

Regular/Public

June 17, 2013

Council President Baker called the regular meeting to order.

Prior to the Council Meeting a Public Hearing was held on Resolution 27-13, a resolution approving the budget for the City of Orrville, Ohio, for the calendar year 2014, and declaring an emergency.

President Baker: Anyone other than Council who wishes to speak during the public hearing would you stand please. Okay, if no one in the audience.

Director Strimlan was sworn in.

Baker: Since there is no one from the public who is here to speak or to ask questions, does anyone on Council have any questions or comments?

Miller: I believe the opportunity will be there during the workshop next week.

Baker: Or even when it comes before us later this evening. Okay. I declare the public hearing closed. We'll now call our regular meeting to order.

Pastor Brad Dews of the Orrville Baptist Church offered the prayer. The Pledge was recited by all.

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

Excused: Shupp, Corfman

Aspiras moved and Miller seconded that the minutes of the June 3, 2013, regular meeting be accepted as documented. Roll call vote. All yeas. Motion carried.

**Public Comment:** None.

**Standing Committee Reports:**

A. Finance – Mr. Miller: Council should have received their booklet on the 2014 annual budget over the weekend. And just to go over the agenda on our budget calendar for 2014, of course, tonight will be the first reading and it will go three readings. We will have a special meeting of Council next Monday after Utility Board for the second reading and then a workshop about the budget after that. And then of course, the third reading will be the first of July at the next Council meeting.

B. Utilities – Mr. Vance: No report.

C. Health & Safety – Mr. Corfman: Excused.

D. Parks and Recreation – Mr. Aspiras: Although it's still spring and we haven't hit summer yet there's still a lot going on in the Orr Park and I'll let Mr. Wheeler cover those upcoming events in our beautiful Orr Park. Thank you. That's all I have.

E. Transportation – Mr. Shupp: Excused.

F. Planning – Mr. Hamsher: No report.

G. Ordinance & Personnel – Ms. Leathers: I have no official report this evening. I would like to make a motion that at our special meeting next week we add Resolution 28-13 to the agenda please for consideration. Seconded by Vance. Roll call vote. All ayes. Motion carried.

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**Special Committee Reports:** None.

**Administrative Reports:**

A. Mayor Handwerk: I have two items tonight. One is to mention our June employee of the month and that is Sgt. Howard Funk from the Police Department. Sgt. Funk joined the Police Department as a patrol officer in June of 1991. He was promoted to sergeant in 1999. Since joining the department, Sgt. Funk has developed into the department's senior firearms instructor, armorer and taser instructor. He is responsible for maintaining all department weapons, training and qualifying officers on various weapons, and training officers on the use of the taser. Sgt. Funk has been a member of the Special Response Team for many years and has served in multiple roles such as Entry Officer, Team Leader, and Sniper. Chief Carozza said, "Sgt. Funk has been, and will continue to be, a very valuable member of our police department." Sgt. Funk chose to eat at Senor Panchos which we will do tomorrow. And secondly, I just wanted to mention that CGI Communications will be here all day Wednesday the 19<sup>th</sup>. This is the group that's doing the marketing program for the City and also for our City webpage. They'll be doing some video work all over town so if you see someone with a video camera at the park or just anywhere in town, downtown area, out by Buehler's, or where ever. That's what's going on. I will be with that person all day long escorting them around town and making sure they get the film that they want to get. That's what's coming up. That's all.

B. Safety Service Director Wheeler: This Thursday's Orrville Performing Arts performer will be The Other Side. They will be joined by friends to pay tribute to Billy Joel and Elton John for this concert. As usual it will be performed at Rehm Pavilion. This Friday, June 21, is the next Family Fun Night Movie at Orr Park. The feature film is the Disney movie Odd Life of Timothy Green. In case of bad weather, this movie will be rescheduled to another Friday night because there was a conflict with Schmid Hall and it was not available. So keep any eye on the weather. Also our first scheduled moonlight swim at Orr Pool is a week from today, June 24, from 8PM-10PM so hopefully Council will run over there after the workshop and get a good a swim in before the night ends. We did do a bid opening for Raspberry Road. It's already been about a week and a half ago. Dennis Alber Excavating was the responsible low bidder. Bids did come in very competitively under the engineer's estimate and actually a pre-construction meeting is scheduled for later this week. The bid opening for Ella Street will be this Friday. Also everyone might have noticed a lot of traffic this weekend at Orr Park. The Orrville Fire Fighters Association held their 2<sup>nd</sup> annual 16U tournament which is called the Five Alarm Tournament and 32 teams were in attendance. Unfortunately the weather was not as cooperative yesterday as Saturday but it was still a very successful tournament. We appreciate their efforts to make that tournament a success. And that is my report for this evening.

Hamsher: Mr. Wheeler, I am sure that many citizens have seen the cones and ribbon around Cecelia's Rose Garden building. Want to fill us in on maybe what's going on.

Wheeler: That property is in the midst of a significant renovation. As a result of that renovation, it was found that there were some structural issues. As a result of those structural issues, they decided, for safety reasons obviously, to not allow folks in there currently and also to rope off around there for safety reasons. The contractor is scheduled to come in this week and start beginning work on that so hopefully that will be addressed here over the next few weeks but we urge folks to pay attention to the cones and the roping off and respect it and avoid that area please. I know they'll do the best they can to get in there and get the property renovated as quickly as possible.

C. Utilities Director Brediger: Excused

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D. Finance Director Strimlan: As Mr. Miller indicated the 2014 Budget is on first reading tonight. Conservative budget has been prepared on both the Utilities side as well as the tax supported side. We will go over everything in detail at our workshop on June 24<sup>th</sup> immediately following the Utility Board meeting. If you have any questions between now and then though, please feel free to call me. I'd also like to comment on the legislation for the Utilities when that comes up on the agenda. Also our 2012 audit is in the final review stages by the State of Ohio. In the coming weeks you'll be receiving a letter from the audit manager concerning the outcome of that. The audit did go well. I'm anticipating a clean final audit report. And lastly I did distribute the Fund Balance Report for the period ending May 31, 2013, and I would ask for a motion to approve that report subject to audit. Miller motioned. Seconded by Vance. Roll call vote. All yeas. Motion passed.

E. Law Director Kirkbride: I have no report but we do have Ordinance M-13 on the agenda tonight. It's a replacement, an amendment to the one that was on the prior agenda. It is just a housekeeping matter.

F. Council President Baker: One thing that I have for this evening, on Thursday at 7PM, National Park Service is going to have a meeting about Rails to Trails. It will be here. If anyone is interested in that, it would be a good time to show up. I'm not sure what kind of displays or questions they'll be having. This Thursday. That's all I have for this evening.

**Old Business:** None

**New Business:**

Leathers moved that Ordinance M-13 be place on first reading. Hamsher seconded. Roll call vote. All yeas. Motion carried. **ORDINANCE M-13, AN ORDINANCE AMENDING ORDINANCE NO. J-11, ALLOCATING MUNICIPAL INVESTMENT EARNINGS PRO RATA AMONG THE SEPARATE FUNDS MAINTAINED BY THE CITY OF ORRVILLE AND DECLARING AN EMERGENCY.**

Baker: Questions or comments concerning this?

Kirkbride: This is, as I mentioned, a house keeping matter, regarding the investment earnings from the individual municipal funds and that they would be allocated pro rata in the various funds so that the earnings would be kept in the funds from which the earnings are generated.

Baker: Comments? It's on first reading.

Leathers moved that Resolution 27-13 be place on first reading. Miller seconded. Roll call vote. All yeas. Motion carried. **RESOLUTION 27-13, A RESOLUTION APPROVING THE BUDGET FOR THE CITY OF ORRVILLE, OHIO, FOR THE CALENDAR YEAR 2014, AND DECLARING AN EMERGENCY.**

Baker: This is first reading tonight. Next week will be a workshop. Does anyone have any questions this evening? I see none. Let's move on.

Leathers moved that Resolution 28-13 be place on first reading. Aspiras seconded. Roll call vote. All yeas. Motion carried. **RESOLUTION 28-13, A RESOLUTION AUTHORIZING THE PUBLIC UTILITIES BOARD OF CONTROL TO ENTER INTO A CONTRACT AND/OR CONTRACTS, WITHOUT BIDDING, FOR THE REPAIR OF TURBINE-GENERATOR NO. 11 AT THE POWER PLANT, AND DECLARING AN EMERGENCY.**

Strimlan: Mr. Brediger and I have spoken about this legislation. As you know, we are in the process of making repairs to turbine 11. The Utility Board approved the resolution two weeks ago for the inspection of the turbine due to some excessive vibration problems that we've been monitoring for several months now. The inspection was completed and the repairs will exceed the original cost

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estimate. It's imperative that the work be completed prior to the peak summer cooling season and while the unit is currently torn down which is why the legislation is before you tonight and why I would ask that you consider passing this on first reading. The funds are available in the current budget. Just so you know, we have put the service provider on notice that based on our observations there may be some workmanship issues and we will be challenging them after the completion of the job that created the need for these additional expenditures. So we will give you some status updates as we progress along with that service provider as to those workmanship and warranty claims associated with these additional expenditures.

Vance: Just a question in regards to passing on first reading. Would you clarify what our rules are regarding passing, how many members need to be present to suspend the rules?

Baker and Hamsher: We have to have six yes votes.

Hamsher: Three-fourths to suspend.

Wheeler: Three-fourths to suspend; two-thirds to pass as an emergency.

Hamsher: And this is 71%, not 75.

Wheeler: Just missed, yes.

Kirkbride: We have two-thirds. We don't have....

Leathers: Right. We need three-fourths to suspend. That's why I made the motion to put it on next week's agenda.

Vance: So we can do it next week?

Baker: Right, as long as we have 6 people.

Aspiras: Is that going work, Janet?

Strimlan: I'm sorry?

Aspiras: Is that going to work to wait until Monday?

Strimlan: I don't think we have an option.

Hamsher: You said its two-thirds for an emergency? Does that trump the three-fourths?

Wheeler: No. No. No. They're actually two separate issues. So you can't even get to the two-thirds issue because of the three-fourths.

Leathers: Declaring an emergency means you don't have to wait the 30 days.

Strimlan: And we'd rather wait until Monday than wait the 30 days. Thank you though.

Leathers: We can't pass it tonight anyways because we can't suspend the rules.

Aspiras: We need 5.2 members and we are short .25

Leathers: That concludes tonight's business, sir. We will address the second reading of the Budget Res. 27-13 and also Resolution 28-13 at the Special Meeting next Monday.

Baker: That's correct. That finishes our new business for this evening. Does anyone have anything for the good of the order tonight?

**Good of the Order:** None

Leathers moved to adjourn the council meeting and Hamsher seconded. Roll call vote. Yeas all. Motion carried. Council was adjourned at 7:46 p.m.

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Jeanne Gault, Clerk of Council

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Date

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Lyle Baker, President of Council