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Council President Baker called the regular meeting to order.

Pastor Dave Barber of the Orrville Baptist Church offered the prayer. The Pledge was recited by all.

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

Aspiras moved and Vance seconded that the minutes of the March 4, 2013, regular meeting be accepted as documented. Roll call vote. All ayes. Motion carried.

Public Comment: None.

Standing Committee Reports:

A. Finance – Mr. Miller: Thank you, Mr. President. There's some financial legislation on the docket tonight that Director Strimlan will address when we get there. We also had a workshop on our final appropriations prior to this meeting where Council had several of their questions, I trust, answered and we had some very good and lively discussion about that. Tonight we will have those on second reading. At this time I'd like to make a motion to call a Special Meeting of Council this coming Monday, March 25, directly after the Utility Board meeting for the purpose of third reading of the Final Appropriations. Seconded by Vance. Roll call vote. All ayes. Motion carried.

B. Utilities – Mr. Vance: Thank you, Mr. President. I want to welcome Mr. Aspiras back here to NE Ohio after attending the APPA meetings, legislative fly-in, last week. Just appreciate his willingness and interest to do that. Council members that go on that trip do that on their own time. So we appreciate his willingness to learn more about the issues that we face and we appreciate the Utilities Department extending the invitation for us to go along as well. I think it's been beneficial for a number of us so we appreciate that.

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

D. Parks and Recreation – Mr. Aspiras: Thank you, Mr. President. Parks and Recreation has no report concerning parks and recs but I will speak a little bit about the trip to Washington as Mr. Vance eluded to. I would like to start by congratulating the Lady Riders high school basketball team. They made it to State, unfortunately they would have liked to win two more games. But great season for those girls and Coach Albert. I did a little bit of research. Division III has 199 qualified schools to play girls basketball. So they made it to the Final Four, there are 195 schools that would have liked to have been in Orrville's shoes. Congratulations to all those girls they were in the top 2% of the state. Also would like to congratulate the Orrville high school symphonic and women's choir that competed this weekend in District and they got a level 1 which is an outstanding performance which qualifies those choirs to compete at State. That will be somewhere around the first week of May. So congratulations to those choirs and Laurel Labbe. As far as my trip to Washington, I have a few comments here. I attended the American Public Power Association 2013 legislative rally in Washington with Mayor Handwerk, Finance

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Director Strimlan and Utility Director Brediger. This was in Washington DC last week. The American Public Power Association is based in Washington D.C. and is the service organization for the Nation's more than 2000 community owned electric utilities. Collectively these utilities serve more than 47 million Americans. Representing the City of Orrville we joined forces with several AMP and OMEA employees and their members. The City of Orrville is also members of these associations. AMP is a non-profit wholesale power supplier and service provider for 130 members of municipal electrical systems here in the Midwest. OMEA is the Ohio Municipal Electric Association which provides legislative liaison services for AMP and 81 Ohio Public Power communities with a goal of protecting the independence and constitutional rights of Ohio municipal electrical systems. Along with AMP and OMEA we presented our concerns and positions on several issues to our Congressional legislators in Washington D.C. We attended the APP Legislative and Resolution committee meeting where our Utility Director Jeff Brediger is a committee member with voting rights. Concerns of Congressional legislation for tax exempt financing specifically with municipal bonds, cyber security, EPA regulations, were on the agenda just to name a few. We met with Senator Rob Portman in the nation's Capital. He spoke to us as a group and some of us met with him individually. Senator Portman told us he was involved in Senate's tax writing committee meetings that week and had several meetings on the Nation's budget recently. He said there are scheduled bipartisan budget debates on the floor this week. Senator Portman emphasized common ground between the Democratic and Republican parties has to happen. He said Congress needs to establish the right level of spending within the budget. The Senator mentioned we are currently paying a trillion dollars in interest in our national debt. He explained this debt equates to \$140,000 per Ohio family. I personally asked Senator Portman if he really thought we would see a budget soon. He replied, "Yes, I really do." He said Congress and the President are out of excuses and the American public should expect nothing less. He also explained to me that he believes both Republican and Democrats in congress are now "getting it" that the American people are frustrated over our gridlock and this type of behavior can't continue. He said we all have waited long enough as Congress has not passed a budget in over four years. We also met with Senator Sherrod Brown and most of the talks revolved around electrical power. Some of the concerns brought up by the group to Senator Brown included concerns of Congress eliminating tax-exempt financing, carbon taxation and the stringent requirements of the EPA, the Army Corp of Engineers slowing effect to new power generation projects. One such project in process now is the Eastlake Natural Gas Combustion Turbine project in Eastlake Ohio which Orrville does have an interest in. Senator Brown said he would communicate our concerns to his staff and support us in any way he can. Finally we did not get to meet with Congressman Renacci as he got called with short notice into a meeting with President Obama in the House Chambers. Ironically the President had not called a meeting with the Congressional house members in just over four years. So we see this as good news. We did still meet with two of his staff members, Jake Menefee the Legislative Director, and Lauren Sheehan the Legislative Assistant. Positional papers were presented to Congressman Renacci's staff concerning the sequestration and how it could negatively affect tax-exempt financing specifically the Build America bonds issued by AMP for many of their power projects. Currently these proposed sequestration cuts would amount to AMP losing 8.7% of Federal Bond subsidy which is \$6 million annually. We had communicated to Congressman Renacci's staff our concerns as these potential cost increases would get passed down to municipalities including Orrville as a customer to some of these AMP energy resources built under the BAB financing. I further mention back when Orrville City Council

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held multiple committee meetings and eventually passed legislation on these AMP energy contracts, decisions were based on the cost structure at that time and did not include these potential cost increases. Congressman Renacci's staff had taken good notes, seemed sincere and committed to further voicing our concerns to Congressman Renacci and helping out where they can. Overall there are a lot of issues facing Congress and their actions taken can certainly affect us individually, as families, and as a community here in Orrville. I believe these types of face-to-face visits with our Congressman, legislators, lobbyists, businesses, and other community leaders is vital to providing valuable feedback to making sound decision. Senator Portman, Senator Brown, and Congressman Renacci's staff all thanked us and emphasized the importance of us being in Washington. Thank you, that's all I have.

E. Transportation – Mr. Shupp: Thank you, Mr. President. That's a tough one to follow, I have no report.

F. Planning – Mr. Hamsher: Thank you, Mr. President. I'll stay silent. No report here, sir.

G. Ordinance & Personnel – Ms. Leathers: Thank you, Mr. President. I have no report this evening but I do make a motion that Council goes into Executive Session in regard to a personnel matter at the end of the meeting please. Hamsher seconded. Roll call vote. All ayes. Motion carried.

Special Committee Reports: None.

Administrative Reports:

A. Mayor Handwerk: Yes, thank you, Mr. President. I also would like to congratulate the girls on their excellent basketball season this year and their trip to the State tournament. Certainly they made the entire community proud this year. Councilman Aspiras wrapped up our trip to Washington very well and so I don't really need to add anything more to that. As always it was a very informative trip.

B. Safety Service Director Wheeler: Thank you, Mr. President. I will be commenting on the legislation tonight but other than that I do not have a report.

C. Utilities Director Brediger: Thank you, Mr. President. I'll also echo Mr. Aspiras' comments on the trip to Washington. About the only thing I would add is about the time that you stop showing up in Washington meeting with our Congressmen is the time that they start assuming that they're doing a good job. So as daunting and as complex as that process tends to be, it is important that we do make those face-to-face visits. So I do appreciate everybody's time and effort going there. I may have a few comments speaking to the few resolutions that Ms. Strimlan went through this evening on the bond refunding. Utility Board is fully supportive of this effort. We have multiple win-win's on this. It lowers the Water Department's interest by more than 50%, allows the Wastewater and Electric Utility to more than double their investment interest earnings on their spare monies and we also get to utilize a local bank to support those long-term financing efforts. This is important both of these pieces of legislation are important to Utilities, have very nominal risks and so I wanted to offer our support on that. Ms. Strimlan did make that process look a little simple but it was a lot of work, a lot of effort, a lot of lawyers, and she

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just touched on some of the high points on some of the effort that went into this. I do thank her for all her work and effort on that. I think this falls under that no-brainer category to save that kind of money over the term of these projects.

D. Finance Director Strimlan: Thank you, Mr. President. The only thing I have this evening is the Fund Balance Report that was distributed prior to the meeting tonight. You can make a notation there that that's for the period ending February 28, 20"13". And I'd ask that that be approved subject to audit. Miller motioned. Vance seconded. Roll call vote. All ayes. Motion carried.

E. Law Director Kirkbride: Thank you, Mr. President. I don't have a report this evening.

F. Council President Baker: This evening I don't have a report but I would like to make one comment that Mr. Aspiras touched on when he made a comment about Washington D.C. and bipartisan cooperation. If Washington D.C. could do the same thing that the City of Orrville does, I think it would really be something to their advantage and to our advantage. When I was first appointed to Orrville City Council, I think I spent three months before I knew who was a Republican and who was a Democrat. We don't follow party lines. I think that is to our advantage. We choose and vote the way that we wish to, not the way that our neighbor says we ought to. To Orrville City Council congratulations on not being a partisan Council. We do have both Republicans and Democrats. Sometimes we may discuss things in our committee meetings and things get exciting but overall when it comes down to it, we do what's best for the City. That's all I have for my report this evening. We'll move to Old Business.

Old Business:

Leathers moved that Resolution 6-13 be placed on 2nd reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 6-13**, A RESOLUTION ACCEPTING THE PROPOSAL OF THE OHIO RAIL DEVELOPMENT COMMISSION (ORDC) AND NORFOLK SOUTHERN RAILWAY COMPANY (NS) FOR THE CLOSURE OF THE SCHROCK ROAD GRADE CROSSING IN THE CITY OF ORRVILLE, OHIO.

Wheeler: We did hold the public input meeting on March 7. We were swamped with four residents or folks that live in the area that stopped in and provided some good feedback to us. Overall there was very little opposition other than some concerns about getting to work on time in the morning. That has completed our required public input meeting, completed our required advertising as well. Council can approve that whenever they see fit. We can move forward with the agreement once the legislation is approved.

Vance: You've already covered this before but still have a couple more questions this week so I thought I would just let you cover that ground again. First of all what will actually be there at the intersection. Will there be a guard rail, will it be cement barriers?

Wheeler: Temporarily there'll be barricades. That's the temporary way to close that down. Obviously there will be appropriate signage as well notifying folks to that as they are coming on. Long term what we'd like to do is we'd like to just increase that tree line or that curb line around there so that it looks very natural as people come across and those that haven't been there before will think it's the way it's always been and us that have used it before will forget in years to come and forget all about that being

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an accessway. On the other side, the east side, we want to extend the tree line there as well so it looks very natural. But short term will be barricades.

Vance: Ok. And then a follow up question, someone had a question that if there's a train that's there will there be enough room for traffic to be able to be lined up there. Right now there are two roads there where people can be lined up. Do you think there'll be enough room there if a train were to be there again, especially since sometimes there's some semi traffic in that area.

Wheeler: Obviously there's very minimal train traffic but there are some trains. From my understanding most any kind of traffic concerns were during that peak morning hours when folks are trying to get to work and even in that scenario I believe that it will be safe.

Corfman: Personally I've not had any concern brought to me that a simple explanation didn't satisfy.

Wheeler: And that's the way we've had it at City hall as well. We've had a few folks come in and once it was explained to them, everyone seems to understand and were actually in support of it as well.

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 6-13 be adopted as read. Aspiras seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 7-13 be placed on 2nd reading. Miller seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 7-13**, 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, 2013, AND DECLARING AN EMERGENCY.

Baker: Does anyone have any questions of Ms. Strimlan for this? We just had a workshop so hopefully everyone understands.

Vance: I just wanted to make a comment. Our City has been very blessed this past year. Our revenues came in higher than what we had budgeted and so some of the headwinds that we face in these coming years, we're able to face those a little easier with the additional revenue that has come in this past year. So we're going to continue to monitor our account balances here in these coming years and make adjustments if necessary. But we're very aware of the changing funding conditions especially from the State and the reduction in local government funding that is coming our way. So we're going to be watching that carefully and making adjustments as required.

Leathers: That concludes tonight's old business, sir.

New Business:

Leathers: I defer to the clerk for a statement.

Gault: The fiscal officer's certificate for Ordinance E-13 is on file.

Leathers moved that Ordinance E-13 be place on first reading. Miller seconded. Roll call vote. All ayes.

Motion carried. **ORDINANCE E-13**, AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,035,000 TO REFUND AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING WATER SYSTEM REFUNDING REVENUE BONDS, SERIES 2002, DATED AS OF MARCH 1, 2002, AND DECLARING AN EMERGENCY.

Baker: Anyone have any questions for Ms. Strimlan on this one? I see none.

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

Leathers moved that Ordinance E-13 be adopted as read. Hamsher seconded. Roll call vote. All ayes. Motion carried.

Gault: The fiscal officer's certificate for Ordinance F-13 is on file.

Leathers moved that Ordinance F-13 be place on first reading. Corfman seconded. Roll call vote. All ayes. Motion carried. **ORDINANCE F-13**, AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,000,000 TO REFUND AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING WATER SYSTEM REFUNDING REVENUE BONDS, SERIES 2002, DATED AS OF MARCH 1, 2002, AND DECLARING AN EMERGENCY.

Miller: This of course is a win win situation for everybody and it's going to save us a lot of money. I just thinking for the purposes of the public and the public record perhaps we ought to say a few words about the benefits of this.

Strimlan: I can do that. The first ordinance that was read and passed are the bonds that will be sold to First National Bank. This ordinance are the bonds that will be taken in as an investment of the Treasury of the Utilities. Again, these are our water system refunding revenue bonds that currently bear interest at 4.25-4.75 until their maturity. They are being refunded with General Obligation Bonds at the rate of 2.125%. We are extending the maturity out four years so they will mature in 2022 now rather than 2018. This will accomplish a few things. It will relieve the Water Utility of their debt covenants; obviously it will reduce the interest rate which has a net present value savings of \$173,000. Again as I said it will also extend that maturity out for them thus lowering their payments coupled with the interest rate savings.

Corfman: One of the important things, unless it be just mixed up, it's not just the interest savings but it's getting out from under the bond coverage.

Strimlan: The debt covenants. Exactly.

Corfman: And that's always a burden every time we're looking at rates and so to be out from under that is, to a regular rate payer, that's almost as important as the savings.

Strimlan: One of the main reasons for the rate increase of March of last year was because of the debt covenant and making sure we were abiding by that. And this will relieve us of that obligation moving forward.

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

Leathers moved that Ordinance F-13 be adopted as read. Corfman seconded. Roll call vote. All ayes. Motion carried.

Leathers moved that Resolution 9-13 be place on first reading. Aspiras seconded. Roll call vote. All ayes. Motion carried. **RESOLUTION 9-13**, A RESOLUTION AUTHORIZING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO A CONTRACT TO PROVIDE FOR TAX ABATEMENT FOR REAL PROPERTY FOR PERICLES HOLDINGS, LLC AND SD ORRVILLE, LLC AND DECLARING AN EMERGENCY.

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Wheeler: This is a request for a Community Reinvestment Area agreement with Pericles Holding LLC and SD Orrville LLC, which are the holding companies for Serpentini Chevrolet for construction of a \$3.1 million car dealership on North Main Street. The requested agreement would involve a 10-year CRA with a 50% tax exemption on the construction costs of the new building with estimated annual savings to the company of \$40,500.

8:03:57 Handwerk: I just wanted to say that we thank Mr. Serpentini for his continued interest in Orrville and his willingness to stay here. I know that you were actually up against the wall as far as doing something with your facility and you could have very easily decided to go somewhere else with it and we thank you for your interest in staying here and also for the many jobs that you do provide here in town and your extra added interest here in the last year or so with the schools and everything else. It's been very well noticed.

Wheeler: If I might add, Mr. President, the agreement also stipulates 6 additional new jobs at the new facility with a 30% commitment to local hiring's and the company is encouraging employees to move to Orrville as well.

Leathers: We will let that go to second reading and that concludes tonight's new business, sir.

Fire Department Annual Report presented by Chief Bob Ballentine.

Aspiras: Chief I noticed in the report kind of a trend over the last 10 years or so on EMS calls, that is continually goes up each year. How are you staff wise to handle that increase?

Ballentine: So far we're doing alright.

Aspiras: Do you have to call on other communities when you have calls at the same time?

Ballentine: Occassionally, not very often. We've never had to turn a call over because we couldn't get out the door. There was once or twice where we were on a call and we had second calls come in and we couldn't do both at the same time where I had to call for assistance from either one of the private ambulances if they were available or another community. Our staffing daytime is by far the most critical right now. Our daytime staffing has really dropped. Business and industry is really cracking down. I've got some guys that have changed jobs over the years. So I'm keeping a very close eye on that. Sometimes I want to say we are 1 EMT away from not getting out the door. State law requires we have at least 2 on the ambulance to go from the scene to the hospital, 1 to go from the station to the scene. We can usually get 2 EMT's.

Ballentine: Thank you for your time.

Baker: Thank you Chief Ballentine for your report. We have no other business scheduled for this evening but we do need to go to Executive Session.

Leathers moved to go into Executive Session. Vance seconded. Roll call vote. All ayes. Motion carried.

Baker: We do not plan on any further business after Executive Session.

Entered Executive Session at 8:28 p.m.

Corfman moved and Hamsher seconded to adjourn Executive Session. Roll call vote. Ayes all. Motion carried.

Executive Session ended at 8:41p.m.

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Corfman moved to adjourn the council meeting and Hamsher seconded. Roll call vote. Ayes all. Motion carried. Council was adjourned at 8:42 p.m.

Jeanne Gault, Clerk of Council

Date

Lyle Baker, President of Council