

## Regular/Public

May 4, 2015

Council President Baker called the meeting to order and offered the prayer. The Pledge was recited by all.

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

Vance moved that the minutes of the regular meeting April 20, 2015, be adopted and Lorson seconded. Roll call vote; all yeas; motion carried.

**Public Comment:** None

**Standing Committee Reports:**

No report for Utilities, Health & Safety, Parks & Recreation, Transportation, Planning or Ordinance & Personnel Finance – Aspiras – Thank you, Mr. President. Finance Committee has no past news but I will announce that the committee, the Finance Committee will meet May 18<sup>th</sup> just prior to our regular City Council meeting at 6:30. There will be one topic up for discussion. It will be the procurement of our ERP system for the City of Orrville. So that's 6:30 just prior to the regular City Council meeting on May 18<sup>th</sup>. That's all I have. Thank you.

**Special Committee Reports:** None

**Administrative Reports:**

Mayor Handwerk: Yes, thank you, Mr. President. I have three items tonight the first being our May employee of the month and we want to recognize Mr. William "Bill" Lytle. Bill is from the Fire Department. He has been with the Department just over 50 years. Bill is one of only three in the history of the department to serve for 50+ years. The other two are, J.A. "Art" Lacy – who happened to be my next door neighbor when I was a little child, and also Bill Earnsberger who served 50 years. It is quite an accomplishment to do anything for 50 years or more, whether it is a job, a marriage or a hobby. We certainly appreciate all the effort that Bill has put into that. Bill's particular area of expertise has been his ability to design and write specifications for fire apparatus. He has been a tremendous help in designing several of our trucks and vehicles to ensure a long truck life and safe and efficient piece of equipment. And so we thank you, Bill, for your service to the Fire Department and all those that our Department serves. We have not had lunch yet. We're planning that on May 20<sup>th</sup> that was the earliest he could fit me in his busy schedule. He's a busy guy. I don't know where that's going to be yet. Also I want to remind everyone that our annual National Day of Prayer breakfast will be Thursday, May 7<sup>th</sup>, that's this Thursday at 7 a.m. at the YMCA. And this event is sponsored every year by Orrville Ministerial Association and Women Reaching Out. There will also be a time of prayer at noon and this year that will take place at the Christ United Church of Christ. That usually goes from noon until about a quarter till one. Reservations are required for the prayer breakfast just so they know how much food to prepare. But the noontime prayer program is open to everyone, short notice or not, that would be fine. And lastly I got a call today from a Jill Trupo from the American Red Cross and she was just asking if I would help get the word out that actually summertime is the largest time of need for blood donations and because people are busy with vacations and things like that, she said that's usually the time that our donations go down the most. And so she was hoping just to help get the word out. I wanted to just mention five donation times that the Red Cross will have blood drives here the next few months for May and June. Buehler's will have that May 16<sup>th</sup> from 9-1pm. The Orrville Christian Church, May 20<sup>th</sup>, from 1-6pm. Bekaert Corporation, May 27, 8:30-3:00. Trinity United Methodist Church from 2-7:00 on June 12. And the last one for those two months, East Union Mennonite Church, June 29, from 3-8:00pm. So if you're able to donate, I'm sure that they would appreciate that. And that's all I have. Thank you.

Safety Service Director Wheeler: Thank you, Mr. President. The City of Orrville partnering with Rails to Trails of Wayne County and the Rails to Trails of Wayne County Consultants invite everyone to attend a public meeting for the Heartland Trail project on Wednesday, May 13<sup>th</sup>, 2015. Meeting exhibits will display the bike trail route as well as the plans for the trailhead located at Depot and Market Streets. The project team will be available to discuss the project and answer questions and the open house style meeting will run from 3-6p.m. on May 13<sup>th</sup> at Schmid Hall, 501 Hall Street, and you may attend any time during this period and stop in and look around any time from 3-6. This is a scheduled public meeting prior to their presentation to the Planning Commission so they thought it

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would be a good opportunity to get public input prior to that meeting so there aren't any surprises at the Planning Commission meeting. And we do hope to see everyone there. Also, the 2015 Orrville Performing Arts Program is proud to announce 5 performances this summer. Performances are Thursday evenings at 7pm at Rehm Pavilion as always. They kick off the program with June 25<sup>th</sup> with Blue Lunch which is a late 40's early 50's blues, rhythm & blues, swing and rock & roll band. July 9<sup>th</sup>, is our local artist Leo Johnson. July 23<sup>rd</sup> is the Dan Zola Orchestra, and August 6<sup>th</sup> is the Belairs that take you on a trip back in time to the 50's and 60's. So we invite everyone to attend those. Hopefully the weather will cooperate this year. The Service Department is busy getting the swimming pool ready. Believe it or not it's almost that time. Thursday, May 28<sup>th</sup> is the pool pass pre-sale. We always do that the evening before we kick off the opening. And then Friday, May 29<sup>th</sup> the pool opens for the season. Our Heatherwood project continues. North Star is done patching the road and will be grinding on Heatherwood, Meadow, Kenwood and Tammy Court either late this week or early next week. There will be no parking posted on those streets as they are grinding from the curb out 7 feet so no cars can be parked on those roads. So they are moving along on that project. Apple Avenue, Baker Excavating is close to finishing up on the seeding and that's really the final punch list item for that project. And also we are hoping to do some street painting this week. The contractor was supposed to come out this week and wasn't able to make it out. So we're going to try to get some of those parking spaces on Main Street and in the downtown areas so if you see "no parking" signs, that's why. What they'll do is get in, they'll paint, give it a little bit of time to dry and pull those signs right back out. So it may say 7-7 but obviously we won't need it closed all 12 hours. And that's my report for this evening.

Utility Director Brediger: Thank you, Mr. President. I just have two quick notes. Bogner Construction mobilized at the Wastewater Treatment Plant this week. They will be beginning the \$1.3 million in upgrades as part of some EPA mandates and that work will continue through most of the summer. The last item I have, I wanted to recognize a retirement in our Power Plant Maintenance Department. Scott Schrock retired last week after 32 years of service. Scott was a very versatile and dedicated employee. He handled just about any type of job that we threw at him. We are very grateful to have had him working with us safely all those years. And I want to wish him the best of luck in his retirement. And that would conclude my report tonight, sir.

Finance Director Strimlan: Thank you, Mr. President. I just want to make one comment about the Fund Balance report that I distributed this evening. The net income in the Enterprise Funds may look a little odd to you. Just want to remind you that's reflective of the yearly working capital transfer that is journalized in March so you'll see negative net income in the revenue fund and the corresponding positive income in the reserve fund that's reflective of that. And I would just ask for a motion to approve this report subject to audit. Aspiras so moved; Hamsher seconded; roll call vote; all ayes; motion carried.

Law Director Kirkbride: Thank you, Mr. President. I have no report.

Council President Baker: This evening for my report I just want to remind everyone that baseball season is upon us at the park. So there's lots of baseball, softball games, kids running around at the park, be careful when you drive on the streets around there. They may be having fun playing baseball but they don't always pay attention to cars. We have no old business for this evening so we'll move to New Business, Mr. Lorson.

### **New Business:**

Lorson moved that Resolution 11-15 be placed on first reading. Hamsher seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 11-15**, A Resolution authorizing the Board of Control to enter into an agreement and/or agreements with the State of Ohio Purchasing Cooperative, Department of Administrative Services, to purchase one (1) Zoll X Series Manual Cardiac Monitor/Defibrillator for the Fire Department of the City of Orrville, Ohio; or alternatively to purchase said equipment from another vendor upon equivalent terms, conditions, and specifications, but at a lower price than it can be purchased through the State Contract as allowed by Ohio Revised Code Section 125.04; and declaring an emergency.

Wheeler: Thank you, Mr. President. This is replacement of a 2005 defibrillator. We're not able to get it serviced any longer. It's served its life expectancy. We do plan to purchase the new defibrillator through State Bid. I know

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there's language in there where can buy it from someone else but we don't believe that there'll be anyone that can match that price. It is budgeted for within our Capital Budget. It will be solely purchased with EMS funds. We do expect that to be in the \$45,000 range.

Lorson 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.

Lorson moved that Resolution 11-15 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 12-15 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 12-15**, A Resolution authorizing the Board of Control to enter into an agreement and/or agreements, without bidding, to purchase twelve (12) complete Scotts Self-Contained Breathing Apparatus (SCBA) Air-Paks Model 75 or X3, plus twelve (12) spare bottles for the Fire Department of the City of Orrville, Ohio, which meets the specifications of the City of Orrville, Ohio, and declaring an emergency.

Baker: Mr. Wheeler, I see we've got one on the table back there and the Chief's here.

Wheeler: Yes, sir. This purchase is what we had talked about in the Capital Budget meetings. It is the beginning of a replacement program to replace our self-contained breathing apparatus. Council is familiar with what those are. For those folks at home that might be watching, here's what those look like. Obviously that's the units they wear into the working fires. We are requesting the ability to purchase 12 of these, 12 spare bottles and we have historically used Scott's. The ones we have currently are Scott's that is why we are requesting to continue. If we change brands then we will have some compatibility issues with the existing, we actually would have to change some brackets, change some face pieces and also our fuel station has to be changed as well for the different units. Scott's is the brand that the Fire Department has used since the 1970's so it is historically the ones that we've had a great deal of success with. Our Fire Chief is here to answer any questions if you have any. When we say we're not going out for bids we do still plan to get quotes. We're still going lowest price. So I don't want the Council to feel that we're just taking whoever's bid. We will get at least three quotes. We have several vendors that are interested in quoting obviously these units; we do think we will get a very competitive bid on these purchases. Glad to answer any questions.

Shupp: Thank you, Mr. President. We had discussed this at prior meetings too, are we going to cover this cost with the EMS fund or what percentage if not all of it?

Wheeler: This actually will have to be strictly purchased through the fire department. This is only used for the fire, in the case of a fire, so it's not eligible for the EMS funds. So this is strictly a fire department purchase and not from the EMS side.

Shupp: Could you demonstrate the unit for me?  
(laughter)

Wheeler: They're heavy; let me put it that way.

Shupp: Thank you.

Baker: Any other questions? Chief.

Fire Chief Ballentine: We have put these in the FEMA grant this year again for three years in a row we've had it in the FEMA grant from the Federal Government to try to replace them all in one shot and so far we've been turned down two years in a row and that's a \$280,000 grant to do everything that we have. So we are working at other means to try to finish these off without coming back every year for 12 more until we get them done.

Wheeler: And we will continue to apply for the grants. We'll continue to apply and if they say no, we'll keep purchasing a few at a time to try to ultimately turn them over and replace them as needed.

Shupp: I had assumed at our last Finance Committee meeting we discussed some of these costs about the loan that we were going to take out for \$500,000 and we're going to get to later here, I thought you were picking up some money from the EMS fund to free up some money in the Capital Fund and I thought this was part of that.

Wheeler: Actually that is the radio side. The radio we had actually budgeted a smaller portion than what the EMS calls proportionately were so we were going to pick up the EMS share of the radios and lower the fire share which would make the radios more used on the EMS funds. We feel like there's about 65-70% of the radio calls are EMS calls so we think we can feel comfortable utilizing EMS funds and still meet the requirements of the auditor on those funds. So that's where that money was coming in. I think it was another \$50,000, \$40- or \$50,000 off hand.

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Shupp: I guess I just assumed that part of it was going to cover this cost also along with the radios but.

Wheeler: Yeah, I think our concern was the auditor wouldn't deem it an eligible expense under the EMS fund because it is solely utilized for fire calls.

Lorson 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.

Lorson moved that Resolution 12-15 be adopted as read. Vance seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 13-15 be placed on first reading. Hamsher seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 13-15**, A Resolution authorizing the Board of Control to advertise for bids and enter into a contract for the purchase of a 2015 Massey Ferguson 1754 with Mitsubishi K39 engine, 4-cylinder diesel tractor for the service department which meets the specifications of the City of Orrville, Ohio, and declaring an emergency.

Wheeler: Thank you, Mr. President. This too has been budgeted for in our Capital Budget. This is to replace actually two separate tractors we're going to be able to replace with this one purchase. Those are, to be honest, they're not very old, ones only 37 years old and the other is only 33 years old, of the tractors we're replacing. So needless to say we've gotten the life out of those. One is a Massey Ferguson the other is a John Deere. Hopefully everyone seen the memo that I sent out this morning for Mr. Scott in regards to an explanation why he was requesting a Massey Ferguson. We are going out for bids on those, on this purchase and obviously we'll take the lowest responsible bidder as always. We also will be able to use this for some brush hog work which is what the current '82 Massey Ferguson does and enable to free that up to do some of the other things with it only being 33 years old. Glad to answer any questions. Mr. Scott is here as well to answer any questions you might in regards to the purchase.

Baker: Any questions?

Wilson: Thank you, Mr. President. I'm just curious as to what happens with the old equipment. Is there a resale value there or scrap?

Wheeler: Typically, believe it or not, we resell everything. If we feel like we don't have a use for it a lot of times we use it, we'll keep it in house if we need it for parts or for, or if we feel like there's still something we can use it for even if it's less large of a large task. If we do deem that we no longer need it, then we go ahead and sell it via either eBay or GovDeals. Those are both internet auction sites obviously, everyone knows what eBay is but GovDeals is a little less known. And GovDeals is only, obviously, government municipalities and counties that are selling items. And you'd be amazed at the value and what we get in return on some of these items even these types of equipment that are this old.

Vance: I just noted that Mr. Shupp was older than 37 years old. He's doing great. So hopefully we have a lot more use out of this truck.

Shupp: I assume this tractor is just getting broke in.

Hamsher: Does Mr. Shupp have a resale value?

Vance: Any spare parts?

Lorson 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.

Lorson moved that Resolution 13-15 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

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Lorson moved that Resolution 14-15 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 14-15**, A Resolution authorizing the Board of Control to enter into an agreement and/or agreements with the State of Ohio Purchasing Cooperative, Department of Administrative Services, to purchase one (1) 2015 or newer Freightliner 33,000 GVWR Cab and Chassis Dump Truck for the service department of the City of Orrville, Ohio; or alternatively to purchase said vehicle from another dealer upon equivalent terms, conditions, and specifications, but at a lower price than it can be purchased through the state contract, as allowed by Ohio Revised Code Section 125.04; or alternatively to advertise for bids and enter into an agreement and/or agreements for said purchase to include an offset to the cost of said vehicle via the trade-in of a 1985 GMC Dump Truck, and declaring an emergency.

Baker: That's a mouth full. Mr. Wheeler, any news on this one?

Wheeler: Yes, thank you, Mr. President. This is again is another piece of equipment that's been budgeted for in our Capital Budget. It is replacing a 30 year old GMC dump truck. And we do plan to purchase through State bid. I know there's other language allowing us to do some other things but we do believe that State bid will be the most efficient and cost effective method in this particular purchase. And glad to answer any questions. Any I can't answer hopefully Mr. Scott will be able to answer for you.

Lorson 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.

Lorson moved that Resolution 14-15 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 15-15 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 15-15**, A Resolution authorizing the Safety Service Director of the City of Orrville, Ohio, to execute and participate in the Ohio Public Works Commission State Capital Improvement Program for loan funds and/or agreements as required to obtain said funds, and declaring an emergency.

Wheeler: This is the loan that we had talked about a few weeks ago in the finance committee meeting. This \$500,000 loan was offered to us shortly after we were notified that we were not going to be receiving the Ohio Public Works Commission grants that we have been fairly successful at over the past 10 years or so. If Council were to approve this, we do plan to use all \$500,000 for concrete street repairs. We do have \$600,000 budgeted this year so that would bring us up to \$1.1 with another \$100,000-\$150,000 in the Capital fund that potentially is available for us as well. So we could potentially do about \$1.2 million in streets. Concrete streets, as I say every time we talk concrete streets, unfortunately it doesn't go nearly as far as it sounds like it should be we would be able to put a dent I think in some of these major concrete streets that we have that are in need of repair, Hostetler, I think everyone knows what those streets are but Hostetler, Elm, Church there's some repair work needed as well, Crown Hill would probably be the big four this year. There's some stretches on Hostetler we could probably spend a majority of it on which we probably would do so.

Lorson: Mr. Wheeler, could you mention the interest rate of this loan?

Wheeler: The interest rate is fairly hard to beat; it's zero percent over a 20 year period. There is no interest charge. It is a loan that historically our utility side has used successfully for some of their infrastructure programs as well. So it's not a program that's new to the City and we've had a great deal of success with it. There also is no prepayment penalty so if the City decided that we wanted to just go ahead and pay it off, we could do so at any time before the 20 years. I think, as we talked about as well, we would actually fund repayment through the general fund so that we weren't putting any kind of dent into the capital funds as well.

Lorson 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.

Lorson moved that Resolution 15-15 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Ordinance D-15 be placed on first reading. Corfman seconded. Roll call vote; all yeas; motion carried. **ORDINANCE NO. D-15**, An Ordinance determining the video service provider fee to be paid by a video service provider offering video service in the City of Orrville, Ohio, pursuant to a video service authorization;

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authorizing the Mayor to give notice to the video service provider of the video service provider fee; and declaring an emergency.

Baker: Thank you. You've repeated yourself many times there. An explanation for this one?

Wheeler: Gladly. The short and dirty on this is in 2007 the State of Ohio passed Senate Bill 117 which created a new state issued video authorization process to replace global cable TV franchise process or agreements which basically means no longer does the City have franchise agreements with any cable provider once that franchise agreement expires. What this agreement does is then allows us to still charge a franchise fee to that video service provider, VSP, which is what this ordinance is asking us to do. Our current franchise is no longer current, I guess. It expired February 15, 2015. Which at that point then they went to the State and were issued the authorization as a video service provider through the State. Because of that we have to issue this Ordinance which still grants us to rightly collect franchise fees. Hopefully that didn't sound too complicated. It's not as complicated as I just made it sound.

Aspiras: Thank you, Mr. President. Mr. Wheeler, so the franchise fee through the State, that exact amount is no different than the old contract fee.

Wheeler: That's correct. And that's actually what's just been put back into this ordinance is the exact same that we've always collected.

Lorson moved that the rules, regulations, and statutes requiring the reading of an ordinance on three separate days be suspended. Shupp seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Ordinance D-15 be adopted as read. Aspiras seconded. Roll call vote; all yeas; motion carried.

**Good of the Order**

Vance: Thank you, Mr. President. I have a question, concern that nearly didn't seem to fit into the agenda tonight. But we did just authorize this video service authorization tonight and I saw a Facebook discussion which I don't normally bring into Council meetings but regarding Armstrong's Zoominternet service, some residents were saying that their internet service has gone from an unlimited to a capped data plan and that Armstrong had said they had notified residents several times of this but a number of residents said they received no notification at all. So I don't know if that's true or not or what exactly happened but I just thought I would put that out there that I have heard some folks complain of that and if there's any way to check into that and there does seem to be some confusion there so if perhaps Armstrong could send some kind of communication out explaining exactly what the new data plan is or if it only applies to some people and not others, I don't know.

Wheeler: Yes, we can definitely follow up with them and check into that.

Vance: Alright, very good, thank you.

Baker: Anyone else have anything?

Lorson: I just like to remind folks that tomorrow is election day and the democratic process begins with that vote casting the ballot, on the ballot tomorrow. So please make sure you exercise your right.

Hamsher moved to adjourn the council meeting and Wilson seconded. Roll call vote; all yeas; motion carried. Council was adjourned 8:07 PM.

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Jeanne Feudo, Clerk of Council

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Date

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Lyle Baker, President of Council