

Regular/Public

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Council President Baker called the regular meeting to order.

Pastor Brad Dews offered the prayer. The Pledge was recited by all.

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

Vance moved to adopt the minutes of the November 3, 2014, regular meeting and Hamsher seconded. Roll call vote; Wilson & Aspiras abstained; all remaining yeas; motion carried.

Standing Committee Reports:

Parks & Recs – Wilson – No report but I did want to thank everyone for all their hard work with the new playground equipment and bathrooms and everything is progressing nicely; looks good.

Ordinance & Personnel – Leathers – Thank you, Mr. President. Ordinance & Personnel did meet prior to tonight's council meeting to interview candidates for the Ward 2 vacancy. That announcement will be made soon. That's all I have to report sir.

No report for Finance, Utilities, Health & Safety, Transportation or Planning.

Special Committee Reports:

None

Administrative Reports:

Mayor Handwerk: Thank you, Mr. President. I would like to announce that our November employee of the month is from Power Plant Maintenance and that is Isaac Steiner. Isaac has had a relatively short career in the plant, being hired as a Utility Worker in 2012. During this time he has been promoted to Maintenance Worker I and is currently training and taking evening classes in order to achieve Maintenance Worker II which is electrician status. The challenge of learning how all the plant systems work in harmony, in order to produce the electricity for our customers has kept Isaac engaged and interested in his job. Isaac's Supervisor Don Jackson says that Isaac has such a positive attitude and refreshing outlook, he makes the shop a better place. Isaac and his family, wife Brittany and two children, live in the country just north of town. In his free time he enjoys spending it with his family, attending church activities, cutting fire wood and working on autos. Congratulations to Isaac and we will be having lunch together this Thursday. I would also like to mention that the Mayor's Cookie Contest information was out in the OrrViews last time. See, now you all think this is just an easy job. We ate a lot of cookies last year to the point where I almost didn't want any more the rest of Christmas vacation. But that information was in the OrrViews if you're interested folks the deadline I think is the 17th? I think. It's in the OrrViews. But they have to be turned in on the 17th. And then they will be tested, not by just me, there's a qualified group of professional tasters that will pick the cookies. That's all I have on that one. I would also like to mention that we did have another meeting this past Friday with Rails to Trails organization people. Actually the group that met this week was Tom Moffitt, who is the President of the Ohio to Erie Trail. This is the second time he's come all the way up here from Dayton to help with this process and he brought a friend of his, Jim Snyder who is an expert in building trails. The three of us met with Mr. Douglas on the property out there for roughly two hours Friday from 10:30 to almost 1:00. Very good meeting; again very positive; and I think things are moving definitely in the right direction to make that work. I was very encouraged by that. That is all I have.

Safety Service Director Wheeler: Thank you, Mr. President. Winter, yet again, is terrorizing our leaf pickup. Leaf pickup did begin a few weeks ago and it was moving along quite nicely until the snow

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decided to fall. We are cautiously optimistic we will be able to pick things back up later in the week, and definitely next week if the forecast holds true. We are actually a little bit ahead of schedule so at this point we are not anticipating having to shift our days back so keep in mind we are on the north end now and will do a final pass through beginning the end of this week into next week assuming that we continue to stay on schedule. And obviously that's subject to change due to the weather conditions. Also, in regards to projects, obviously we're at a standstill on those as well. South Crown Hill, we actually have only two smaller spots left north of the graffiti bridge. The project is obviously on hold due to the snow and cold temperatures. Even if it doesn't snow, the temperature, we can't do concrete below 32°. But we do expect to possibly resume later in the week. Traffic lights will remain up in the meantime. Heatherwood project obviously is on hold as well. That's an asphalt project. The conditions for those is the base course can't be below 40° and actually the intermediate and surface courses have to be between 50-60° so we're not anywhere close to those at this point. So that project is on hold as well. Apple Avenue, that project, the road is in on that entire project. They do have sidewalks to install yet but obviously the main thing is the roads are done and they do expect still to finish this year on that project as well. On the concrete street project which is a little different than South Crown Hill with regards to the funding but the last street is West Market at the intersection of Evergreen. Half the intersection still needs completed and those are the areas left. And as Mr. Wilson mentioned, lower Orr Park restrooms are done. They look fantastic. The contractor did a very thorough job on that and we look forward to opening a fresh restroom in the spring. So that's my report for this evening.

Aspiras: Mr. Wheeler, can you cover next week's refuse recycle trash pickup during the holiday.

Wheeler: Next week....Mr. Walter, do you want to cover that?

Scott Walter (from Kimble): What was the question?

Wheeler: How the holiday is affecting the pickup.

Walter: With Thanksgiving?

Wheeler: Yes, with Thanksgiving.

Walter: So both days will be delayed by one day. Those picked up on Thursday will be picked on Friday. Those picked up on Friday will be picked up on Saturday.

Wheeler: I thought we might as well let him earn his money while he's here.

Baker: Our Utility Director Mr. Brediger is not here this evening. Does anyone have a report prepared for him? No? When we do get to the resolutions that concern the Utilities Department I think Mr. Corfman's going to handle that correct?

Corfman: Yes.

Baker: Our Finance Director is also absent this evening. Does anyone have a report for her?

Wheeler: I will be handling her legislation for her tonight.

Baker: You will be? Ok. Thank you.

Law Director Kirkbride: No report.

Council President Baker: For my report this evening I would like to congratulate everyone that went out to vote on Election Day. It always seems like on these off year people tend to stay at home but those of you that did go out and vote, thank you and keep it up. It's something that, it's a right that we have in this country and it's something that we don't want to just give away by laying around the house. We'll now move to old business. Ms. Leathers.

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Old Business:

Leathers moved that Resolution 42-14 be place on second reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 42-14**, A Resolution declaring the intent of the City of Orrville, Ohio, to appropriate fee simple title for the real property known as Permanent Parcel No. 58-00338.00, 45.287 acres on Orr Street in the City of Orrville, Ohio, for the purpose of highway improvements, and declaring an emergency.

Baker: For the people that weren't here the last meeting would you like to explain that again?

Wheeler: Sure and I'll hold the map up again if everyone would like. Basically what this is, is it allows us to proceed with an eminent domain process on the Beazer property. It's just over half an acre that we'd be doing eminent domain on. Again, because of the process Beazer's going through with the EPA, there's some issues with how they have to deed the property over to us. They still believe they'll be able to work through those issues with the EPA and be able to deed it to us in a warranty deed which is required by the Department of Transportation. So, if that does occur then all of this legislation will be for naught but in the meantime we want to keep the process moving forward so this is actually the first of two pieces of legislation that will be required for us to file eminent domain and move forward on that process with Beazer. For those of you not familiar with the property, it's actually number 11 over here and it's just this corner piece (indicating on map) and again Beazer is supportive of the eminent domain. It's a unique situation in regards to they simply at this point are sort of stuck in the process and not able to do what we need them to do, though they are optimistic they'll be able to work through it and do it in a timely manner. If all that occurs then we won't have to come back to you at the next council meeting with additional legislation but in order to stay on schedule for the spring all this has to be done by the end of December. Be glad to answer any questions for you on the half acre and the next piece of legislation is actually a temporary construction easement and it's a similar type of process and similar type of situation which we again hope to avoid. And it's just over 7/10 of an acre.

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 yeas; motion carried.

Leathers moved that Resolution 42-14 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Leathers moved that Resolution 43-14 be place on second reading. Aspiras seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 43-14**, A Resolution declaring the intent of the City of Orrville, Ohio, to appropriate temporary construction easements for the real property known as Permanent Parcel No. 58-00338.00, 45.287 acres on Orr Street in the City of Orrville, Ohio, for the purpose of highway improvements, and declaring an emergency.

Baker: This is the second part that Mr. Wilson explained; excuse me that wasn't Mr. Wilson, Mr. Wheeler. But Mr. Wilson was looking at me. (laughter) Does anyone have any questions?

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 yeas; motion carried.

Leathers moved that Resolution 43-14 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Leathers moved that Resolution 44-14 be taken from the table and placed on second reading please. Corfman seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 44-14**, An Ordinance authorizing the Mayor and the Safety Service Director of the City of Orrville, Ohio, to enter into a contract with Kimble Recycling and Disposal, Inc., competitively bid by the City of Newburgh Heights, Ohio, for refuse collection and disposal and curbside recycling services and declaring an emergency.

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Leathers: Mr. President. This resolution needs to be amended to insert the words "rescinding Resolution No. 34-14" after "curbside recycling services" and before "and declaring an emergency". I move that that amendment be made please. Corfman seconded. Roll call vote; all yeas; motion carried.

Baker: Mr. Wheeler would you like to?

Wheeler: Thank you, Mr. President. This is, as was stated earlier, this is a new agreement with Kimble for us to piggyback on the Newburgh Heights contract. The language is very similar to the North Canton contract. North Canton unfortunately was not able or willing to pass the piggyback so we had to go over to the village of Newburgh Heights. They were gracious enough to approve us piggybacking on that contract. That occurred last week, a week ago today, which allows us to piggyback on their contract. Again the benefits to us are very similar to the North Canton benefits in regards to we are going to maintain the current senior and regular trash rate for the next five years. We again will receive the 95 gallon trash cart and the 65 gallon recycle carts free of charge; each resident will. Kimble will commit to the use of CNG trucks. It's a three year contract with a 2-year and up to 3-year extension and Kimble has also committed to taking a look at a one day trash collection instead of two days. And obviously that doesn't have a dramatic effect on us other than perhaps it would be beneficial to us to have them all out on one day and get them in and get them out. It is a little different in regards to the rate structure but over all we do feel confident that the prices will come in similar if not lower than what they were proposed in the North Canton contract. I will be glad to answer any questions. Also Scott Walter, Manager of Business Development is here from Kimble and Amy Treciak, Recycling Business Development is here as well if you have any question of them specifically I'm sure they'd be glad to answer anything you might have as well.

Shupp: If one of the citizens wanted two of the 65 gallon could they do that rather than a 65 and a 95?

Walter: The answer is yes they can.

Shupp: Ok. Because I think there's a lot of people probably wouldn't need the 95 gallon; it's too big.

Walter: Yes, there's some maybe some older residents of the city that don't produce as much trash. If they prefer a 65 gallon instead of the 95 for trash, that will be accommodated as part of the contract.

Shupp: Okay. All right. Thank you.

Leathers: Are we still looking at January 1st as everything delivered and ready to go then?

Walters: Yes. I'll clarify that with maybe a little change. What we thought might be best if you and staff is agreeable, we plan to order the carts and have them delivered somewhere into Orrville sometime in mid- to late-December. We'll probably need to rent or find a warehouse of some type where we can assemble the wheels and the lids. We are going to recommend, we think it'd be better to wait 'til after the holiday rush to make the deliveries. So we're thinking of having them here in town late December and then the first week after the holiday, which would be the week of January 5th I think, start delivering the carts those next two weeks being the 5th and the 16th. So that's our plan if everybody's agreeable.

Shupp: Would they fit in a 2-car garage and how much are you willing to pay? (laughter)

Walters: We're talking about 6,000 carts: 3,000 of trash and 3,000 of recycling. We're going to need some space.

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

Leathers moved that Resolution 44-14 be adopted as amended. Wilson seconded. Roll call vote; all yeas; motion carried.

New Business:

Leathers moved that Resolution 45-14 be place on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 45-14**, A Resolution authorizing the Safety-Service Director to enter

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into an agreement to sell a parcel of land, containing approximately 6.028 acres, located in the Orrville Business and Technology Park, and declaring an emergency.

Wheeler: Thank you, Mr. President. This is the sale of 6 acres of land to SBF Holdings LLC which is also known as Venture Products. Venture bought 20.5 acres from us in 2012. They have asked for an additional 6 acres of land south east of where they're currently at. And have agreed to a per price, a price of \$32,500/acre. This is \$2,500 more per acre than what was charged in 2012. They are hopeful to be able to close before the end of the year and we are hopeful to accommodate them on that as well. Would be glad to answer any questions you might have. We're excited one, to sell additional land in the Industrial Park is exciting but we're just as excited that Venture Products is doing as well as they are to be able to have interest in continuing to grow and the additional acreage and so that's as exciting for us as the actual of the land to be honest with you.

Aspiras: Thank you, Mr. President. Mr. Wheeler, the legislation that we have here it shows a section here that's a 6.5 acres. Is that the area that we're talking about.

Wheeler: Yes. It is actually the 6.5 acres, I see there are two different parcels with 6.5 on there. It's the one that actually is behind Smith Dairy.

Aspiras: Okay. So then my question would be, the legislation calls for 6.028 acres, is there any way we can get them to buy another .4.

Wheeler: I believe they will it's just a matter of it's an estimate based on the survey to be honest with you. So it may exceed the 6.025 on the cutout it's just a matter of having it surveyed. Until that's done that number isn't precise to be honest with you.

Kirkbride: They've agreed on a per acre price in the contract.

Wheeler: And then the survey will cut it out in regards to what that actual acreage is.

Aspiras: Okay. I thought I might be tough to sell a little tiny strip. But you've got it covered. Great.

Baker: Any other questions?

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

Leathers moved that Resolution 45-14 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Leathers moved that Resolution 46-14 be place on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 46-14,** A Resolution authorizing the Board of Control to advertise for bids and enter into a contract and/or contracts for WAY-Mill Street Demo Project (ODOT PID 98896) in the City of Orrville, Ohio and declaring an emergency.

Wheeler: Thank you, Mr. President. This resolution, obviously as it states in the title, allows us to move forward with the process of demolition of 400 North Mill Street, the DeHart property, which we acquired as part of our truck route project. The process had moved considerably slower than I would have hoped. We obviously have to follow DOT protocol and the process which is slow and tedious and requires several steps of approval and it's been frustrating. I know it's been frustrating for the neighborhood and the folks that live there as well as the businesses in that location. I am as frustrated as they are and we are trying to keep it moving as quickly as possible and keep looking for ways to expedite the process. But we are now finally ready for bids, and to go out to the bids, and move forward with demolition. We are going to keep moving on that as quickly as we can, as quickly as the process allows us. And there is going to be asbestos removal as part of that so that will also obviously take up some time in that process as well once the bids are awarded. And it is an, the contract will be 80/20 as per the rest of the agreement as well.

Shupp: Thank you, Mr. President. Do you think this will get done before the end of the year?

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Wheeler: I want it to get done before the end of the year. I think it will depend on the contractor in regards, obviously once they bid it and once its awarded it really should take but a couple days to get done, so it's just a matter, obviously with the time of the year, there should be some openings in their schedule. We're pushing to get it done as quickly as we can.

Shupp: It looks kind of bad right now.

Wheeler: It looks horrible. I will be the first to say it. And the process actually is just much slower than I would have hoped.

Mayor: Even slower than you could have imagined.

Wheeler: Yes, absolutely.

Baker: Any other questions?

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 yeas; motion carried.

Leathers moved that Resolution 46-14 be adopted as read. Shupp seconded. Roll call vote; all yeas; motion carried.

Leathers moved that Resolution 47-14 be place on first reading, please. Aspiras seconded. Roll call vote; all yeas; motion carried. **RESOLUTION 47-14**, 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, 2015, and declaring an emergency.

Wheeler: This legislation is for the 2015 Temporary Appropriations. The Ohio Revised Code does permit us to pass temporary appropriations for the upcoming year with final appropriations being adopted by April 1st of 2015. This process allows us to have a full year of expenditures and revenue data before we finalize the 2015 appropriations. The 2015 Temporary Appropriations are identical to the 2015 budget reviewed extensively during our workshop in June and the legislation should go three readings with final passage on December 15.

Baker: Anyone have any questions?

Aspiras: Just to add to Mr. Wheeler comments, thank you for covering for Ms. Strimlan, we did just want to remind council as you said we had a workshop in June, we had Resolution 22-14 which council unanimously passed the budget in July, I believe it was July 7th of this year. So as Mr. Wheeler said, there is temporary appropriations are in the exact match to the budget but it does have to go three readings.

Leathers moved that Resolution 48-14 be place on first reading. Corfman seconded. Roll call vote; all yeas; motion carried. **RESOLUTION 48-14**, A Resolution authorizing the Director of Utilities and/or the Public Utilities Board of Control to amend Resolutions No. 7-14 (sic) and 36-14 and to accept bids and to enter into a contract and/or contracts for improvements to the wastewater blower building and screen installation, and declaring an emergency.

Baker: Mr. Corfman.

Corfman: I'll do my best. Thank you, Mr. President. This is expanding, what we're trying to do is expand the pool of bids. You're allowed 10% over the engineer's estimates. This is not a lowest bid type contract or bid. It's a performance bid. And many of the other requirements, we want to get as wide a pool as possible and get the best possible contractors in there. It has to do with the speed, past performance, quality and other various. That's the best I can do on that. I left my notes at home; I was in a hurry to leave to make Julie's meeting. If you want specifics on what we're going to do, Mr. Bob Auten is here but the gist of it is we're trying to expand our bid pool.

Baker: Does anyone have any questions of Mr. Auten?

Wilson: Thank you, Mr. President. Just curious if the existing bids from 2014 are believed to be not accurate?

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Corfman: Well, we had re-engineering look. The original engineering was just, I think Mr. Brediger pretty much said they blew it and the scope of it was not real, the scope was not estimated right. So that's why we started over and it's really more and we could have Mr. Auten.

Bob Auten: Just to be clear, we haven't changed our plans from the initial plans. The first estimate was just a ballpark if you will. The second one was more, a more accurate reflection done by the engineers. We're asking for a slight increase now because the engineers have talked to the prospective bidders and they're tell us that our estimate is a little too low and they may not even submit a bid because they feel they are going to be 10% or more over the engineer's original estimate. So we didn't want to limit to pool of bidders by capping it, if you will. Hopefully the overall project will come in close to the original estimate and to add further complication to it, we're bidding two separate screens so we're having option A and option B, you know, you might have one bidder high on this and low on that one or vice versa. So that complicates it. And we also have like 6 separate line items that we can include or exclude if we need to, to lower the price. So it's really rather complicated. I don't claim to understand all of it. But the gist of it is, it's just kind of an estimate. The bidders are bidding against each other. They're not really bidding against the estimate, if you will, so I don't want to say it's a formality because it's a lot of money and we don't look at that lightly. But it's just an estimate. SO that's the gist of why we're asking for that increase, our engineer's recommended it.

Wheeler: If I may, Mr. President, if the bids exceed a 10% of the engineer estimates we are not able to aware. I was just making sure everyone was aware of that. That's per Ohio Revised Code. So there is a benefit to increasing your estimate if you're hearing that you're not going to get any bids within that 10% because basically you're wasting time honestly. So I'm not familiar with the legislation but I did want to make sure everyone was aware of that part of the ORC.

Vance: I just wanted to address Mr. Wilson's question too. When we're talking about a revision to the influent wet well, and those are always hard to estimate. So in my vast experience of wet wells; ya, I mean, it's a tough one.

Baker: Anyone else have any comments or questions for Mr. Auten? Thank you, Bob.

Leathers moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Corfman seconded. Roll call vote; all yeas; motion carried.

Leathers moved that Resolution 48-14 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Leathers: And that concludes tonight's new business.

Baker: Thank you. Anyone have anything for the Good of the Order this evening?

Hamsher: I want to thank Julie Leathers publicly and loudly for her many, many years of service and contributions to the City of Orrville. She will be missed a lot.

Leathers: Thank you. Thank you very much.

Shupp: That goes for me too.

Leathers: And I would just like to say it's been a pleasure to serve first as Council Clerk and then as a Councilperson. And to all of you here, it's been a pleasure to serve with you as well. Please take care of our City and thank you very much.

Shupp: Thank you.

Baker: Thank you, Julie.

Kirkbride: Yes.

Leathers moved to adjourn the council meeting and Aspiras seconded. Roll call vote; all yeas; motion carried. Council was adjourned 8:10 PM.

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Jeanne Feudo, Clerk of Council

Date

Lyle Baker, President of Council