

Regular/Public

October 7, 2013

Council President Baker called the regular meeting to order.

John Grandy of Living Water 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 Hamsher seconded that the minutes of the September 16, 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, I just wanted to remind Council, its coming upon that time of year again where Ms. Strimlan and her group are putting together the Temporary Appropriations for 2014 and at the next council meeting there should be a calendar for you to take a look at about our schedule for the Temporary Appropriations. And that is all I have, sir.

B. Utilities – Mr. Vance: No report.

C. Health & Safety – Mr. Corfman: Thank you, Mr. President. I'd like to thank the Parks Department and the Safety Service Director for all the help with the cross country meet, had an invitational, had 15 teams from Wayne and Holmes County and it really showcased our park. It really did showcase it, it was beautiful. I'd like to thank them for all the work they did to help that out. And I have no other further report.

D. Parks and Recreation – Mr. Aspiras: No report.

E. Transportation – Mr. Shupp: Thank you, Mr. President. I have no report but I would like to set up a meeting with the Transportation Committee and all members of Council if possible for October the 14th, at 6 o'clock, a little earlier than normal. We'll just meet downstairs if the Utility Board is still using the room here, if that works out with everyone. And we'll go with that. Thank you. That's all I have.

Baker: Will City Hall be open that night? That's Columbus Day.

Mayor: Yes, we have Utility Board meeting at 6:30. Actually we have an Electric Committee meeting at 6, don't we, Jeff?

Brediger: Yes, sir.

Baker: Okay, just wanted to be sure the building will be open.

Vance: You still at 6?

Shupp: I'd hate to sit outside on the steps and hold that meeting.

F. Planning – Mr. Hamsher: Thank you, Mr. President. On the 23rd of September the Planning Committee met and discussed renaming a couple of streets. We looked at renaming Ella Street from High Street all the way through to Hostetler Road. The name we put forth to Planning Commission is Red Rider Blvd. and renaming Mineral Spring Street from Main Street or 57, all the way past the schools to Elm Street and that name is still to be decided. The names that are being put out are Character Drive or Lane or Education Drive or Lane, tying with the schools and have a direction to the campus.

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Baker: I see no questions or comments. We'll move on.

G. Ordinance & Personnel – Ms. Leathers: No report.

Special Committee Reports: None.

Administrative Reports:

A. Mayor Handwerk: Thank you, Mr. President, I just wanted to mention that the flags are at half-mast this week in honor of Fire Prevention Week and this is actually mandatory for Federal buildings and optional for the rest of the people. Just we had a few people wondering why they were at half-mast and that was the reason. Mr. President Obama emails Jeanne every time we're supposed to do that and she got that email last week. Next, our employee of the month is Craig Zerga. Craig has been employed with the Utility since 1999 and was promoted to shift supervisor in 2010. Craig has been keeping very busy in the department; he's been taking care of all personnel scheduling in the department for this year and is currently formalizing many of the training procedures for the workers in this department. This is in addition to keeping up with all the normal day to day activities that are required from his position. Craig has good values and a great work ethic. He takes pride and ownership in keeping the lights on for all of our customers as well as keeping our workers safe and well trained in the daily operation of the power plant. Craig was formerly in the Navy and came to us after being employed at the OARDC. He is currently residing in Wooster with his wife Cynthia and two daughters Charmaine and Camille. We'll be having lunch together Friday but I don't think we've decided where that's going to be yet. And lastly, every year at this time I read a proclamation for Public Power Week. Because I do that every year, I hope that we don't learn to ever take what we have for granted because we are very fortunate to have our own power plant and be part of a public power community. And so in keeping with that, I would like to go ahead and read that proclamation as I have done before and then it will be on display down in the hallway this week. (Proclamation read. Copy kept on file in the Mayor's office.)

B. Safety Service Director Wheeler: Thank you, Mr. President. The Ella Street reconstruction project has been completed other than some punch list items. Overall the project went very well. Raspberry Road is also moving along. They are scheduled to start pouring this week since the weather didn't cooperate late last week when they were scheduled to begin. The new police interceptor Ford Taurus is on the road. You may have seen it out and about in the last couple days. And also the leaf pick up schedule has been set up. We are doing it a little different in regards to our scheduling. We ask that all the leaves be ready to be picked up November 4. We will start on the south end as we normally do but rather than have a schedule for the north end, we'll just ask that everyone be ready by November 4th that way when we're ready to move along we can do that and we aren't looking for leaves if we get ahead of schedule. Not that I'm expecting that but I'm optimistic. Also keep in mind the final pass is November 25-29th for any stragglers or anything at the end there that you might have that needs picked up. And that's my report for this evening.

Baker: I do have a question. Has the citywide time been set for Halloween?

Wheeler: It is October 31st, 6-8 p.m. same as last year. I believe that's a Thursday.

C. Utilities Director Brediger: Thank you, Mr. President. Just a couple of updates, we will beginning turbine generator 10's annual maintenance inspection October 14. This will be about a three month outage. This will be a detailed inspection of the steam turbine and the generator that we do roughly

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every 9 or 10 years. About a week and a half ago I did send out a few emails with regards to a new EPA rule that was announced on September 20th to control carbon dioxide emissions. These new rules will apply to all new gas and coal plants. Coal facilities will be required to install what they call a carbon capture and storage technology. This has only been demonstrated on a small scale right now. Most people in the industry still believe that that is about a 10 or 20 year away from being commercially deployed but nonetheless, the standards are out there, the rules will be effective later on this year. Basically what this will do for the coal industry, anybody that has a plant on the table will most likely shut that project down. It will probably deter any coal building facilities from being constructed probably in the United States in this next 10 or 20 year period. This in my opinion is some pretty bad news for our country, that hasn't stopped administration. There was also some information that went out on the recent bills concerning the AMP natural gas aggregation program for next season. This will begin November of 2013 and continue through October of 2014. The new rate is \$4.77, again this is just for the natural gas portion, you'll still have taxes, you'll still have the Dominion East Ohio Gas transportations charges on top of that. This price is up about 5% over last year or about 24¢ mcf. If you're currently enrolled in the aggregation program and you're comfortable with this price, you don't have to do anything. If you're currently not enrolled in the program and want to be enrolled in the program, you can call IGS at 800-280-4474 or check out our website. There will be links and some more information on that. I did check the Public Utilities website, it's in their "apples to apples" section. Currently the others that are offering a one year fixed price are in the \$5 - \$6 range. So our rate again for next heating period, all of next year is fixed at \$4.77. This evening I was visited by a marketer from Just Energy that's going around our neighborhoods, and I was informed they were just starting tonight. And they were out marketing for selling electricity and natural gas. We had a nice discussion and was enlightened on the fact that we don't have an electricity customer choice program being a municipality but our customers do have the choice to purchase natural gas. His rate was a lot higher than ours. It's a little bit different program, its variable which changes month to month. They do have an option that puts a cap on it and there's some other aspects about it that may be attractive to some customers but I urge you to go to the public utility's commission website and click on their apples to apples section and it will have categories of all the natural gas providers and it will list them with respect to if you're interested in just a fixed price and these terms will vary from one year to three years. There are a number of variable rates plans. There are probably three pages of offerings. So you can go down there, pick your choice, there's also a worksheet on there that you can plug in what you're natural gas usage is. Type in whatever rate from these various other offerings are and it will give you an idea how to compare your price against any others. But for customers that are looking for a fixed rate, our natural gas aggregation program is the lowest that's being offered in the state right now. The marketer is from Just Energy. He may be knocking on your door. He knocked on mine about a quarter after six tonight. I do expect we'll probably receive some calls because some people thought their electric rate seemed pretty attractive but they didn't know whether or not they could do that. Other than that that's all the comments I have tonight.

D. Finance Director Strimlan: Excused.

E. Law Director Kirkbride: Thank you, Mr. President. I don't have a report, however; we will be requesting executive session for possible litigation. I will be addressing you at that time. That's all I have.

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F. Council President Baker: For my report this evening, the only thing that I have is we do have an alley vacation to announce. This is not the same one that is on our agenda for this evening, so no one's confused.

Clerk Gault: We have a request from Bob Snyder, Steve Snyder and Leo Johnson for a short stub of an alley that goes toward a railroad between West Chestnut and South Main that needs to be referred to planning.

Old Business: None.

New Business:

Leathers moved that Resolution 39-13 be place on first reading. Corfman seconded. Roll call vote. All yeas. Motion carried. **RESOLUTION NO. 39-13**, A RESOLUTION AUTHORIZING THE PUBLIC UTILITIES BOARD OF CONTROL TO EXECUTE A CONTRACT OR CONTRACTS WITHOUT BID FOR COAL SUPPLY AND ASH DISPOSAL FOR A TWO (2) YEAR PERIOD, AND DECLARING AN EMERGENCY.

Leathers called for executive session in regards to Resolution 39-13 and also the litigation issue that our Law Director mentioned. Hamsher seconded. Roll call vote. All yeas. Motion carried. 7:50PM

Wheeler: Do you want to hold business first? I know you already voted on it but do you want to finish up with the next one? I know we have folks here that are here specifically for that agenda item.

Leathers: We can't, because I already put that on first reading so we are in the middle of a resolution right now.

Wheeler: Okay.

Baker excused all present who were not Council or the administration.

Vance moved and Hamsher seconded to adjourn the executive session. Roll call vote. All yeas. Motion carried. 8:34PM Resumed normal session.

Baker: We will continue with our new business on Resolution 39-13.

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

Leathers moved that Resolution 39-13 be adopted as read. Corfman seconded. Roll call vote. All yeas. Motion carried.

Leathers moved that Ordinance Q-13 be place on first reading. Corfman seconded. Roll call vote. All yeas. Motion carried. **ORDINANCE NO. Q-13**, AN ORDINANCE AN ORDINANCE VACATING AN ALLEY RUNNING NORTH AND SOUTH BETWEEN NORTH VINE AND NORTH MAIN STREETS, BETWEEN LOTS 62, 63, 89 AND 90, IN THE CITY OF ORRVILLE, OHIO.

Wheeler: Mr. President, this is the result of a request from Smith Dairy for us to vacate the alley behind City Hall. Currently this alley is where their building connects and it does have a tank over it as well. They have used this area for many years for storage and have expressed an urgency to us to use this area for some expansion which is critical to their business. If you flip over the ordinance, you will see a pretty good map and the location, labeled exhibit A. Our police and fire departments met on this issue as well and did not have any emergency access issues with the alley vacation. Planning Commission approved it unanimously. They did hold a public hearing and there was no negative feedback on the public hearing as well. I would be glad to answer any questions. Mr. Schmid is here from Smith Dairy as well in case you have any questions for him.

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Shupp: How are we on utilities in this alley underneath? Any sewers? Any sanitary? Anything like that that we are going to need access to in the future?

Wheeler: A little bit of storm water there which we'll have an easement for, don't anticipate that we'll need any access in the future.

Shupp: Do you know if their plans are to close the alley in?

Wheeler: Mr. Schmid can answer that. I believe they are looking to expand into some additional tank area.

Mr. Schmid: We don't have immediate plans but a tank area or just having some room for a few extra square yards on our property will be, give us some options we haven't been able to consider. No immediate plans but I know we'll come up with some in the near future.

Baker: Anyone else have any questions or comments? I see none.

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

Leathers moved that Ordinance Q-13 be adopted as read. Aspiras seconded. Roll call vote. All yeas. Motion carried.

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

Good of the Order: None

Baker: We do have a request for another executive session?

Motion to move into executive session by Hamsher. Seconded by Vance. Roll call vote. All yeas. Motion carried. 8:39PM

Motion to adjourn executive session by Hamsher. Seconded by Vance. Roll call vote. All yeas. Motion carried.

Regular session resumed.

Hamsher moved to adjourn the council meeting and Vance seconded. Roll call vote. Yeas all. Motion carried. Council was adjourned at 9:32 p.m.

Jeanne Gault, Clerk of Council

Date

Lyle Baker, President of Council