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Council President Baker called the regular meeting to order.

Councilman Denny Miller offered the prayer. The Pledge was recited by all.

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

Corfman moved that the minutes of the February 4, 2013, regular meeting be approved as posted. Aspiras seconded Roll call vote. All ayes. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller: Thank you, Mr. President, I just wanted to remind Council that Finance Department has been busy with the Final Appropriations for 2013. And at the next meeting on the 4th of March will be the first reading on those. And also to remind you that on the 14th will be a Special Meeting for the second reading and also a workshop on the Final Appropriations. And then the next meeting in March, on the 18th, will be the third and final reading on the Appropriations. Ms. Strimlan is out of town tonight but she has told me that the early stages of the audit are going well. And that's good news. And that's all I have, sir. Hamsher: Thank you, Mr. President. March 14 is a Thursday. Miller: Yes it is. Hamsher: Was that incorrectly stated? Miller: No, that's the way it's been because on that Tuesday some of the administration are going to be away on a trip. Hamsher: Ok.

B. Utilities – Mr. Vance: Thank you, Mr. President. No report.

C. Health & Safety – Mr. Corfman: Thank you, Mr. President. I have no report.

D. Parks and Recreation – Mr. Aspiras: Thank you, Mr. President. I have no report tonight.

E. Transportation – Mr. Shupp: Thank you, Mr. President. I also have no report.

F. Planning – Mr. Hamsher: Thank you, Mr. President. I'd like to announce that the Planning Committee would like to have a meeting on March 4 at 6:45. The Chamber of Commerce would like an opportunity to address the Planning Committee. And we'll oblige them of that opportunity. So March 4, prior to the next Council Meeting, at 6:45.

G. Ordinance & Personnel – Ms. Leathers: Thank you, Mr. President. I have no report but I would like to make a motion to amend tonight's agenda to delete Resolution 6-13. Aspiras seconded. Roll call vote. All ayes. Motion carried. That concludes my report sir.

Baker: We have no Special Committee reports. We'll move to our Administrative Reports, Mayor Handwerk.

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Special Committee Reports: None.

Administrative Reports:

- A. Mayor Handwerk: Thank you, Mr. President. I have two items tonight. One is just to announce that our February employee of the month is Mr. Jim Infield. Jim has worked as a staff engineer at the Power Plant for over 15 years. He plays a variety of important roles including overseeing the turbine generator overhauls that cost over \$1M, our welding program that saves us tens of thousands of dollars each year by enabling us to perform repairs more quickly in-house as well as a great 'go-to' person on a majority of mechanical related events. "He works with our pocket book in mind", stated Jeff Brediger, our Utilities Director, inferring that Jim always is looking for the best price and the best solutions. He gets the job done. Jim is married to Carol and has three sons. And we're actually going to be eating lunch at Jerry's this Thursday. And one final item was just to wish all of our high school boys and girls athletes' good luck as they enter into the tournament time. Wrestling is already well into their tournament going the second round this week. And both boys and girls basketball teams. And that's all I have. Thank you.
- B. Safety Service Director Wheeler: Thank you, Mr. President. There is NO delay this week on trash pickup even though Monday was a holiday. The pickup will remain as regular scheduled. The Service Department has been busy filling potholes the last week. If you spot a pothole please feel free to call the Service Department at 330-684-5060 to report where the pothole is located and we'll get it taken care of. Also, we met with the schools and the Orrville Boys and Girls Club last week just to coordinate the Ella Street resurfacing project. That project remains on schedule to be in construction in July. Finally, I mentioned at the last meeting that we will be holding a public input meeting on the closure of the roadway at Schrock Road between Back Orrville Road and Crown Hill. That meeting has been changed to March 7 to accommodate a State official that would like to attend which is the reason for the deletion of Resolution 6-13 tonight. We will put that back on the agenda at the next meeting. And that's my report for tonight. 6-8 PM at Schmid Hall.
- C. Utilities Director Brediger: Thank you, Mr. President. At last week's Utility Board Meeting the Board did approve a power cost adjustment factor adjustment effective February 15. Residential customers will see about a \$1.00 a month charge or roughly about a 1.5% change in that. And the result of that power cost adjustment factor change was mainly due to our fall outage, additional purchased power cost during that period. Another point of information, on May 10-24 is part of some of our distribution upgrade projects. We are replacing a circuit breaker at the main substation off of Back Orrville Road. During this period, which AEP is estimating to be, worst case scenario, about a two week period. We will be off the grid. By that I mean the power plant will be supplying all of our energy during this period. We are periodically, throughout the year, off the grid, our customers rarely know when we are performing that work. Just a little bit longer period of time not that we anticipate any kind of problem but if we would have some generation issues during this period, depending on the time of day or the day of the week, there could be some exposure to interruptions. So we will be notifying our larger and industrial

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commercial customers of this if there is some due diligence work, they may want to have in preparation for that. It'll just kind of give them a heads up. We are not encouraging them or indicating that there is a need, we're just wanting to make them aware there is that potential for that period. We believe the total duration of this activity will be under that two week period but AEP just wanted to give the worst case. They will be doing all the work since this equipment even though it is owned by us, is inside their substation. So we don't have the type of control over the time schedule as we'd like to have. However, they are working extended hours and we will be working with them real closely to make sure that we can expedite that work as quickly as possible. And with that, that concludes my comments tonight. I will have a few comments concerning Resolution 5-13 when that comes up later on this evening.

- D. Finance Director Strimlan: Excused
- E. Law Director Kirkbride: Thank you, Mr. President. I have no report this evening.
- F. Council President Baker: Thank you. For my report this evening, our clerk has a request for us. Gault: The Ohio Division of Liquor Control has sent us a request for a transfer of liquor license for the Lester Enterprises LLC DBA East of Chicago Pizza.

Old Business: None

New Business:

Leathers moved that Resolution 4-13 be place on first reading. Hamsher seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 4-13**, A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO TAKE BIDS AND ENTER INTO A CONTRACT AND/OR CONTRACTS TO REMOVE ASBESTOS AND DEMOLISH A PROPERTY PURSUANT TO SECTION 1311.06 OF THE CODIFIED ORDINANCES OF THE CITY OF ORRVILLE, OHIO, AND DECLARING AN EMERGENCY.

Baker: Mr. Wheeler any comments for us?

Wheeler: Thank you, Mr. President. This resolution grants the City permission to move forward with asbestos removal and demolition of 711 West Market Street. We have been dealing with this property on property maintenance issues for over a year. We asked the Health Department to go out and take a look. Health Department has declared it a public health nuisance as has the Fire Chief. The property has, hopefully everyone had a chance to see the pictures, but the doors aren't secure so as a result there's free access for animals and I guess anything or anyone else that wants to go in an access the property. Broken windows, siding has holes in it, the gutters are collapsing, a variety of issues which makes it unhealthy for the neighborhood and also makes it a nuisance to the neighborhood as well. We have been trying to work with the property owner. Unfortunately the property owner recently has been going through some health issues. But even prior to that, we haven't been able to get the response we were looking for in regards to addressing the issues. If we do move forward on asbestos removal and demolition we will attempt to utilize the Federal program and those Federal dollars so it shouldn't cost us anything per se in order to do so. I will be glad to answer any questions. Normally this process, what we'll do is advise the property owner, and of course, they may or may not come in and try to work out something where they make the repairs. I don't know that they will in this case to be honest with you. They have been offered a few chances already and haven't addressed anything, not even boarding up windows or anything like that.

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Vance: Federal dollars - are you talking about that program that Wayne County has.

Wheeler: Correct. Those dollars are still available.

Vance: What is that program called?

Wheeler: As soon as you asked me I forgot.

Kirkbride: Is it Moving Ohio Forward?

Wheeler: Moving Ohio Forward is what it is called, yes.

Aspiras: Mr. Wheeler, you mention attempt to try to secure that Federal grant money. What is your confidence level?

Wheeler: 99.9. The dollars are there. They are available for these types of programs, the vacant houses, the houses that are in deterioration. They're available to us. We've attempted to use them on other properties and they've either demolished them themselves which is what happened at the bypass at the Walnut Street property or they've done the repairs which in the scheme of things both of those are success stories as well. The dollars are there and available to us. This property is absolutely eligible for those dollars so barring the property owner coming in and either addressing repairs or doing the demolition themselves, I think those dollars would be readily available to us for this project.

Corfman: Does any of this expense go back to the property owner?

Wheeler: Actually yes, a lien is put back on the property for the cost associated. Whether or not that is ever recouped, of course, is another thing. But the idea behind that program is that the funds are then returned back to that program and then it is constantly a revolving fund, if you will, with dollars available for these types of projects.

Vance: That was my question is who retains ownership of the property. Obviously the property owner does. And if they ever sell it then they have to return the proceeds to the fund.

Wheeler: Yes. The lien would be on there at the sale, correct.

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

Leathers moved that Resolution 4-13 be adopted as read. Miller seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 5-13 be place on first reading. Aspiras seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 5-13**, A RESOLUTION AUTHORIZING THE PUBLIC UTILITIES BOARD TO ENTER INTO A CONTRACT AND/OR CONTRACTS TO PURCHASE "SPOT COAL" FOR THE CITY OF ORRVILLE, OHIO.

Baker: Mr. Brediger?

Brediger: Thank you. In my letter to Council we did explain a little bit of the rationale behind this resolution. Basically it allows us to make off-contract coal purchases as opportunities present themselves. From time to time there are fuel suppliers out there that have the need to dispose of coal that they are holding in excess that they weren't able to get rid of by other contractual means. In order for them not to lose money on that as the fuel degrades over time, they do make this coal available at sometimes below market cost. We've been approached over the past several years for some opportunities like this in the past. Most of the time the volumes haven't really amounted to too much or the price didn't really match up with the type or quality of coal that we were interested in. However this year with the market and the economy the way it's at, it seems like more of these entities have been

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calling us up looking for our interest. They have a lot of good matches for us and we right now just do not have the flexibility to purchase coal other than the resolution that gave us the authority to buy coal from our current coal supplier. Any coal that we would purchase under these terms would just reduce the amount of coal that we would buy from off our other contract at a higher price so we're buying the same quality fuel at a lower price so at the end of the day it does lower our cost. Some of these suppliers are interested in some of these offerings to get their foot in the door with us. They do know that we have our coal contract that expires at the end of this year. This gives us a chance to kick the tire so to speak with some other potential vendors to see if they can really deliver the product that we're interested in. We're not too sure what the volumes are fuel wise that we may look at purchasing on a day-to-day basis, week-to-week, or month-to-month so that's why we brought the resolution. We could easily spend comfortably \$100,000. We spent \$8 million on coal last year. So because we have the potential of spending in excess of \$100,000, that's why we have this resolution in front of you. If there are any other questions, I would be happy to answer those.

Aspiras: You mentioned that this will offset purchases with the current vendor. Will that jeopardize the contract? Are there any penalties? Is there a minimum?

Brediger: No. We have no take-or-pay minimum. We have a range of fuel that we estimate on a year-to-year basis but we have no obligation to purchase those volumes. We've worked hard over the years to keep that kind of language out to give us a lot of flexibility. We really don't know when our needs are going to change so when we put forth those estimates in the contract they are just estimates. And our fuel suppliers have been very flexible with us over the years as those volumes have either increased or decreased. So there is really no risk with this.

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

Leathers moved that Resolution 5-13 be adopted as read. Shupp seconded. Roll call vote. All ayes. Motion carried.

Leathers: And that concludes tonight's new business, sir.

Baker: Thank you. Next on our agenda is our annual report from our Police Department. We're going to turn this over to Chief Carozza.

Orrville Police Department Annual Report by Chief Dino Carozza: Good evening ladies and gentleman. My name is Chief Dino Carozza. In just a few moments I am going to begin my 2012 Annual Report. However, first I would like to thank the men and women of the Orrville Police Department for their excellent work in the year of 2012. I will now begin my annual report. (Chief Carozza presented a slide presentation; hard copy can be viewed at the Safety Service office during normal business hours.)

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Locher: Where did you say Freddie was born?

Carozza: Czechoslovakia.

Locher: You know that's not true? You told me that and I put it in the paper and I caught all kinds of heck for it. Czechoslovakia hasn't existed for many years.

Audience member: Czech Republic.

Carozza: That's what I was told by Mike Smith so that's where I got my information. Anything else? Thank you very much.

Good of the Order:

Baker: Thank you, Chief Carozza. That brings us to the end of our meeting. Does anyone have anything for the good of the order tonight?

Miller: Mr. President, I just happen to have something right here. This Friday, 22nd of February, we have stand-up comedy night at Orrville Community Theatre. The very funny Jay Boc will be there. He's bringing a couple of his friends along. Jay has worked in LA, New York and Vegas. He's a local guy and you'll find him very funny. So this will be a very funny show. 7:30 this Friday, Feb. 22, \$10. You can't beat it. It's great entertainment. Clean comic so bring the family and everybody will like it. Baker: Thank you, Mr. Miller. Anyone else?

Leathers moved to adjourn the council meeting and Shupp seconded. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:25 p.m.

Jeanne Gault, Clerk of Council

Date

Lyle Baker, President of Council