

Regular/Public

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President Baker called the regular meeting to order. Pastor Marvin Zuercher of the Chestnut Ridge Mennonite Church offered the prayer. The Pledge was recited by all.

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

Aspiras moved and Hamsher seconded that the minutes of the October 17, 2011 regular meeting be approved. Roll call vote. Ayes all, except Shupp abstained. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller reported that Council should have received this evening the 2012 Temporary Appropriations calendar. You will find that it is similar to the timing we've done in the past. You should get your workbooks by the 18th and the first reading will be on the 21st of November.

B. Utilities – Mr. Vance was absent.

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

D. Parks and Recreation – Mr. Aspiras had no report; however, Mr. Wheeler will give us an update on the dog park.

E. Transportation – Mr. Shupp had no report, but asked Mr. Wheeler how our salt supply is. Wheeler: Salt supply is ready to go though we are confident we won't need it this year. We will actually be using calcium chloride or brine as well. That will actually be put on the salt prior to its placement on the road, which I think will help with our usage of salt as well as really help particularly on those cold days when it seems to take a while for the ice to break up, Hopefully our salt use this year will be less, but also the quality will be better as well.

Shupp: May I ask, so we are not really going to have like a liquid brine system like the State uses? We are going to coat our salt with the brine.

Wheeler: That is the plan at this point and Mr. Cross has been researching that and he has found that from a standpoint of efficiency as well as overall cost on an annual basis it is more efficient and almost as effective as well.

F. Planning – Mr. Hamsher provided an update on the Comprehensive Plan review that we have been doing every ten years. We are required to review the comprehensive plan for the city, where we want to send Orrville in the next ten years, the next decade. There is a committee of about 20-25 citizens that have been meeting monthly with two companies that are guiding the process, facilitating the process and we have done a lot of exercises on some asset and liability comparisons. I tell you we are very impressed with the list of assets we were able to come up with. We've done land use study to see how the land in the city is used. We have done a visionary exercise so we are pretty excited about where we are going. In fact, we want the public input so on December 6th from 5:00 to 8:00 at Schmid Hall we have a three hour open house. We have several stations we would love to have everyone come through and see what Orrville is planning on doing and we want your input on what you would like Orrville to be in the next ten years and how you want it to grow and develop and serve the citizens in the city. So December 6th again from 5-8pm at Schmid Hall. Stop by we will have refreshments. We would love to have the community's input. You don't have to call, just show up. Stay five minutes or stay three hours. It will be great.

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G. Ordinance & Personnel – Ms. Leathers reported the committee met on Monday, October 24th. We reviewed the salaries or compensation of various local appointed and elected officials. No changes were recommended at this time.

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk reported the Employee of the Month for November is Bob Labs. Bob was recommended by his supervisors as the employee of the month. Since being hired in June 2010 Bob has completed all his training, obtained his stationary engineer's license from the State of Ohio and was recently promoted to Plant Operator I. I quote one supervisor that stated Bob is an example of the kind of employee we need and want in the department. I have to agree. He has been very easy to get along with and takes pride in everything he does says Dean Kallenborn, Power Plant Superintendent. While only knowing Bob just a short time he is doing very well in the operations department and I congratulate him for that. Bob and I will have lunch sometime in the next week or so. A few other things to announce, Civil Service Commission appointment. Morgan Winget's term expires at the end of this year and he has shown interest in wanting to serve again in that position. Morgan has done a great job in that position for us the past six years. He does a good job and brings a lot of experience from his previous job at Smuckers in that type of field. So I will be appointing him to serve another term on the Civil Service Commission. Also, our volunteers for the Adopt-A-Citizen, we are getting to the point – even though we were talking about salt here and that kind of stuff and Mr. Wheeler assures us we probably won't need this probably this year – we have had our volunteer program the last few years. We have had good turn out from people willing to help, but we need that again because without volunteers to help we can't help the people that call in. I think we had six or seven last year that were receiving help regularly when we got the heavy snows from people and again I want to emphasize that if you are a volunteer you need to get ahold of me so I can put you down on the list and if you are somebody who would like help with snow removal, and again we are talking about people who can't afford to have someone do this for them or are not able to because of their age or handicap, please get ahold of me and we will try to match you up with a volunteer. This can be a citizen, just an individual, church member, church group, clubs, or individuals – any of those. We would like to encourage people who are interested in attending the veteran's program there is one in Wooster at the fairgrounds which is kind of a county observation for veterans. This program will be led by a speaker, Vivian Duffy, Colonel U.S. Army Retired. Duffy saw combat duty in Vietnam and later served in the National Guard and the Army Reserve. This year's Veteran of the Year for Wayne County will also be named in that ceremony. Uniformed veterans will present the colors and display the flags in the branches of the U.S. military services and special music will be provided by Wayne County Clerk of Courts Tim Neal. All citizens are invited to attend. That is at 11am at the fairgrounds on Friday. I also received some information from Larry Connorly today which is just a salute to all veterans. I thought I would read this. This actually was put together by Mr. Connorly and it is a very nice tribute to veterans. "To the veterans of the Revolutionary War that broke the strangle hold of England and gave birth to the great nation. The Civil War that broke the back and loosened the chains of slavery. World War I which Kaiser Wilhelm and the Germans were defeated from the quest for world domination. World War II that defeated Hitler and the Japanese and put down the genocide of the Jews and revealed the horrors of the Holocaust. The Korean Conflict that caused the death and mutilation of so many of our men and women. Vietnam when once again we called on our men and women to serve our country. They did so with dignity and valor only to return to an ungrateful and disrespectful nation. (This I will add – which is something I hope we never let this country to allow to happen again) Dessert Storm, those that answered the call with pride and honor and the troops in the Middle East we as a nation salute you one and all." Again, that was put together by Larry Connorly – Veterans have their today so we might have a tomorrow. That was dedicated to a Sergeant Wheeler U.S. Army Retired. I don't know if that is just a friend of

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Mr. Connorly's or not. I didn't get to talk to him; I was in a meeting when he brought that in. Finally, the last thing I have is that Mr. Wheeler and I were talking last week about paving projects for next year. We were going over the streets that were done over the last four years. I know we do some every year and you just kind of get used to oh we did some every year. When you look at the list that has been done the last four years, it is kind of an impressive list. We have covered a lot of streets the last four years – 24 to be exact. I just want to read the list real quick....South Main Street, South Vine Street, Railroad Alley, North Vine Street, Water Street, Bell Avenue, Washington Blvd, Lynn Drive, Willard Drive, West Chestnut, Ella from Market to High, Briarwood, Crestview, Evergreen, Apple Blossom, Sunrise Circle, Linden Avenue, Harding Avenue, South Mill Street up to Oak Street, McGill Street, Walnut Street, East Church down in front of the library, and also Westwood and Mohican. I think a lot of time we forget what all that has been done over the last few years street wise. Keep in mind we hope to do Mineral Springs next year. All of these streets were done with a lot of help from the OPWC grant money. Obviously we wouldn't have been able to do this many streets without that help and so we hope we will be able to do that next year with Mineral Springs. We are very well aware that we have some concrete streets that are in need of repair, that is a whole different ball game when you get into the concrete as opposed to overlaying asphalt. We have done some good patchwork over the last few years, taking sections that are the worst on some of the worst ones and definitely improved those and we will continue to do that as much as possible the next few years.

B. Safety Service Director- Director Wheeler reported Medway has donated a mailbox that we have installed down at the Police Department across from the dispatch center. The mailbox allows for anyone to come in and drop off prescription drugs or over-the-counter drugs that are unused or outdated and simply drop them off and put them in the box and that is all that is required. That box is there and available obviously. It is open day or night. The dog park, we are putting the finishing touches on if you will. The sidewalk is complete. The reseeding is done. The fountain has been installed. Actually the signage is all we are waiting on. It has been ordered. It has been approved and just hoping to have that in any day now. The Mayor and I talked earlier today and we wanted to go ahead and do a ribbon cutting so we can get some dogs in there to use that. November 17th at 11am is the ribbon cutting for the dog park. The last piece, other than the signage, is the doggy bags and doggy bag poles and those actually should be in the first thing in the morning. As far as that goes, once those are in what I plan to do is have some brochures out there with the rules in there so if the signage isn't there folks can go ahead and start using it. All the pieces and parts are there for everyone to use and I know the dogs are chomping at the bit to get out there.

Shupp: Are folks allowed to use it already?

Wheeler: Well folks are using it from my understanding. I prefer that they didn't until we get the doggy waste bags in and that should be in first thing in the morning and once those are in there is a trash container connected to that as well and that way folks are able to pick up their dog waste while they are there if they didn't plan appropriately when they got there. As far as I am concerned once that is up and installed in the morning, people are welcome to use the dog park.

Shupp: I have seen people using it last week.

Wheeler: That is what we have heard as well so that is why we are trying to get those dog waste handler stuff in there so that the appropriate equipment is there for people. I was there today and I didn't see any dog waste so whoever has been using must have done a pretty good job of cleaning up after themselves, which is our hope of course that people self-police the dog park. Also, leaf pickup is continuing. They are a few days behind already. Lots of leaves out there so they are working and will continue to work till all the leaves are picked up. Also, just wanted to update Council on one of our Capital projects, the new ADA compliant deck was recently constructed and completed out at the cemetery administration building and this should actually help us provide better access to our customers that are looking to buy plots and help folks be able to get into the office a little easier than in the past. That is a good asset for the cemetery.

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Hamsher: That is really a tremendous gesture on Medway's part to donate that mailbox for the prescription drugs. Will they still have the annual or semi-annual drug collection day?

Wheeler: I think they will continue to do those. Those are actually typically done as part of a nationwide effort so I believe they will continue to do those on a semi-annual basis.

C. Utilities Director – Director Brediger reported the Water Department did all of the five year inspections on all of our main water towers. All those inspected okay. We found no problems and will be good on all those structures for the next five years. We do have a couple committee meetings scheduled prior to the next Utility Board meeting. We have a Wastewater and an electric committee meeting at 6:00 next Monday prior to the Utility Board meeting. I just wanted to make Council aware of those. The overhaul work on Turbine Generator 11 is continuing well. We have most of the parts going out for repairs over the past couple weeks. We haven't found anything in there that has surprised us so far. Last week myself, the mayor, Dean Kallenborn, Dick Smith attended AMP's annual conference. This was their 40th anniversary in the public power partnership business. There were about 425 attendees that attended that conference. Orrville picked up a couple of awards. Our power plant operations department picked up a safety accommodation. Our distribution department received recognition for a large distribution line upgrade that they did and our cashier's office also received an accommodation for developing a Spanish-English customer service brochure. Orrville was re-elected a couple leadership positions. We remain the chair of the hydro projects and our Gorsuch Station project and we also have a leadership role in the Prairie State project. We received various updates. There were a number of technical seminars that were offered. One of the great strengths that AMP provides for us is from a legislative and lobbying perspective. They followed this past year 157 active bills at the state. That was out of 576 that were introduced this year. They are also following about 52 bills on the national level for us. Without that type of work our jobs back home here would be a little bit more difficult. Last week we also, as part of the commissioning of Fremont natural gas project, started up one of those gas engines two weeks or so ago and that start up went pretty well. We have some problems that were discovered in the second engine. These appear to be some leftover issues when First Energy had the plant and they are in the process of fixing those items and then they will go back and get that taken care of with First Energy. We also had some discussions on re-developing a generation project at the former AMPGS coal-fired plant. We are looking at maybe developing another natural gas combined cycle facility down at that site and at the Gorsuch Station at the coal plant that was shut down last October we are looking at the possibility of putting some peaking generation units at that site. So that was discussed with the membership a couple weeks ago as well as looking at some wind and solar energy producing opportunities that will be coming our way for review later on this year maybe after the first of next year. Just an update on some of the EPA activities, the rule making that we have been waiting on is still planned to come out the end of this month. The rule that impacts the larger investor-owned utilities was delayed a few weeks or so ago. That will be out later on in December so part of the message is that have been conveyed on Washington as far as giving the EPA a little more time to slow down and take a closer look at these rules understand some of the economic impact of these rules is starting to get through. They are hearing some of those concerns by the impacted parties so we will see how that rule making comes. We have a lot of support on the hill so far and we still have a little bit more work to do on that. The last thing I will mention was about a week and a half ago we had an announced visit from Congressman Renacci. He happened to be in the region and took us up on an invitation that we presented to him about three weeks ago when we were in Washington. So he did come and tour the power plant and discussed a number of issues with myself, the mayor, Dean Kallenborn, Director Wheeler, Mike Hedberg, and Brad Strausbaugh our Utility Board President... So we had a real nice visit. The Congressman understands the role that coal plays in not only this community's future going forward but our overall country's overall energy strategies.

D. Finance Director – Director Strimlan reported as Mr. Miller indicated, we are working on temporary appropriations. We will have those books in your hands by next Friday along with a

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narrative of all the changes that we have made similar to what we provided for other appropriations and budgeting cycles. So after you receive that if you have any questions please feel free to give me a call.

E. Law Director - Director VanSickle had no report.

F. President of Council – President Baker

Peppard: We have received a liquor license renewal notification for Estrella LLC at 513 North Main Street.

Old Business: None.

New Business:

ORDINANCE H-11

Leathers moved and Hamsher seconded that Ordinance H-11, an ordinance amending Section 931.07 of Chapter 931 of the Codified Ordinances of the City of Orrville, Ohio, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: In order to explain Ordinance H-11 I need to explain Resolution 33-11 as well. Under the terms of our solid waste contract with J & J Refuse it does allow for them to request a rate increase if the Bureau of Labor Statistics reflects more than a 3% consumer price index increase. There has been an increase of 4.96% since 2009 which is the base year of the contract. After many discussions with them they have agreed for Council to consider a 3.7% increase. If Council so approves, then currently they are paying \$11.78 for a regular and \$10.88 for a senior citizen. The new rate would be \$12.38 that we would be paying J & J and \$11.44 for seniors. What our citizens would be paying after the recycling grant would be \$12.23 for our residents and \$11.29 for our seniors. Just in comparison in 2009 the rate was \$12.92 and \$12.02 so it is still substantially lower than it was in 2009. I would be glad to answer any questions.

Miller: I know these can go three readings. Would it be possible that you could give us at some point let us have some information for what the rates are in some of our surrounding communities?

Wheeler: I would be glad to.

Miller: Like Rittman, Wooster.

Wheeler: Rittman actually just went back out to bid and their numbers are in and they are a little bit lower than what ours were. So our low rate I think has benefited some adjacent communities because it has made the solid waste companies more competitive.

Hamsher: 2009 we were J & J.

Wheeler: 2009 we were actually with Waste Management.

Hamsher: Then we switched in 2010?

Wheeler: Yes beginning the first of the year of 2010.

Hamsher: And the contracts review every year?

Wheeler: Every year they are reviewed in regards to, it is a three year contract, every year they can request a rate increase based on the CPI.

Hamsher: And then we have the option to request a rate decrease as well?

Wheeler: No. It would just remain the same if the CPI didn't...I should mention the CPI needs to be over 3% in order for them to request a rate increase which is why we didn't last year because it was obviously not higher than 3%. If Council decides not to approve the rate increase then J & J can either go ahead and continue to service us at the current rate or they are allowed within 90 days to notify us they will no longer be providing the service. At that point then we would go back out for bids.

Aspiras: With Ordinance H-11 and Resolution 33-11 there is a fifteen cent net difference between what we are going to pay J & J and what the citizens of Orrville will pay.

Wheeler: Correct.

Aspiras: There is a grant in there and there is a fuel surcharge. Could you explain that to us?

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Wheeler: Absolutely. As per the terms of the contract in 2010 one of the advantages at that time was to allow bidders to charge a fuel surcharge based on rate increases of diesel fuel. It has to be over \$3.50 for them to be eligible for an increase. Then it actually goes from \$3.50 to \$3.74. It is like a 1% increase. \$3.75 to \$3.99 it is a 2.5% etcetera. So the fuel surcharge was placed in there so we did not have to come back to council every time gas fluctuated say to \$4.50. As a result we have collected that money and we have charged a fuel surcharge as we can all attest gas and diesel fuel has fluctuated tremendously and it has increased as much as up to \$4.50. So as a result we haven't had to come back to council and say we need to increase it \$.25 because diesel fuel has increased. We continue to collect that \$.25 per month placed in the account to pay for the fuel surcharge and we have been able to utilize that actually since February we have had a fuel surcharge. September we did as well. We will see in October on the billing. Obviously we know diesel fuel has somewhat stabilized and went down some for us. But that was the idea behind it. Fuel surcharge is to provide some stability to the residents in regards to the rates and also not have to come back and do legislation month to month if you will based on fluctuating prices of fuel.

Aspiras: A grant from the Solid Waste Joint District was \$.40?

Wheeler: Correct.

Handwerk: That is based on our recycling.

Wheeler: That is based on our recycling and the quantity that is being recycled. So we encourage folks to recycle not just for environmentally but also it really comes back to them on a monthly basis.

Leathers: We will let that go for second reading.

RESOLUTION 33-11

Leathers moved and Aspiras seconded that Resolution 33-11, a resolution authorizing the amendment of a certain agreement with J & J Refuse, Inc. for trash and recycling pickup in the City of Orrville, Ohio, by increasing the rate charged, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Leathers: We will let this go to second reading too.

RESOLUTION 34-11

Leathers moved and Miller seconded that Resolution 34-11, a resolution to accept the recommendations of the Orrville Tax Incentive Review Council regarding abatements for companies located in the city of Orrville, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: Tax Incentive Review Committee did meet, reviewed current abatements with the companies mentioned in the resolution, all the companies were meeting their abatements requirements, and the Tax Incentive Review Committee does recommend continuance on all the agreements.

Leathers moved and Aspiras 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 34-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 35-11

Leathers moved and Corfman seconded that Resolution 35-11, a resolution to adopt the Hazard Mitigation Plan, as prepared by the Wayne County Planning Department, Emergency Management Agency and previously approved by FEMA, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: Wayne County actually approved this plan. The county has a mitigation plan in 2006. Every five years they are required to update what has been accomplished within the plan and what has not and they also require the subdivisions or municipalities to approve those as well. We are required to approve this in order to be eligible for disaster assistance in the future. Lord willing, we will never need it. But in reviewing the updated plan I did find it interesting that one of the goals was

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to reduce flood risk for the City of Orrville by construction of a detention basin in the Crown Hill area. Mission accomplished there. So those are the kind of things mentioned within there.

Leathers moved and Hamsher 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 35-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 36-11

Leathers moved and Aspiras seconded that Resolution 36-11, a resolution authorizing the Director of Safety and Service to enter into a contract to provide for tax abatement for real property for John and Beth Chiofalo and Chiofalo Chiropractic and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This request comes from Dr. Chiofalo to construct his new chiropractor/professional office at 500 West High Street. The estimated total investment is between \$175,000 and \$195,000 to construct the new building. He is requesting a ten year abatement 50% tax exemption which amounts to just under \$19,000 over the ten years. His annual taxes are approximately \$4700 with a little under \$2200 abated plus \$750 in fees. Dr. Chiofalo is here if you have any questions for him. He is requesting approval as timely as possible as he is still hopeful to construct this fall believe it or not. He has been working with his engineer on designs and things like that so he is hoping to get rolling as quickly as possible.

Miller: John, just to be clear are you going to build on the spot that you are on right now.

Chiofalo: No, it will be just east of the present location. At the corner of West High and North Elm.

Miller: Isn't there a house there now?

Chiofalo: There was. October 25th of last year it was leveled.

Miller: So at the office site where you are at are there plans for that?

Chiofalo: Sold or rented. I am just renting it right now.

Shupp: Has there been any discussion with this with the school board.

Wheeler: School Board is aware and have been notified and they did not have any comment.

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 Hamsher seconded that Resolution 36-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

Good of the Order:

Corfman: Last time we had the hazard mitigation plan all of council had to take a test. Do we have to do that again?

Wheeler: If you have taken it you do not have to update it. I will get with Chief Ballentine who handles all the NIMS and FEMA stuff and see if there is anyone here that has yet to take it. I believe Mr. Hamsher is on the list.

Miller: I just wanted to say that the Orrville Turning Point Coalition is a volunteer based organization that helps educate youths and their parents about the dangers of drugs, alcohol, and tobacco. The organization is going to be having a volunteer fair this Thursday, November 10th, at 7pm at Schmid Hall. Various displays will show how the coalition works to make community-wide changes that help reduce youth substance abuse and increase positive choices in our youth. I have been involved in this for several years. It is a group of really dedicated people who are fighting the war on drugs, alcohol, and tobacco. So if you want to see just exactly what is going on with them, come to this open house. You can stay as long as you want. There will be refreshments and I would invite Council personally to come as well as administration and anyone else here in the building who would like to see what is involved in that organization.

Baker: One other thing, the Mayor had mentioned the county recognition of Veterans Day on Friday, also on Friday evening Morgan Winget is going to have a program at the American Legion for Veteran's Day. So anyone from the general public, you do not have to be a member of the legion to

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come, show up. I think you will probably enjoy listening to Mr. Winget. He can be interesting at times. He is a fun man to listen to when he speaks about the vets.

Leathers moved and Shupp seconded to adjourn the council meeting. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:12 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council