

Regular/Public

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President Baker called the regular meeting to order. Pastor Randy Gehres of Christ United Church of Christ offered the prayer. The Pledge was recited by all.

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

Corfman moved and Aspiras seconded that the minutes of the November 7, 2011 regular meeting be approved. Roll call vote. Ayes all. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller reported there are couple finance items on the agenda tonight. I will let Director Strimlan address those, but I did want to talk about the temporary appropriations for just a moment. Council should have got their booklets over the weekend and you will find this booklet is basically the same as the 2012 budget with the exception of the reduction to the general fund which were outlined in Ms. Strimlan's memo of August 11th. The schedule is virtually the same as before. We will go three readings. The first is reading tonight and second and third readings at the subsequent council meetings.

B. Utilities – Mr. Vance had no report.

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

D. Parks and Recreation – Mr. Aspiras made a few comments about the dog park. We have a ribbon cutting ceremony rescheduled for Wednesday, November 23rd, at 10am. I apologize for the inconvenience that may cause. Because of a scheduling conflict we rescheduled that. Aside from the ribbon cutting ceremony being this Wednesday, the dog park is fully functional and has been for a couple weeks and it is being used. It is open from dawn to dusk. I actually walked it today and it looks like it is being well kept. Those folks that are using it appear to be cleaning up after their dogs. There are some further improvements that are still going on. One of them will be installation of some park benches and Mr. Wheeler mentioned that should happen tomorrow. We also want to put out there if there is anyone interested in donating some trees, a tree or some trees. Right now there are no trees in this park. It is not really a problem right now, we welcome sunshine, but come spring/summer it can get a little warm out there. So if there is anyone interested, please contact City Hall. As usual, if there are any questions or concerns please contact City Hall or the Police Department. You can contact the Police Department at 330-684-5025 or the Safety-Service Department at 330-684-5000. Those numbers are posted on the dog park rules and regulation signage.

Leathers; I was dog-sitting over the weekend and had the opportunity to take the dog I was sitting down to the dog park on Saturday for a little while. She enjoyed playing Frisbee and being off her leash. I did get to visit the dog park and it is very nice. It is a nice open space and they can just run around and have a good time.

E. Transportation – Mr. Shupp had no report.

F. Planning – Mr. Hamsher reminded everyone of the Comprehensive Plan community meeting December 6th from 5-8 at Schmid Hall. We really want the community's input on where they think Orrville should or could go in the next ten years. We are reviewing our Comprehensive Plan and we definitely want input. We have a great group of 20-25 citizens who are working with us now, but we want everyone's input so if you have an idea of what Orrville could do or should do in the next ten

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years December 6th, Tuesday, from 5-8pm stop in and take a peak and give us some suggestions. We welcome anybody to come in and help us out.

G. Ordinance & Personnel – Ms. Leathers reported the committee has two pieces of legislation on tonight's agenda. Ordinance I-11 which is to, with regret, accept the resignation of our current Clerk of Council, Tamra Peppard. Along with that Resolution 44-11, Jeanne Gault, the Administrative Assistant in the Mayor's office has agreed to take on the Clerk of Council position as part of her regular duties. We will be passing legislation to make that happen.

Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk reminded people that this Friday, the day after Thanksgiving, will be the annual Home for the Holidays downtown. Watching the news tonight it is supposed to be sunny and close to 60 degrees on Friday so it should be probably one of the nicest days that they have had for that. Santa will be arriving and I know Lori Reinbolt from the Chamber has worked hard getting a lot of things organized for this. A lot of the businesses downtown and businesses all over town do a lot for this as far as helping with refreshments and things like that at all the different stores. Please come down and help support Home for the Holidays. Happy Thanksgiving to everybody.

B. Safety Service Director- Director Wheeler reported Christmas decorations are up and operational. Our leaf pickup is continuing. We are going to try to finish up by December 2nd. If you have any questions or feel like we might have missed you or skipped you or anything like that, please feel free to call our Service Department at 330-684-5060. The dog park, as Mr. Aspiras mentioned, is open. We do encourage everyone to utilize the parking on Ella Street. We have already had a few calls in regards to folks not utilizing the Ella Street parking. We also encourage the use of the doggy waste bags and trash cans which are below the waste bags which are located inside the fenced entrance. Reminder of the ribbon cutting this Wednesday at 10am. Also, it is Shop With A Cop time. The Orrville Police Department will again be participating with the Wadsworth FOP and their annual Shop With A Cop. This event this year is December 10, 2011. Orrville PD has raffle tickets available for purchase to help support the program. A variety of prizes are available for those who are lucky enough to win the raffle drawing. Tickets are one ticket for a dollar or six for five dollars. They utilize the raffle ticket sales to pick up to 25 Orrville elementary school students and give each of them a \$100 gift card to use at the Wadsworth Walmart. This program is different from many programs in that every dollar raised goes directly to the children. The support from the community and the various organizations in the community is overwhelming. I encourage folks to buy a raffle ticket and they also accept donations if someone so choses.

Aspiras: Can you cover the trash pickup schedule for this week?

Wheeler: This week it will be pushed one day back. It will be Friday pickup for those that are Thursday and Saturday pickup for those that are Friday.

C. Utilities Director – Director Brediger had no report.

D. Finance Director – Director Strimlan reported as Mr. Miller indicated you should have all received your temporary appropriation books by now. Keep in mind these are only temporary, they will take us through March until we approve final appropriations. They are the same as the 2012 budget we reviewed extensively in June at our workshop with the exception of \$67,500 reduction to the tax supported funds and that is to help offset the reduction in local government funding. We will review those line item reductions again in March and possibly add a few more with the final appropriations. We also have a 2011 appropriation change that is on the agenda tonight. It is basically a housekeeping item and I will discuss that a little further when we get to that on the agenda. Lastly, I

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did distribute the October Fund Balance Report prior to the meeting and I would just ask for a motion to approve that subject to audit. Miller moved and Shupp seconded. Roll call vote. Ayes all. Motion carried.

E. Law Director - Director VanSickle had no report.

F. President of Council – President Baker reported we need to pass a motion to appoint two members to the Fireman’s Dependency Fund Board. The members will be Roy Wade and Edward Hershey. Corfman moved to appoint Mr. Wade and Mr. Hershey to another term seconded by Hamsher. Roll call vote. Ayes all. Motion carried.

I also had a compliment about the dog park. My wife came home this evening and she said a lady saw her and said please thank everyone on city council for creating that dog park. I didn’t want to tell her that we didn’t physically do it ourselves, but there are people who really appreciate it. She thinks it is the greatest thing Orrville has ever done. I am not so sure it may qualify for the greatest thing that has ever been done here, but people do appreciate it. Thank you to everyone who was involved.

Old Business:

ORDINANCE H-11

Leathers moved and Corfman 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 second reading. Roll call vote. Ayes all. Motion carried.

Wheeler: As we talked about last time, our solid waste contract is currently with J & J. The contract language does allow for a request for a rate increase if the Bureau of Labor Statistics reflect more than a three percent consumer price index increase. There has been an increase of 4.96% since 2009. In discussing the 4.9% with J & J they have agreed to have council consider a 3.75% increase. That new rate that would be charged to the City would be \$12.38 for our normal resident rate and \$11.44 for our senior rate. The price the residents themselves would pay would be \$12.23 and \$11.29. I would be glad to answer any questions.

Miller: If you could just clarify a couple things for me. My understanding of the contract that is under the circumstances you mentioned, they are entitled to request an increase. It is not a requirement and we do not have to go with it.

Wheeler: That is correct. The language permits council to consider the rate increase. If council does not approve the increase then J & J has the right to either 1) to continue the service at the current rate or 2) provide 90 days of notice to the City that they would not be providing the solid waste service any longer and that would give us time to prepare to go back out for additional bids.

Miller: It is also my understanding this is the last year of this particular contract. Am I right?

Wheeler: 2012 will be the last year of the initial three year period.

Miller: And they are interested in another, extending it at least another two years?

Wheeler: As part of the contract it does allow us to continue for an additional two years which would make five years. We actually went a five year term with Waste Management through 2008.

Hamsher: We are the third lowest in about an eight or nine city comparison?

Wheeler: We would be the third lowest in regard to the regular rate. The lowest is Rittman. They just did a bid opening. The Rittman City Manager actually e-mailed the Mayor and I and thanked us for our current contract with J & J because they feel like that actually, because ours is so competitive, they were able to get some really good competitive bids in. Ours would be the third lowest even currently with the rate increase at \$12.23 and it would be the second lowest senior rate. Since Wadsworth, which is the second lowest, does not have a senior rate.

Handwerk: Vary important on that, Wadsworth is second in lowest rates but they don’t have curbside recycling at all. I would hate to see us ever go back to not having that just to save twenty cents or whatever. I think that is really important to note too. If you look at apples to apples, people that have curbside recycling we are actually the second lowest right now in that area.

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Baker: I had a retired gentleman ask me how the City knows when somebody is a senior citizen.

Wheeler: We actually have a form they can fill out. If they call us, we will actually drop it in the mail to them if they are not able to come in. They just complete the form and submit it to us and then that corrected rate is their future rate.

Hamsher: The other thing, Mr. Hamsher, you are talking about Rittman and we compare a lot because we are similar in size. There is also fuel surcharge that Rittman pays on top of their rate.

Wheeler: That is correct and that is similar to ours in regards to we actually do have a fuel surcharge if the price of diesel fuel exceeds \$3.50. They have a similar charge as well. Their rate actually is fairly comparable to ours in regards to how that works out. Theirs is actually broke down per penny compared to ours at a quarter.

Aspiras: Is the \$12.23 rate that J & J is proposing for Orrville include that fuel surcharge?

Wheeler: What we have done is we have actually, and we talked a little bit about this, included a forty cent reduction from the recycling, but then we are actually adding a quarter back in of the forty cents to cover fuel surcharge rates. So when the price of fuel went up to \$4.00 for diesel fuel six months ago or so we actually did not increase our rates because we had actually been charging enough to cover those rates and so in a way yes that rate does cover any kind of fuel surcharge.

Aspiras: So twenty-five cents – let me see if I got this right – that is a forty cent grant and then actually a fifteen cent difference from what we are charging the citizens versus what J & J is collecting. That is forty cents...

Wheeler: Forty cents is our recycling grant which we reduce it and then we add in a quarter to cover any kind of fuel surcharge.

Aspiras: So that is what that \$12.23 is?

Wheeler: Correct. That is the rate we are charging the residents.

Aspiras: So the \$11.50 with Rittman does not include their fuel surcharge?

Wheeler: That is correct. That is the rate they are currently paying Waste Management at what would be a normal rate before any kind of fuel surcharge.

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 – Shupp, Hamsher, Corfman, Leathers. Nays – Miller, Vance, Aspiras. Motion failed.

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 second reading. Roll call vote. Ayes all. Motion carried.

Baker: We have already discussed this one during the other. Does anyone on council have any discussion. No. We will move to our next item.

Leathers: That concludes tonight's old business.

New Business:

ORDINANCE I-11

Leathers moved and Aspiras seconded that Ordinance I-11, an , an ordinance amending Section 151.08 of the Codified Ordinances of the City of Orrville, Ohio, regarding compensation for the Clerk of Council, and repealing Ordinance A-09, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Leathers: This is one of the pieces of legislation that is necessary in order for us to change things in regards to compensation and so on for Jeanne to be our new clerk of council.

Baker: Any further comments?

Leathers: Just one thing I didn't mention earlier, Tamra's resignation is effective December 31st and Jeanne will be effective January 1st.

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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 Aspiras seconded that Ordinance I-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 37-11

Leathers moved and Corfman seconded the Resolution 37-11, a resolution authorizing the Director of Safety-Service to enter into a contract and/or contracts with the University of Akron for police mutual aid, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This is a mutual aid agreement between University of Akron. Obviously a majority of that time pertains to Wayne Campus. This allows for mutual aid if they were to need our police department or if we were to need their police department for any type of aid. We have had this agreement with them for several years now. As Chief Carozza mentioned to me earlier, very rarely have we needed it thank goodness, but it is always nice to have in place in case there was ever a need for it.

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

Leathers moved and Corfman seconded that Resolution 37-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 38-11

Leathers moved and Corfman seconded that Resolution 38-11, a resolution authorizing the Safety-Service Director to enter into a contract and/or contracts with the trustees of Baughman, East Union and Sugar Creek Townships, and the Central Fire District, to provide firefighting and emergency squad services to said townships for a period of two (2) years, and declaring an emergency. be placed on first reading. Roll call vote. Ayes all. Motion carried.

Corfman: This is a bi-annual agreement that has gone on for quite a long time. This is nothing out of the ordinary. We contract for the areas that are closest to us that are not that practical for these townships and fire districts to get to.

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 38-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 39-11

Leathers moved and Miller seconded that Resolution 39-11, a resolution authorizing the City of Orrville to sell by internet auction, or otherwise dispose of, municipal personal property. be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: This is just an annual, I would call it housekeeping item, just allows us to sell any kind of surplus personal property of the municipality via E-Bay or we also use GovDeals on occasion as well. Both of those are effective for us in regards to selling. We feel like we get considerably more than we had historically had with the auction type setting used in the past. We do recommend that we continue to utilize E-Bay and GovDeals.

Miller: I just want to make a comment. We have been doing this for a while now and the next resolution is a very similar situation, but back in the day we used to do the real auction and it required manpower and resources and everything else. This has proven to be a pretty efficient and save us some money as well.

Wheeler: Absolutely. Plus I feel very confident that it returns a higher return on the items that we sell.

Shupp: These two resolutions, could we not pass an ongoing resolution that we don't have to go through this every year?

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Wheeler: I think they're actually required by the State as part of the Ohio Revised Code that we approve it annually.

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 39-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 40-11

Leathers moved and Corfman seconded that Resolution 40-11, a resolution authorizing the City of Orrville to sell by internet auction, or otherwise dispose of, unclaimed or forfeited property held by the Police Department. be placed on first reading. Roll call vote. Ayes all. Motion carried.

Wheeler: Again, a housekeeping item that we do approve annually. Typically a majority of what we are selling is unclaimed property...bicycles. We have a few bicycles every year which surprisingly someone doesn't claim so as a result we put those kind of items on E-Bay or GovDeals.

Leathers moved and Shupp 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 40-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 41-11

Leathers moved and Aspiras seconded that Resolution 41-11, a resolution authorizing the Public Utilities Board of Control to enter into a contract or contracts, without bidding, for ash disposal for the power plant for a two year period. be placed on first reading. Roll call vote. Ayes all. Motion carried.

Brediger: This matter was discussed with the Utility Board at its last meeting. Basically this is to extend an existing agreement we have with Kimble Sanitary Landfill to dispose of the combustion ash products at the power plant for a two year period. Currently our contract right now was only the firms or landfill agencies were only interested in a year at the time we went out for proposals pending some EPA regulations that were on the board. Those regulations ended up not coming to fruition and now these folks are comfortable in extending these contract terms out another two years which will coincide with our pole contract. Generally we bid out the ash disposal and our fuel needs concurrently there because sometimes the same company ends up providing both services to us. In this case our ash disposal is not being handled from the same supplier that we receive our fuel from. But again, this will kind of allow those two contracts to get back in sync with each other. The proposed pricing was for roughly a 2.6% increase for the year 2012 and 2013. Even with the price for the second year of the contract this price was the lowest of the bids we received in 2010 for this year. We still have some competitive pricing here this is why we didn't go out and rebid this proposal again. Our estimated cost to dispose of ash is, on an annual basis, runs anywhere from \$180,000 to roughly \$190,000 per year.

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

Leathers moved and Corfman seconded that Resolution 41-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 42-11

Leathers moved and Miller seconded that Resolution 42-11, a resolution to make appropriations for current expenses and other expenditures of the City of Orrville, State of Ohio, during the fiscal year ending December 31, 2011, and declaring an emergency. be placed on first reading. Roll call vote. Ayes all. Motion carried.

Strimlan: These are changes to the current year's appropriations. I did outline those to you in my memo last week. The majority of these are coming from the Utilities with the additional of a larger

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working capital transfer as well as a change in wholesale power sales. It does not need to be passed this evening.

Leathers moved and Shupp 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 42-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 43-11

Leathers moved and Miller seconded that Resolution 43-11, a resolution to make appropriations for current expenses and other expenditures of the City of Orrville, State of Ohio, during the fiscal year ending December 31, 2012, and declaring an emergency. be placed on first reading. Roll call vote. Ayes all. Motion carried.

Strimlan: I did go over these earlier. Again, they are just to take us through spending in March. This has to go three readings.

RESOLUTION 44-11

Leathers moved and Corfman seconded that Resolution 44-11, a resolution appointing Jeanne Gault as Clerk of Council effective January 1, 2012, and declaring an emergency. be placed on first reading. Roll call vote. Ayes all. Motion carried.

Leathers: This is the companion ordinance to the new clerk of council.

Leathers moved and Shupp 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 44-11 be adopted as read. Roll call vote. Ayes all. Motion carried.

Good of the Order:

Hamsher: I want to thank Orrville and the surrounding areas. We had a pretty important election a couple weeks ago and it is wonderful to see people get out and vote and exercise their rights and voicing their opinions at the ballot box. Thank you Orrville for doing that.

Miller: I am not sure when the transition takes place, but welcome to Jeanne Gault and we are going to miss you Tamra and I want to personally thank you and on behalf of council for your service and good luck to you. And Happy Thanksgiving everybody.

Peppard: Thank you.

Baker: I have one item. I know I had my senior moment this evening when I forgot a name. You are all invited to Home for the Holidays to see if I forget which hand holds the C4 bell because I will be ringing bells at Augsburg Lutheran Church during Home for the Holidays.

Leathers moved and Hamsher 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