

Regular/Public

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

Leathers moved and Aspiras seconded the appointment of Jeanne Gault as Acting Clerk for tonight's meeting. Roll call vote. Ayes all. Motion carried.

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

Corfman moved and Landaw seconded that the minutes of the December 1, 2008 regular meeting be approved. Roll call vote. Ayes all. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller reported the Finance Committee met on December 8th to review the General Fund and the Capital Improvement Account. We found that we had a pretty fair comfort level with where those are at and will be at the end of the year, but we did want to meet again soon also with the Safety-Service Director to review and prioritize projects and spending into next year and to review options that we may have to increase that Capital Improvement Fund balance. I hadn't really had a chance to talk to anyone about this before the meeting, but I would like to schedule that meeting for February 9th after the Utility Board. I would like to wish everyone a happy holiday season.

B. Utilities – Mr. Landaw reported the power cost adjustment formula was calculated for the third quarter for the electric utility. With the reduced diesel prices in that third quarter, it will result in a savings on the annual electric bill; although, at this point it is only going to be about five cents for the average residential customer. We hope to see that the fourth quarter results will be better when they are reviewed right after the first of the year. If the fuel prices stay down, we may see another drop; hopefully, more than a nickel. For me I would just say, personally, I am glad to see this formula is working. When prices have reflected that rates needed to be increased, the formula seemed to do its trick and now with the drop in diesel fuel prices, at least for awhile, it's coming back to our rate payers. A number of year's back I wondered about the formula. The Director and others in the Utilities changed the formula a little bit and I guess you would say tweaked it to work better and I believe it does work now, especially when it comes back to money in my pocket. It has also met the needs of the Electric Utilities as prices have gone up. The second item is the Public Utility Board will have no meeting for the rest of this month. Their next meeting will be January 12th at 6:30 p.m. As a reminder for everyone to put on their calendars, the workshop for the electric cost of service study will be January 26th at approximately 7:00 p.m. right after the Public Utility Board meeting.

C. Health & Safety – Mr. Corfman congratulated Craig Hostetler as Fire Fighter of the Year 2008. A young man who was actually raised in the fire station, a son of a firefighter. I wish everyone a Happy New Year and Merry Christmas.

D. Parks and Recreation – Mr. Aspiras had no report; however, as this is our last council meeting of 2008 I would also like to wish everybody a Merry Christmas and Happy New Year.

E. Transportation – Mr. Shupp had no report and also wished everyone happy and safe holidays.

F. Planning – Mr. Vance had no formal report of the committee, but we just heard our year end reports and I remembered some conversations we had earlier in the year about the Capital Improvement Fund and we cut about \$500,000 out of that fund and it was difficult decisions that had to be made. I just wanted to commend Mrs. Jewell on how many projects she was able to get funded through outside funding; the Schrock Road intersection itself I think we had three outside sources just to fund that one intersection and as anybody knows whose ever worked on these government kind of grants it is a lot of paperwork and to get three outside entities on one intersection I thought was way above and beyond the call of duty. She has done an excellent job at allowing us to get a lot more work done than we could have otherwise by leveraging a lot of outside work and I just wanted to commend her on that.

G. Ordinance & Personnel – Ms. Leathers had no formal report because we will be having a committee meeting after this meeting is complete, but as everyone else I would like to wish everyone a Merry Christmas and Happy New Year.

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Special Committee Reports: None.

Administrative Reports:

A. Mayor - Mayor Handwerk reported the December Employee of the Month is Brenda Nussbaum. Brenda started her career with the City in 1994 in the Cashier's Office as an Account Clerk I and in 1996 she moved to the Accounting Office as an Accounts Payable Clerk and later was promoted to Account Clerk II status. She is responsible for processing all the purchase orders for the City and as well as matching receiving information on all purchases and processing the weekly check run. She also provides the back up for payroll, the cashiers, and the Account Clerk III positions. She is an asset to the Finance Department and we are proud to name her as the December Employee of the Month. Brenda chose Senor Panchos for lunch with the Mayor. Congratulation to Brenda and I also would like to wish everyone a Merry Christmas and Happy New Year.

B. Safety Service Director- Director Jewell had two items that she would like to bring to Council's attention this evening. The first is pieces of legislation we will probably have for you at your next meeting. The Fire Chief brought this to my attention today, there is State law out there that would allow the City to create a fund and if we have a structure in our town that is damaged by fire, we would have the ability to have the insurance company make payments to the City and the City would then hold this in a fund. If the property owner does not either make the improvements or demolish the building, then the City could use the money in that fund to do either repairs or demolition of the structure. This was something we were not aware of, but I believe it is a very important thing for us to have. The State code allows us if they meet a certain threshold as far as the amount of loss that we can recoup up to \$2000 for every \$15,000 that would be paid to them by the insurance company. As you know we have a fire damaged property on the corner of Oak and Main that had we had this fund at that time we probably would have it repaired, but when they received their insurance payment the bank that had the loan on that did not make the repairs with the insurance payment they received. So therefore, the community is still suffering with a burnt out house. We just recently had another fire where this would come in handy. It was just very recent, but that would be the perfect time where we would have this money come into us and then if the repairs were not made, we would be able to do that and it would not have to come out of City funds to do so. We are going to be working with the Law Director to come up with legislation. We found some examples of other cities and so we will probably be modeling it after the ordinances they have already in place. Another item I would like to bring to your attention is what they call the Neighborhood Revitalization Grant money that will be coming out. The federal government released quite a bit of money through the banking crisis we are having. The crisis affects the local community because you have properties that are abandoned and they've become an eyesore so many times in the community. Orrville fortunately hasn't been affected like some, such as inner city Cleveland and even some of the suburbs around Cleveland where they have literally blocks of houses that have been abandoned, but we do have some of those in Orrville. Kristen Endsley and I attended the training and the money will be coming out through the Ohio Department of Development. In the State of Ohio there would be approximately \$111 million that will be allocated out across the rest of the state. The large metropolitan areas already have their allotment. From what we understood at the training, there will be this \$111 million that will be coming out and then they will have formulas that will state how much money will come to each area. As I understand it, the minimum grant amount will be \$770,000 and those grants will then be geographically determined by the State. For instance, if Orrville itself does not qualify, they will combine us with Wayne County. If Wayne County doesn't qualify, they will combine us with the surrounding counties and perhaps even do it regionally. But the reason I bring this to you, is that once we find out about this we understand that the grant applications will be coming out in mid-January and there will be a real tight timeframe for us to turn this around and get it back out to the State, probably about a month's time. So we may have to have some legislation in either January or February in order to make an application for these grant funds. I just wanted to bring you up to speed on some of this federal money that may be trickling down to Orrville and we are going to try to be ready for it.

C. Utilities Director – Director Preising had no report, but wished everybody happy holidays.

D. Finance Director – Director Leggett reported that prior to the meeting the Fund Balance Report for the period ending November 30, 2008 was distributed. Miller moved and Corfman seconded the report be approved subject to audit. Roll call vote. Ayes all. Motion carried. Also I would like to wish everyone a Merry Christmas and Happy New Year.

E. Law Director - Director Lutz reported that Orrville recently benefited from a change in the law. When the prosecutor's office forecloses on a piece of property for delinquent taxes and it doesn't sell three times – it goes up for auction three times and it doesn't sell – normally it gets forfeited to the

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State; however, there is a new provision in the law that allows the municipality to take it if they want it and reacquire that parcel to a vacant parcel and it happened to be next to another parcel we already owned and so we have acquired that it just has to be recorded. The judgment entry is signed giving it to Orrville. We may have to pay the delinquent taxes on it. We probably will, based on my research, but those are in the amount of \$1800 and Mrs. Jewell knows a little bit more about the parcel. She went out and looked at it. I can't remember the exact size of it.

Jewell: It is pretty much a standard lot. It is at the very end of Buckeye Street. The City owns a parcel there at the end of Buckeye and this is a vacant parcel adjacent to some other land we own. It is just open space. We don't know what we may do with that in the future so we thought it was a good decision just to get that parcel.

Lutz: So even if we have to pay the delinquent taxes, we think it was a smart move to acquire that. That is all I have. Merry Christmas.

F. President of Council – President Baker: Everyone sitting in here knows that our city is one of those cities that other people within the county and the state look to with envy, if I might say that, because we do have a very sound city and Mr. Leggett's report earlier this evening showed that and it is something all of us can be proud of. Every time you come into town and you see that sign, "Welcome to Orrville", think about that. Think about what it is to be a citizen of Orrville because it is something to be proud of. I also want to wish everyone a Merry Christmas. Have a Happy New Year. Leathers: On behalf of the Clerk I need to announce that Buehler Food Market, DBA Buehlers Mart has an application for the Department of Liquor Control and the reason for the application is that they are making a change in their principal stockholders. Just as a word of explanation so nobody panics, Buehlers is a family owned business; none of the stock is publicly traded; the stock will remain in the family. It is just a reorganization within their family as far as stock holdings and that necessitates that they acquire a new liquor permit. It is just a formality.

Old Business:

RESOLUTION 57-08

Leathers moved and Miller seconded that Resolution 57-08, 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, 2009, and declaring an emergency, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Leathers moved and Miller seconded that Resolution 57-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

RESOLUTION 60-08

Leathers moved and Aspiras seconded that Resolution 60-08, a resolution authorizing the Public Utilities Board to create the job classification "Computer Systems Technician" and to establish a pay grade of 306, be placed on third reading. Roll call vote. Ayes all. Motion carried.

Leathers moved and Landaw seconded that Resolution 60-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

New Business:

RESOLUTION 64-08

Leathers moved and Landaw seconded that Resolution 64-08, a resolution to adopt rules and regulations for Crown Hill Cemetery, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: I will give just a word of explanation. This will allow us to adopt the policies as required by Senate Bill 175 and what they did was Senate Bill 175 was defined what they call the burial of a product of fetal death. They give certain rights and responsibilities of the cemetery to bury that; for instance, on the grave of either a parent, a sibling, or a grandparent. Normally we would just make those changes in our cemetery rules and regulations and have that adopted by council just by motion to adopt; however, the legislation says that it needs to be adopted with legislation. Therefore, we have taken our entire rules and regulations and we will be adopted those with this resolution. Then anytime the rules and regulations need to be changed in the future it will require legislation instead of a simple motion by council. The reason is the State law requires it to be done by legislation and we didn't want to pull just one part of our rules and regulations out and have them separate from the rest so we incorporated everything together so it stays together. It does not need to be passed on first reading.

RESOLUTION 65-08

Leathers moved and Corfman seconded that Resolution 65-08, a resolution authorizing the Safety-Service Director of the City of Orrville to purchase salt from the Ohio Department of Transportation's

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Local Salt Assistance Plan for the 2008-2009 season, and declaring an emergency, be placed on first reading. Roll call vote. Ayes all. Motion carried.

Jewell: This program came to our attention through the Ohio Municipal League. We have been working with ODOT. ODOT has looked at their entire salt program all over the State of Ohio. They have found that there will be areas where they would have additional salt that would be available to local municipalities. This is pretty much a one-time assistance program that they will be having. They are making the salt available to us at \$75 per ton, which is their contract price. We will be responsible to go to their location that they designate and pick the salt up. As I understand it now, that designated location will be Holmes County. So we will hire someone to pick that up with a semi-tractor trailer and bring that back to us. It would take us too long to haul it in our own trucks. We are going to hire someone to haul it. We feel very fortunate to be able to get this salt at this time. They also run a salt program throughout the year and coming up in either February or March is when we would need to make a decision of whether we want to bid with them next year. So that will be something that will come up again in the spring. But right now they have the ability to give us 200 tons of salt. I would ask that this be passed on first reading. They do need to know tomorrow if we can make this commitment and then there is an agreement we need to sign.

Miller: Will the 200 tons bring us to a level we are comfortable with for the winter? And the second question would be what would the cost look like between last year and this year for the material?

Jewell: The 200 tons of salt will take us to a comfortable position, especially with the fact that we are going to be mixing our salt with the haydite product. Again, this is what I showed council at the Mayor's annual meeting. This is the haydite product. We will be using this to extend the salt and we do feel comfortable that 200 tons – I think Mr. Staley will be breathing a lot easier with this quantity that we have. As far as the cost, I don't remember the exact amount we paid, but I believe it was around \$45 a ton we paid last year. So it is still significantly higher, but through NEOSO they were unable to secure any bids. They had four no-bid letters. This does allow us to get enough salt that we are going to be in good shape.

Vance: Mrs. Jewell, please don't misunderstand. I am asking a question about the price. That doesn't mean I am questioning the price. I think the public might want to understand a little more too why one community can get salt at one price, then another community get salt at a different price. Why can't they all get it at the same price? This is \$75; other communities get it a little bit less. Can you just explain how that system works, just briefly, just for someone who might have questions along those lines?

Jewell: The pricing structure depends on when people bid it last year. Maybe they bid their salt for the winter season in March or April and at that time the salt companies weren't pulling back quite as hard as they were by the end of the summer when they started to realize what their stock piles were and what they were going to have for winter. It could be they either bid it early or they may bid what I call a loose contract which means that you say "this is how much salt we think we are going to purchase this year" and then they give you a price for that salt; however, they do not guarantee delivery. When you get into some of these contracts where they guarantee that they will deliver the salt, then chances are that salt contract is going to be a little bit higher and they've put in their minimums and maximums. So you have to purchase at least this much salt, but no more than this much and those are all parameters that are put into the bid. All that combined is what comes out in the end as your price for the salt. So that is the reason some are higher than others.

Vance: I think we have heard stories of communities paying a lot higher than what we are for salt so we are very fortunate. I agree with you that this is the right course for us to go.

Jewell: In fact, earlier this year we had the availability of purchasing some salt that NEOSO found that was stockpiled and we paid over \$126 per ton for that salt. It still wasn't enough, but it gave us a little bit of a comfort level. This will make us totally comfortable for this winter.

Aspiras: Mrs. Jewell, this certainly has kept you hopping and we appreciate your hard work here. Just a couple questions. The original contract that we contracted with NEOSO back in July, the minimum requirement was 65% of our needs had to go through them. Is that now exempt if we go outside of that with ODOT?

Jewell: They have no bids. They got four no bids. So they have no contract. NEOSO did find that they had salt that we could purchase that is on the ground at various stockpiles, but that is outside any bid contract.

Aspiras: So there is no penalty to the City of Orrville?

Jewell: No.

Aspiras: The other question I had was the information that you shared with us from ODOT. They had mentioned in there that they had put together a Smart Salt Strategy designed to make certain that the department is as efficient as possible with the salt on hand. Have they shared any of that information with you?

Jewell: I am not sure. Mr. Staley attended a meeting. Did they share with you exactly what was in that strategy?

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Staley: No. The only thing they shared was that they were going to make the most effective/efficient use of the salt as they possibly could. I heard things through the grapevine that they were going to perhaps go out and hit the roads in the evening and then bring the trucks back in. I know that they started doing that, where in the past they would've left the trucks out all night. It is kind of business as usual at a reduced attack.

Jewell: Just from watching the television news too, I also saw that most of the ODOT trucks are being equipped with some sensors that actually sense the roadway temperature as to whether they should be putting salt down or not and that helps to control the rate at which the salt is put down or not put down. I think they make an investment in capital equipment that allowed them to not put it down unnecessarily.

Aspiras: Is that something we might want to look at in the future?

Jewell: It could be something that we would look at in the future. I think, for us, we have always used a smart salting strategy. What we do is – we do hills, curves, intersections. We don't have a dry pavement policy, such as ODOT turns that spreader on when they hit the highway and it stays on. We have always turned ours off and on as they go down and we try to calibrate the spreaders very carefully. I am not sure that we would recoup our investment, but I think it is certainly something as technology changes we would want to know what that is and if it would be of any benefit to us.

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

Leathers moved and Corfman seconded that Resolution 65-08 be adopted as read. Roll call vote. Ayes all. Motion carried.

Good of the Order:

Miller: On behalf of the Orrville Community Theatre I would just like to thank the Orrville community for their support of our Christmas production, Humbug, which was this past weekend. We had really good houses both nights and that says a lot for this community's appreciation of the theatre arts. So again, thank you and watch for an announcement of our Christmas production.

Vance: Armstrong Utilities is looking for a local origination coordinator. I know it is not directly related to council, but it is important to our community as we were surprised to hear of the resignation of David Jones. David is a very talented individual and he will be missed in our community. We want to wish him all the best. They have provided coverage for our meeting here tonight and we want to extend our appreciation to Armstrong for making that commitment. In the meantime, I want to encourage anybody who might be interested in being on the other side of the camera, to contact Armstrong Utilities. Just one more thing, for nearly 40 years Paul L. Powell was the editor of Orrville's local newspaper, the Courier Crescent, and during that time he began to describe his vision of Orrville as what he called the promised land. So tonight I am excited to be able to tell you about a new blog that is being established in the spirit of Paul Powell and it is called rememberthepromise.net. The concept behind the blog is to create a place for leaders in the community to share their vision, their news, and their views about the areas they are serving in. So it will be a source of information for people to hear directly from the various leaders in the community about what is going on in their areas of responsibilities. A lot more will be coming out about this, but in the meantime I would encourage you to log into rememberthepromise.net.

Leathers moved and Aspiras seconded that the council meeting be adjourned. Ayes all. Motion carried. Council was adjourned at 8:14 p.m.

Tamra Peppard, Clerk of Council

Date

Lyle Baker, President of Council