider that. If you want ideas, I am sure the District will be able to help you do that. They will tell you what is going on down in the south of Ohio, Columbus, and so forth. I would encourage you to go forward and take a look at that. Once again, the Model Community Grants, would be a good thing to take a look at. You can contact Cindi Kerschbaumer, our Grant Administrator, and she can give you the rest of the facts on this program.

Joanna Weaver: Hello, my name is Joanna Weaver, I am from Wayne County and graduated from Ashland University in May with a degree in education. I would love to get in and speak with any community groups that would like me to come in and talk to them about just encouraging their group and then the children. I also go into schools as well, so if you have contacts with the schools let me know and I will gladly go in and speak with them as well.

Handwerk: We sure thank you all for coming in tonight and I saw that you were at Wooster's Council meeting last week or so and I was kind of concerned about what our results would be or information would be. It was certainly good news to hear tonight. I would hope that all of Orrville citizens can feel good about the information you just gave us. As you said, there is always room for improvement and so we certainly want to keep getting better, but I am very happy to hear we are doing as good of a job as we are. That is certainly good news.

Leggett: On the Model Community Grant money, one community basically in each county, how is that money going to be divided?

Wiggam: What will happen is that they will probably go through a committee over at the Joint Solid Waste District. Of course, we have nine commissioners and there is a budget committee of three. We are probably still putting on the last parameters of the Model Community Grant. Basically the committee will take a look at several community grants, they will probably ask you to submit them at a certain point in time and I am sure it will carry over to early 2008 because obviously we have only a little over a month and a half left here in 2007. So there will be a time period that we will receive them, they will be evaluated, and then we will look at the money

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available and the requests in those grants. We will make those judgments at that time and then it will go to the full board and then those grants will be given out at that time.

Leggett: I was just concerned they were going to be divided on population or something. It is going to be equal – each request on its merit?

Wiggam: They will be on their merit and so far it is going to be divided on its ideas and the extensiveness of those. Not on population.

Purdy: Under the category curbside recycling it talks about materials from a list provided in the plan. For the benefit of our viewers is there a website people can go to to find out what those materials are on that plan.

Obrecht: There is a website. It is [www.timetorecycle.org](http://www.timetorecycle.org). Those materials that you would have to recycle would be cardboard, mixed paper, newspaper, glass containers, steel containers, aluminum containers, plastic containers, household hazardous waste, yard waste, wood packing and pallets, scrap tires, lead batteries, used motor oil, textiles, and other major appliances. Those are from the list. To get the first incentive money you have to have five off the list and to get the last incentive money you have to have seven. I am going to turn to Lenny to help me with this. My understanding is we are having discussions with EPA at this time because we run household hazardous waste collections and also appliance collections to see if we doing it district wide will count towards your seven.

Lenny Broome: That has not been answered yet.

Obrecht: We put that in front of the EPA to try and get them to agree that those would be things that doing them district wide cities or those with curbside recycling could count towards their seven, but we don't have any answer on that, but we are working on that.

Noah: Jim, if I can further answer your question, it probably will be based on the comprehensiveness of your plan and the variety of things you would include in your recycling. Just for your information there is groundwork being laid over at Tri-County having to do with hazardous waste drop-off and how you do that safely. We are getting more and more requests to have more continuous drop-offs for hazards, such as paint, aerosol spray cans. I was just having a conversation with a company the other day that had tried to use the whole mast of waste as their energy producer. It worked very well, but there were minor explosions that clogged up the system and those were from aerosol spray cans many times. So whether we can in some way organize a way to remove those from the main stream, this makes the material more usable for utilizing rather than digging a whole in the ground and burying it. The whole point of recycling is that we reduce our overall trash areas as far as landfills. This has become a problem for many communities. As you know, we had a landfill. It developed problems that were seemingly unsafe to our community. Because of the intervention of the United States EPA it was closed and no longer functions. We are sending our refuse over to Stark County and now Stark County has encountered in one of their landfills a situation that is yet to be determined, but looks from the outside as those it is too very dangerous to those living in that area. This is one of the remedies. Let's increase what we are doing locally so that we are not burying as much trash.

Handwerk: Any other questions? Mrs. Jewell, the list of things to be recycled, right now I don't think we can put everything on that list out there. Is that determined by our actual contract with our haulers as far as what we can recycle?

Jewell: That is right, it is determined by the hauler.

Handwerk: If there are no other questions, we again appreciate all of you for coming tonight and giving us that information and we will keep trying.

**Standing Committee Reports:**

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A. Finance – Mr. Miller wanted to remind council that it was that time of year again to look at the temporary appropriations for the upcoming year. We are proposing virtually the same schedule that we had last year on the temporary appropriations calendar. You should get the books by the 16<sup>th</sup> of November. Our first reading will be at the next meeting on the 19<sup>th</sup>, second reading the 3<sup>rd</sup>, and third reading on the 17<sup>th</sup> of December. At this point we are not aware of any changes from the 2008 budget we approved in July. Is that correct?

Leggett: That is correct.

Miller: There is a deadline of November 9<sup>th</sup> on that.

B. Utilities – Mr. Landaw reported the Public Utility Board will be meeting next Monday evening at 6:30 and I will have a Wastewater Committee meeting at 6:00 prior to that.

C. Health & Safety – Mr. Corfman reported the State Legislatures did pass an arcade amendment to one of their bills and the Governor signed it. At this time we will not be taking any further action on our own gaming ordinance.

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

E. Transportation – Mr. Baker reported that last week there was a meeting concerning the truck route, but I think there is something the citizens need to understand. A lot of people saw the headline in the paper that says “no truck bypass.” That is true; however, a lot of people got the idea that the whole thing is washed up and gone away and that is not true. There is still a study going on for a truck route, not a bypass in the traditional sense around the city. I think people need to understand that because many people think well the whole thing is gone now, it has gone away, and that’s not true. I just want to make sure everyone understands that it’s still under consideration for what is going to happen with the truck route through Orrville.

Handwerk: And there are still three or four different options that are being looked at.

Baker: Mrs. Jewell is there still time for people to fill out the surveys that are down in the lobby of City Hall?

Jewell: They will be accepting those surveys through the 13<sup>th</sup>. There are survey forms, information forms, and maps available in the lobby at City Hall.

F. Planning – Mr. Purdy reported that on tonight’s agenda we have a couple ordinances, T-07 and U-07. At our last city council meetings I gave in my report a notice that we were going to be making the arrangements that we would be having a public hearing on November 19<sup>th</sup>. That has been changed due to the fact that the legislation has to be published for a certain period of time we had to postpone that public hearing. The new date that we are going to be having a public hearing will be when these pieces of legislation are on third reading which will be December 3<sup>rd</sup> prior to our city council meeting that night. Purdy moved and Baker seconded that the date for the public hearing be changed. Roll call vote. Ayes all. Motion carried.

G. Ordinance & Personnel – Ms. Leathers reported that Tammy Kerr, who has been serving as our Clerk for Board of Zoning Appeals, has tendered her resignation. At this time I would like to move that we appoint Tamra Peppard to the position of Clerk of Board of Zoning Appeals in addition to her Clerk of Council duties and with a salary adjustment as is appropriate.

Handwerk: When you say appropriate, we are just going back to the way it was before?

Leathers: Yes, going back to the way it was.

Corfman seconded the motion. Roll call vote. Ayes all. Motion carried.

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**Special Committee Reports:** None.

**Administrative Reports:**

A. Mayor - Mayor Steiner reported that our Utility Director, Dan Preising, was recently re-elected as Chairman of the AMP-Ohio Board. With the many issues facing the electric industry it is good to have Dan representing us with AMP-Ohio at the State and National level so we are on top of things. On December 3<sup>rd</sup> myself and our directors will do the annual city report. That will be December 3<sup>rd</sup> at 6:30 in these chambers.

B. Safety Service Director- Director Jewell reported that leaf collection has begun in the south end of town. Next week it will move to the north end of town and one week for clean up generally. I know the leaves are late in falling this year, but they did get started on schedule and they will continue until we get them picked up.

C. Utilities Director – Director Preising reported that in the past we passed a resolution for rebuilding the cooling towers at the power plant and that was approximately a \$200,000 job. Once we got actually into the cooling towers we found that there is some extensive wear in areas that as it dried out in places pieces of timber in there are either rotted or some of them cracked extensively. We had a couple options. One option was to rebuild the whole thing at another \$250,000. We backed away from that option at this point and we are doing some temporary repairs at a cost of about roughly \$40,000. Those repairs will buy us approximately two years. So in two years time we will probably be coming back to you again for another resolution to take the cooling tower back down and make the major repairs that will be needed. Once those repairs are made that cooling tower will be in excellent shape and good for another twenty years. We hadn't planned on the repairs being as extensive as what they were. Again this is just a temporary fix and that portion will have to be redone also when we come around to it.

Handwerk: Is that primary construction of treated wood?

Preising: It is like treated wood. They used to them out of cypress; some are made out of redwood. It is wood that stands up under water quite well for long periods of time. That cooling tower is several years old. I am not sure when that was originally built, but it has been in service for years and had very little done to it. It is really complex. It doesn't look like much, but when you start taking all the pieces apart there are a lot of wood structures under there and once they dry out you actually see how many things that are wrong with them.

Handwerk: Has there been any advancement in recycled plastic beams to take the place of those that would hold up any better?

Preising: I don't know what brand new cooling towers, there are new technologies out there, but the cost of a brand new cooling tower would be a lot more than \$250,000. That is something we haven't really investigated. It is pretty much you tie in wood with wood and the repairs are fairly easy to make. If you go to something different than that it would probably take some elaborate measures to make that change. Not out of the question, in two years maybe the change will be different than what we are looking at right now.

D. Finance Director – Director Leggett wanted to speak to an area where there is some confusion in the community based on some conversation I have had with some of our citizens. It pertains to the appropriation amendment we made at the last council meeting about the water utility reserve fund. Again, I think similar to Mr. Baker's comment, I think the headline in the paper caused some confusion and people just didn't quite understand what happened. I would

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like to point out one thing though, as our articles are written, when Mr. Locher writes the article, he does not write the headline. Those come from someone else at the paper who is really not familiar with what is going on. So I think the headline after the last council meeting was "accounting error postpones water projects." First of all there was no accounting error. Accounting is recording business or financial transactions. The situation we had there was no transactions. The error in the estimate of receipts did not involve money. This did not involve our general ledger, sub-ledgers, or bank balance, fund balances, fund balance reports that council gets or anything. This was not an issue about money. It was an error in the amount of estimated receipt that we would be receiving. Secondly, the appropriation change that council made at the last meeting, \$120,000, was the result of some meetings that Mr. Preising and I had with Mr. McGrew, our water superintendent, to go over projects that he did want to make sure were completed by the end of 2007. Those amounted to \$120,000 and the action council took last meeting made sure those projects were not postponed. Really the headline was a little misleading. The projects the water utility wanted to get done are getting done. The money is either coming out of the replacement improvement fund or the revenue fund. It is not coming out of the utility reserve fund. I just wanted to make that clear so everyone understands that. Secondly, I wanted to make mention of the fact, and some people may already be aware of this, that we have had some rather serious computer problems in our department in the utility billing area. As a result of that, utility bills that were supposed to be received by our customers last Friday were not received because they were not calculated and they were not mailed yet. They haven't been calculated or mailed as of today, but we think possibly those will get out. That is four or five days later than people normally receive their utility bills. As you know we bill on a cycle basis, approximately 25% of our customers are billed each week. So far this affects 25 % of the customers, but for those customers and these are the ones that will get a utility bill with a due date a week from this Friday, if for any reason those bills are paid late that late fee will be waived. We will not be charging late fee to those customers who got their bills late. This was our fault, not theirs, so the late fees are going to be waived. The disconnect date, which is six weeks from the date of the invoice, will not be changed. Hopefully the situation will be resolved in the next day or so. We have 90% of the issues resolved today, but it was a lot more time consuming and complex than we originally thought. We apologize for that inconvenience. If anyone has any questions, they can call the cashier's office and we will make sure they are resolved. Also, I wanted to point out before the meeting I passed out a draft of our new proposed new income tax ordinance. If you would read through that, our plan is to bring the income tax ordinance for first reading at your next meeting. Council can then decide how you would like to proceed as far as public meetings, workshops, etc. or even when you want to enact this ordinance. We are proposing it be enacted this year and there are two main areas of change in this ordinance. First, there are changes made to bring our ordinance in compliance with recent changes in the Ohio Revised Code. There have been a couple House bills passed that changed what municipalities can do with income tax; these changes are incorporated in this current ordinance. The second and biggest single change is that this ordinance requires universal filing, which really means that every citizen in the City of Orrville will have to file a municipal income tax return. We are the only city in the county that does not require this. We think this is an important lesson for us to perform our audit. We can get information from the State of Ohio on state filings. It will help us determine the people we need to pay income tax are indeed paying it. This is primarily for people who live in the City of Orrville, but work somewhere that there is no tax withheld from their pay and they fail to file with the City of Orrville. We have certain methods to track them, but they are not near as strong as the methods we would have if everyone is required to file. Those are the big issues. Just look that over and you will have it first reading. If you have any questions in the meantime, feel free to contact me or Dave Nussbaum, our tax

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administrator, and we will try to explain them. On a couple more positive notes, a week and a half ago I was invited to the AMP-Ohio annual meeting to accept an award. This past year AMP-Ohio established a credit rating system where they would score the members in AMP-Ohio – and AMP-Ohio has about 100 members, about 86 from Ohio and there are a few from Michigan, Pennsylvania, Kentucky, and West Virginia. They established a system much like you can get a personal credit rating. They established this system to credit rate all of their members. They did that after the 2006 financial statements were available and I am happy to say the City of Orrville and the City of Bryan tied with the highest credit rating in all those 100 plus communities. This is something to be extremely proud of. I went down to Columbus and accepted that award on behalf of the City of Orrville and the Orrville Electric Utility. The award was actually presented to the Finance Department; however, the people that do all the work to generate this award was really our electric utilities so Mr. Preising and Mr. Brediger and his staff and all the people that work in the electric utility are really the ones that made this possible and really they should be the ones receiving this award. It speaks to the financial stability of the electric stability. Compared to other municipal utilities we are indeed very, very strong. We scored 92 out of 100 on the rating. I am not aware of what the eight point deductions were for. If I find that out, I will pass that along. But this is something we can be very proud of. The community can be very proud of. Also, last week I received a call from Susan Verble with is an assistant to State Auditor Mary Taylor and Susan was informing me that the city has once again received the State Auditor's Award for the year 2005. They run a little behind because they have wait for our audit to get done before they do their award. This is the fourth year in a row we received this award. In 2004 this award only went to 4% of the communities in the State of Ohio. At the December 3<sup>rd</sup> meeting either during the council meeting or during the State of City address Susan Verble will be here to present that award to the City of Orrville. Again that is something that we are very proud of and really should be shared by all the employees of the City of Orrville. Just a couple more quick ones, first of all, it is very possible and probably extremely likely that before the year is over we will be back with another appropriation amendment to clean up some funds that probably are going to come down kind of close towards the end of the year. It is something we usually do every year at the first or second meeting in December and I just wanted to forewarn you about that because usually when we come we ask for that on first reading. We know the solid waste fund is going to need amended. We estimated that expenditure to be \$25,000/month and it is coming in at about \$25,500 or \$25,600 so we know there is a five to ten thousand dollar amendment there. That is pass through money. That is money we collect and pass through. Also, as Mr. Preising mentioned with the addition on the cooling towers we are spending more money out of the utility reserve fund, the electric utility reserve fund and we may have to come back for that. There is room on the certificate of resource for both those appropriations so that should not be an issue. We will explain those as we request them. The last thing I have is just to remind everyone tomorrow is Election Day and to get out and vote.

E. Law Director - Director Lutz was absent.

F. President of Council – President Handwerk report Ms. Peppard had some information for the Planning Commission.

Peppard: We have received to petitions to vacate alleys and these will be referred to the Planning Commission for their review.

Handwerk: Mrs. Jewell and Mr. Leggett it has only been a few weeks so I know it is not a lot of time, were you able to get any figures as all on the trash collection.

Jewell: Yes, we pulled some information together. We are not totally done with it at this time.

When we talked with other communities that do this work, we found out that at the very least we



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would need to have two collection vehicles, one for the recycling and one for the trash and then a backup vehicle. We looked at how many people they normally put on these trucks. We've looked at how much waste we collect and what the tipping fees would be. Mr. Leggett and Mr. Staley got a bunch of information about the cost for maintenance, the types of facility you would need for maintenance. What we found, just to summarize, and this is not the final piece of information, other communities that have their own trash collection service are doing it anywhere from \$15 to \$18 per month and they say that ranges from losing money or just breaking even. In putting ours together the one piece I am missing is how much it would cost us to have our materials recycled and I am about \$15.69 per month. I talked with David Held who is ahead of the Solid Waste District and we have been exchanging phone calls and been unable to talk to one another, but one of the main things that he said was that upfront costs are high. A lot of communities find it necessary to sell bonds or somehow finance those upfront costs. In addition to that it would require a feasibility study to really see if it is something you want to get in to. But right now we are just pulling the information together to see if it is a direction we would even want to go before we would pay any money for any kind of feasibility study.

Handwerk: That is all we asked you to do. When you came up with the figures, as far as employees, two per truck?

Jewell: We have different levels of workers. I figured we would have two truck drivers which would be considered a Public Service Worker I and then we would have utility workers on the back which would be the loaders. On the truck where we would be collecting the actual garbage it would take one driver and two loaders and on the other truck I figured it would take one driver and one loader to run the recycling truck. It could be less than that if we use the 96 gallon totes where the truck would come around and then actually lift it and dump it. The people would not be physically lifting. There are a lot of different options out there.

Handwerk: I know that one is not a popular one with a lot of people because it limits what you can put out.

Jewell: It limits what you can put out plus it creates parking restrictions on the days when you have collection and you can't have people parking on the street. The other issue with that, the referred me to look at Columbus at their website they had and there was information there and the totes have to be at the curbside at a certain location and be just so, because if they are turned around backwards or fall over then the items can't be collected. That has its pluses and minuses. The main thing would be that it would cut down on your worker's comp kind of injuries. You wouldn't have as many cuts or back strains or things like that. We should have something put together that I can actually give you at the next meeting.

Handwerk: I appreciate what you have done so far. I wasn't thinking until after the last meeting, we definitely don't want to give up our recycling program and have people just bring it someplace because you don't get as good of participation that way and I wasn't thinking then either that we would probably have to have a separate truck for that because you wouldn't be able to have the same truck do both things.

**Old Business:**

**Resolution 64-07**

Leathers moved and Purdy seconded that Resolution 64-07, a resolution accepting a portion of Back Massillon Road in the City of Orrville, County of Wayne, State of Ohio, and confirming the dedication of all streets and utility easements set forth thereon, to the public use forever, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Purdy: I talked to this at our last two council meetings. I will repeat it again. September 20<sup>th</sup> the Orrville Planning Commission reviewed the request for dedication for a portion of Back Massillon Road at the Crown Hill Road intersection. This is on third reading so we have to

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decide on this tonight, but chances are there won't be anything done on altering that intersection until spring.

Leathers moved and Corfman seconded that Resolution 64-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

**New Business:**

**Ordinance Q-07**

Leathers moved and Landaw seconded that Ordinance Q-07, an ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, amending the boundaries of Community Reinvestment Area in the City of Orrville and designating a Housing Officer to administer the program and creating a Community Reinvestment Housing Council and a Tax Incentive Council be placed on first reading. Roll call vote. Ayes all. Motion carried

Jewell: This ordinance should sound very familiar to you because we just passed it recently. The situation is the State of Ohio allows for Enterprise Zones to go up to a 15 year abatement period with the approval of the School Board. When this piece of legislation was put together it was put together with a 15 year period; however, the maximum for a CRA or a Community Reinvestment Area is a 12 year so this is a correction to the piece of legislation we just passed and it allows for a maximum of a 12 year abatement.

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 Q-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

**ORDINANCE R-07**

Leathers moved and Landaw seconded that Ordinance R-07, an ordinance amending Section 931.07 of Chapter 931 of the Codified Ordinances of the City of Orrville, Ohio, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: This will be your first reading of an ordinance which would change the rates that are charged by Waste Management in the City of Orrville. You have this piece of legislation which is an ordinance. The ordinance sets the rates that are charged to the public. You also have 69-07 which is a resolution. That resolution allows for the contract to be amended. That is the reason you see two pieces of legislation. County commissioners and the Solid Waste District were here this evening and were talking about the recycling grant that we get. That grant money is what we use, \$.40 per customer, per month, to offset the cost of the curbside recycling program here in Orrville so that money comes back to the residents. The rates that are set are \$.40 less in the ordinance than what is actually paid. Our current rates are \$9.11 per household per month and the senior households are \$8.25. The new rates they are proposing are \$12.49 per resident per month and \$11.63 for senior citizen households. The rates are \$.40 lower than that to offset by the grant, but the actual contract amount would be the \$12.49 and \$11.63. I suggest you leave this go the full three readings.

Miller: No matter what the cost would end up being, that \$.40 is going to come off of it anyway right?

Jewell: That is correct.

Miller: The contract we have with them now, is that up at the end of the year?

Jewell: Yes. This would allow for us to amend it to extend it one more year at a new rate. Then we could do that one more time before we would need to re-bid it.

Landaw: Or we could opt to re-bid right now?

Jewell: Yes

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Landaw: I understood in your memo, you did not recommend doing that. But with an opportunity to maybe do more expanded recycling I am wondering if it might be something we might want to consider. I guess that is something I am going to want to consider more before we pass this, if we might not want to bid it again.

Jewell: The other community that I am familiar with that did choose to re-bid it actually got a higher rate when they re-bid it and they do now pay the fuel surcharge which is a variable amount per month. It is not a something that is a set amount. The rate that they have quoted us at this time is a set amount and does not include any surcharge. It includes an amount which allows for the fuel. I think some of the recycling programs that would be available through the Solid Waste District could include recycling such things as maybe cell phones or cell phone batteries, computes, those types of things which would be run as a separate, probably a drop off program or they may have it as a mail-in program that is available through different entities. The additional recycling may not necessarily be through this contract because they may only have a limited amount we can do through them. We would have to explore all of that.

Handwerk: But is it possible that without bidding on a new contract, could they possibly expand their list of items that can be recycled or will they not do that?

Jewell: That could be possible that we could work with them and see what other items could be added.

Handwerk: Because if we are being told we can add more items and recycle more, but yet they won't take them then that doesn't do us any good.

Jewell: But if they wouldn't take them there might be some other options as far as someone else that would take them. When you start getting into electronics.

Landaw: I understand that there are some plastics that they aren't recycling, they aren't collecting, that some other communities are doing. That would be an opportunity to expand.

Miller: What we are thinking here is that if we put that out for bid, Waste Management is going to come back and add the fuel charge into it and give us a higher bid than what we have right now?

Jewell: That is what we think, yes.

Miller: In the research you have done in the other communities, it doesn't appear that we are going to do much better than that.

Jewell: That is correct.

Miller: That is what I see from this information.

Jewell: The information that we have right now is that this rate is very competitive to what other communities around us right now are paying. I really don't think that going through the process of bidding will get us a better rate. I just don't think that would happen.

Handwerk: They can still add the fuel rate increase at any time?

Jewell: No. What they are saying is that this \$12.49 is a set rate and it does not fall under the fuel surcharge that they have other communities using. I think when we bid the our next contract that is something that would be in there in the future, but right now they are allowing us to continue as we have with a set rate. It is just considerably higher.

Landaw: It is still a fairly large increase and it makes me think they are going to obviously these places are going to bid low to get you started and then once they get you hooked in then they can start jacking the price up. I guess that is just part of doing business. They got the bid because they were the lower bidder.

Jewell: That was three years ago.

Landaw: I understand that, but so now the price goes up.

Jewell: The bids at that time were all fairly competitive with one another. It is not like it was a lowball or anything like that.

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Leggett: Keep in mind it is difficult for them to lowball because it is a three year contract. When they come in the bid is set for three years. If that is no good, you can re-bid it again. You always have that option. They can't come in and lowball the first year and then jack it the next two years because we know what those years are. This past contract, Mrs. Jewell correct me if I am wrong, the only thing they can increase is just based on the consumer price index. So when we bid a three year contract those prices are really set for three years. It can't be a case of somebody coming in with a lowball bid just to get you hooked and then move on. Because we have changed haulers as those three year periods have changed. We changed the last time and we could as well change again. This is an opportunity to come in with a bid that appears to be more than competitive without the fuel surcharge and what fuel is going to cost in the next two years is very uncertain. I think that is one of the big things that Mrs. Jewell is considering is this locks that rate in for one year.

Corfman: There is a start up cost for a new bid for anyone that comes in and starts up in our community, say another refuse hauler. So they are getting benefit by getting a one year extension because they don't have to schedule routes, they don't have to come out with all the new recycling bins, they don't have to come up with extra truck, so they are saving some startup costs. It is cost effective for them to extend it.

Leggett: That is the reason they are giving this rate with no fuel surcharge.

ORDINANCE S-07

Leathers moved Corfman seconded that Ordinance S-07, an ordinance providing for certain declarations and findings as required by amended substitute Senate Bill 117, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: Amended Senate Bill 117 was a bill that pretty much set a statewide franchise for cable television or what they call video service providers. In the past we have had a franchise agreement with Armstrong Cable that goes back into the 1960s and that franchise agreement has allowed us to charge a five percent franchise fee and the five percent franchise fee is based on a definition within that franchise of a gross revenue. However, the State of Ohio came in this past year and they came in with something new so instead of being under federal law we are now under the state guidelines for the statewide franchise. It allows us to continue with our existing franchise. There are certain conditions under which Armstrong Cable Services could end our franchise before the end of its scheduled time or if someone else would come into town and start offering those services then we would need to be able to respond to that within ten days. The purpose of this legislation is to state that we understand that there is a statewide franchise and if a provider would come into our community, would notify us that they are providing services within the community we would in turn notify them that they would owe us a five percent fee based on their gross revenues and it is a different definition of a gross revenue then what we have in our existing franchise agreement, but that would be a way to protect that source of income to our general fund. At this point in time, that is about \$60,000 a year that we get through the franchise fee. This piece of legislation just pretty much sits there unless we need to use it for any reason if someone else would want to come into town. It does not need to be passed on first reading. Other communities around have passed this legislation already also. Handwerk: It is a safeguard for us. There is no reason for us to sit on it.

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 Ordinance S-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

ORDINANCE T-07

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Leathers moved and Purdy seconded that Ordinance T-07, an ordinance amending Chapter 1109 of the Orrville Zoning Code regarding on-premises exterior signs, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Purdy: We have had some discussion on this. It is going to have to go three readings on this because on December 3<sup>rd</sup> we are going to have a public hearing.

ORDINANCE U-07

Leathers moved and Purdy seconded that Ordinance U-07, an ordinance to amend the Zoning Code of the City of Orrville, Wayne County, State of Ohio, by adding a new chapter to be entitled *Outdoor Wood Furnaces*, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Purdy: This is another ordinance that is going to have to wait. We will also be having a public hearing on this on December 3<sup>rd</sup>. It will go three readings.

ORDINANCE V-07

Leathers moved and Landaw seconded that Ordinance V-07, an ordinance amending Section 1111.05 of Chapter 1111 of the Zoning Code of the City of Orrville, Ohio, regarding Permitted Conditional Uses, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: I just noticed as I looked at this piece of legislation that this is a companion to U-07. It does involve our Zoning Code and we would need to add this to the list for the public hearing on December 3<sup>rd</sup>. 1111 is our section on conditional permitted uses. What this section amendment is doing is it is saying that one of the conditionally permitted uses will be the outdoor wood furnaces. That is why they go together and we do need to add that and hold a public hearing on that one also.

Purdy: This ordinance will go three readings as well.

Leathers moved and Purdy seconded that Ordinance V-07 be added to the public hearing on December 3<sup>rd</sup>. Roll call vote. Ayes all. Motion carried.

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RESOLUTION 69-07

Leathers moved and Corfman seconded that Resolution 69-07, a resolution authorizing the amendment of a certain agreement with Waste Management of Ohio, Inc., for trash pickup in the City of Orrville, Ohio, by increasing the rate charged, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

RESOLUTION 70-07

Leathers moved and Corfman seconded that Resolution 70-07, a resolution authorizing the Safety-Service Director to purchase playground equipment, without bidding, from David Williams and Associates for *The Gametime Conserving Public Land Through Play Grant*, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: This is something that we had planned for next year. We had budgeted \$50,000 in our budget for the year 2008 so we could replace two pieces of playground equipment. However, we found out when I was at the Municipal League Conference in October that they did have these grants available that would pay fifty percent of the cost of acquiring the playground equipment. What we did then was we looked at whether or not we would have the funding yet this year that we could go ahead and acquire it this year. We have to have a purchase order issued before the end of November and then we have to take the delivery before the end of December in order to qualify for this grant. I did receive notification that they've accepted our application, they will give us up to \$50,000 if we spend \$50,000. This will give us some really nice playground equipment. Mr. Staley and Mr. Hranko have been working with David Williams to see what we could put into the parks to see what would work in there. Mr. Staley has committed himself personally that he will pull together a group of people to install the playground equipment once we get it in and that is no easy task. There are thousands of pieces to put together. They did the one in the south end park and have committed that they would install these two if we could have the grant fund to purchase them. The purpose of this legislation is to allow us to do that without bidding and declaring an emergency so we can meet the time frames we have in order to do this before the end of the year.

Miller: In your time frame, you need this tonight so you can do the work order for it by the end of November, is that what you said?

Jewell: I have until the end of November to actually issue the purchase order. It could easily go two readings. It does not need to be passed tonight. We would still have one more reading in November and if Council approves it, it would be effective immediately, then we could move forward with the purchase order.

Miller: That would work in your time frame.

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

Leathers moved and Corfman seconded that Resolution 7-07 be adopted as read. Roll call vote. Ayes all. Motion carried.

Good of the Order:

Handwerk: As was mentioned before, just to remind everyone to get out and exercise their right to vote even if the weather is nasty.

Leathers moved and Corfman seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 8:52 p.m.

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Tamra Peppard, Clerk of Council

Date

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Dave Handwerk, President of Council