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Council President Baker called the meeting to order. Pastor Jim Copenhaver from Faith Community Church offered the prayer. The Pledge was recited.

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

Vance moved to adopt the minutes of the last regular meeting of October 3, 2016; Wilson seconded. Roll call vote; all yeas; motion carried.

Standing Committee Reports No report for Utilities, Parks and Recreation, Transportation, Planning, Ordinance and Personnel

Finance – Aspiras: Thank you, Mr. President. Just a reminder, a couple of weeks ago the Finance Committee met in regards to the potential lodging tax, the bed tax and as we mentioned at last council meeting we did ask for legislation to be drafted up which Mrs. Kirkbride has done that. So it's on the docket tonight. It's Ordinance D-16. Obviously we'll have discussions around that when it comes up. Other than that, that's all I have, Mr. President. Thank you.

Health and Safety – Vance: Thank you, Mr. President. The Health & Safety Committee hasn't met but I just wanted to report that I did attend a landlord forum for Orrville landlords, last week I believe it was, that was sponsored by the Turning Point Coalition and where Josh Hunt did a two-hour presentation. As you remember Josh Hunt was a member of our police force and now is an officer with Medway. He talked about, I don't even know how to describe it, an epidemic doesn't even seem to be a strong enough word for what's going on with opiate addiction and overdoses in our area. He had examples from Orrville, from Wooster, from every community practically in Wayne County. I was very sobered by it and walked away personally committed to doing whatever I can to help with prevention and treatment efforts here in Orrville. I was very glad to hear that our own police department has just recently sent an officer to DARE training. That was one of the key things that came out of that was the importance of education for our young people and so we just want to make sure as a council that we make sure that there's enough funding for those kinds of programs because the cost and the impact on our society is tremendous. And so we all need to be aware of that and to do whatever we can to help with this problem. So just wanted to let people know that there's a lot of activity going on in our area and a lot of people who are trying to help as well. So thank you.

Baker: Thank you. We have no special committee reports this evening. We'll move to administrative reports. Mayor Handwerk.

Administrative Reports:

Mayor Handwerk: Yes, thank you, Mr. President. I'd like to mention that our employee of the month for October is Dan Lepley. Dan comes from the Power plant maintenance group. He's held a variety of positions for our organization over the past 25 years, beginning in the Operations department and then moving into the Maintenance department. His current title is Maintenance Worker II, but he is more our resident expert and Jack-of-all-trades on some of our most complicated systems. And I think those are comments from Dean Kallenborn down at the power plant. As an avid rider, when Dan is not out putting many miles on his Victory motorcycle, he is residing in Marshallville with his wife Bonnie. Dan and Bonnie have five children and enjoy spending time with their grandchildren. Dan has been instrumental these past several months in getting our unit 9 electric generator back in operation and he's also been working on getting the burner conversion completed on boiler #13. As we all know that's been a huge project for our utilities. Dan is a very reliable worker who has a quick wit. He is

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passionate about his work and his hobbies. And he usually has his opinion on things and always displays a great sense of humor to keep things exciting down there at work. Congratulations to Dan. He and I will actually be having lunch this Friday at Jerry's, I believe is what he picked. I would also like to mention that last Friday, the 14th, we had the ribbon cutting for the Heartland Trail. Very nice time and of course, we couldn't have had a more perfect day for that. You never know what you're going to get in the middle of October but as we all know the weather has been absolutely beautiful lately and so that worked out nice for the ribbon cutting. It was held down at our trailhead where the new restrooms were constructed this summer and then we talked about the Blackwell Williams property and the great path that we have going through there now. If you haven't had a chance to see that, I would encourage people to either bike ride or walk through there and take a look because it came out very, very nice and there's still some things, the grass needs to grow and things like that after construction and of course we haven't had much rain for that to happen but the path is really nice. The two bridges are very, very attractive. I think, as a City, we're going to try to do some work on the pond down there too so that that looks a little nicer than what it does sometimes too. So, very nice, very nice program that we had last Friday. I would like to encourage people to be careful. We will have people visiting from out of town more and more now I think as people get used to the path. Now since we just have the path here in town we may not see a lot of that right away. They're hoping next year, next summer, to construct the rest of the trail that goes all the way through Marshallville up to Clinton. And so once that happens that certainly will make a difference I think here for the number of people we see. And of course, eventually, it will go south of Orrville too and connect down along somewhere near Applecreek or somewhere in that general vicinity. Very exciting to see that come to fruition. And last thing I'd like to mention, is just that if you've been by the hotel you can see that there's some real good progress being made out there in the last few weeks. So we are going to have more than an elevator shaft. I think they've got all three floors are actually constructed and look to be moving along pretty well. I know they want to get the parking lot done here in the next few weeks before the weather changes too. I know they're forward to doing that. And that's all I have. Thank you.

Vance: Mr. President, I have a quick question about that. Regarding the bike trail, well first of all my wife and I had a chance to ride our tandem on it yesterday and let me tell you just what a joy it was. We have a beautiful section of trail for a bike trail. Especially to have a pond and all be in town. Really amazing thing that we have. So it was great; a thrill to ride. I had a question about the path that maybe Mr. Wheeler could help with me on that. I thought it was supposed to go all the way up to the Taco Bell intersection there at Hostetler Road.

Wheeler: Yes. Actually, I'm sorry. I didn't mean to cut you off.

Vance: Well, I just saw it was a double wide kind of sidewalk up through the Goodwill Store and then it goes down to the regular sidewalk. Are there plans to make that wider then?

Wheeler: It will, yes. It will extend through that area that's currently there. Unfortunately that's going to require a bulkhead they believe which required some additional engineering on the hill there where Quality Casting's parking lot is. So that wasn't ready to go this year basically. So that would be one of the first things to go next year, correct.

Vance: Very good. Thank you. That was my question.

Mayor: One other comment I could make about that is, and I mentioned this at the ribbon cutting so you two heard this, but Mr. Corfman and Mr. Vance were there, it's just nice the way this turned out because we actually catch all of our main business areas with this trail and the trailhead. The trailhead itself being downtown so you're going to have people downtown and close to this vicinity. Then you go over to High Street and so you catch a lot of the business district on High Street. You're also very near Orr Park. Near the school campus. Right past the dog park and then right on our new other business

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district on North Main Street, Portico Plaza. So it really catches all of our main places that you'd like to have people be accustomed to when they come through here. Turned out very nice. That's it. I am done.

Baker: Thank you. We'll move to our Safety Service Director, Mr. Wheeler.

Wheeler: Thank you, Mr. President. Maybe in that regard, retaining wall is the better term. Bulkhead is more of a southern on the ocean type term. Dominion continues to work on West Market Street. They are doing some restoration on West Oak and Markley this week as well. Northstar has begun on Market as well. You might not have noticed yet. Most of what they've done so far is just the concrete work. But they are scheduled to begin the actual overlay next week. Norfolk Southern initially had scheduled to begin next week and they changed their mind and delayed it to November. I think what they had realized is DOT had some major concerns about the short notice that they were going to give on the wide load notification so they decided to push it back and give adequate notice. Once we know that actual date, we'll definitely pass it on as soon as we get it. Trimor, Crown Hill work zone has moved to the north between Paradise and Harding. West Hill Drive is closed to Crown Hill and residents can use Sunset Drive to Market Street to access Crown Hill. They do continue to do some work on Lynn Drive as well. As the Mayor mentioned, Rails to Trails the Cavanaugh work on Rails to Trails is just about complete. There are some punch list items yet to get done. And also, believe it or not it's time for leaf pick up. The schedule has been released. The south end which extends into Market Street is scheduled to begin November 7 thru the 14th. Then the 15th through the 23rd will be the north end and then the final pass through will be November 28, the week of November 28. So get your leaves out on the curb here in the next few weeks. And that's my report for tonight.

Shupp: Thank you, Mr. President. I know you're going to not like my question, are we okay on road salt?

Wheeler: Yes. So far, so good. We have plenty left from last year and obviously we have a good amount ordered as well for this year. It would be great to have another year like last year but that's probably wishful thinking.

Shupp: It's not far away though.

Wheeler: I know. Hard to believe isn't it?

Lorson: Mr. Wheeler, the compost center closes for the fall at some point in time, right?

Wheeler: Yes, that date, I believe is not this Wednesday but the following Wednesday is the last day.

Baker: Anyone else have any questions for Mr. Wheeler? Thank you, Mr. Wheeler. We'll move to our Utilities Director, Mr. Brediger.

Brediger: Thank you, Mr. President. Just a couple of departmental updates. As you're aware if you're driving around town at nighttime the LED street light conversion work is still ongoing. We should have that mostly wrapped up towards the tail end of this month, might spill into a little bit of November there but the lighting is certainly a big improvement over what we've had before. We're getting some pretty nice comments on that. Tomorrow morning the Mayor, Councilman Aspiras and myself will be attending the AMP hydro project dedication at our Willow Island hydroelectric facility. We're kind of doing a three hydros at one site dedication tomorrow for that. And just a side note on that, we do plan on having future visits to that site. It's about two hours away from here, the closest hydro site. So we'll probably look at arrange some weekend where it's a little bit more work and job friendly for you. And when we get some of those dates there I'll give you guys plenty of advance notice if you're interested in attending that. The work the Mayor mentioned on boiler 13, our coal to gas conversion, is going very well. We're actually a little bit ahead of schedule. Right now we are expecting to tentatively start that

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unit up on gas the early part of November now so we were originally planning on hopefully having that work done by the end of November. So we're ahead of schedule. Our guys are doing a great job on that. Just a reminder since you guys are all excited about having some snow come on board here, it's still not too late to sign up if you aren't already signed up for the City's natural gas aggregation program. Just a reminder that rate is \$2.97 mcf, it's about 8% lower than last year. If you're already a subscriber to the program you don't have to do anything that just rolls over for another year. If you're interested in changing, there were some letters and information that were sent out to describe that process. If you tossed the letter or not too sure, just give our office a call and we'll get you guided through that. Prices are starting to go up a little bit even though it's not that cold. There are two people on the Public Utility Commission website that do have slightly lower prices than this and that's the first time that's happened since we've had the aggregation program. So as winter starts knocking at our doors and certainly eventually be turning cold, we'll start seeing those prices start ticking up there. But these are fixed for a year. And one last item, the next utility board meeting, which will be next Monday night, will be held at the water treatment facility. Following that board meeting that starts at 6:30, Mr. Fetty, our Water Superintendent, will be giving a tour of that facility. So if you have not seen what we do on the water side of our utility business, I encourage you to attend that. That's very interesting. It's a little bit more than taking water out of the ground and moving it around and eventually ends up in your faucets there. So it's a very interesting tour giving a little bit of appreciation for what happens on the water side of our business. And with that, that's all I have tonight sir. Thank you.

Aspiras: I have a question. Mr. Brediger, with boiler 13 ahead of schedule, is there any incentive with the consent agreement we originally had for early finish with the EPA?

Brediger: No. That just gives us more comfort margin leading up that January 31. No bonus points.

Aspiras: Nothing financial. No rebates or anything like that?

Brediger: No. Definitely no rebates. Peace of mind. Our goal was to hopefully be ready coming up into the winter season would certainly start before that, that drop dead date in January so we wanted to be prepared, make sure everything was working properly and we were very comfortable coming into the winter. So this is more just for our benefit. The work that we're doing in-house has saved us probably about \$100,000 using our own people on that. So I guess that's kind of the bonus we get. You get no bonus points for being done ahead of time. They just worry about you being done on time. So it's kind of like one of those horseshoes and hand grenade kind of things. We'll get an atta boy at the end of the day.

No report from our Finance or Law directors.

Baker: Thank you. For my report we have one item that our clerk is going to bring to us concerning rezoning.

Clerk Feudo: We have a request for rezoning off of Rohr Road and Smucker here. They would like to rezone this from an R-1 to an R-2. We need to refer that to the Planning Commission.

Aspiras: What was that location again?

Feudo: Smucker and Rohr Roads. Smucker Road up here. Rohr Road here. Current condos here.

Baker: Anyone else have any questions? Ok. Thank you. We have no old business for this evening. We'll move to new business. Mr. Lorson.

New Business:

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Lorson moved that Ordinance D-16 be placed on first reading. Aspiras seconded. Roll call vote; all yeas; motion carried. **Ordinance No. D-16**, An Ordinance providing for the adoption of a three percent (3%) transient lodging tax in the City of Orrville, Ohio, effective January 1, 2017.

Kirkbride: I'll speak to this. We met, the Finance Committee met and talked about this. Talked about the allocation of the tax. Talked about the imposition of the tax. Ohio Law allows for a 3% tax by a municipality for transient lodging for bed tax or lodging tax. The County also charges a 3% tax and so Orrville has decided to adopt a tax and has decided to allocate 70% to the General Fund and 30% to the Capital Fund. So this legislation represents kind of a comprehensive framework for the imposition of the tax and the regulations and rules related to its collection and things like that.

Vance: I just wanted to speak to it. It's interesting whenever you have a new source of revenue the question always becomes well what do we do with it? And that always reflects your priorities. So it was good to have a conversation about what our priorities are and where we would like to see this money be spent. It's our understanding that it will go 70/30 from the General Fund and Capital Improvement Fund but we'll have a line item in the General Fund in the budget that will represent an amount, an approximately makes this, that we will be using toward an eye for continuing to maintain the downtown and economic development projects. One priority that we need to have is an eye to the future and continued and sustained investment in our economic development is an investment in our future. And that's why it's important for us to keep our eye on the ball there and make sure that we continue to invest in ourselves so that future businesses can see our commitment to maintaining our own infrastructure and our own downtown, or our commercial centers that encourages other investment. So it was just a good opportunity for us to have a discussion about those things about what's important to us. Hopefully the hotel will be successful and we'll be able to put that money to good use.

Baker: Thank you. Anyone else?

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-16 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 33-16 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **Resolution No. 33-16**, A Resolution imposing a Moratorium for a period not to exceed one hundred eighty (180) days from the effective date of this Resolution on the issuance and processing of any permits allowing retail dispensaries, cultivators, or processors of medical marijuana within the City of Orrville, State of Ohio, and declaring an emergency.

Baker: Who needs to speak on this one?

Kirkbride: I can speak on this one as well. You're going to hear more from me tonight than you probably hear in several month. Council also has decided to consider medical marijuana which has become legal in Ohio. There's a series of dates September 8th I believe of this year is when the first date went into effect. There's actually a timeline of different dates for the next two years where different things will come into play. And council has requested some time to think about that to determine what, if any restrictions, conditions, whether a ban is appropriate for the City, for medical marijuana cultivation, dispensaries or processing within the City. So this legislation would allow for a 6-month moratorium so that could be considered. Many, many, many municipalities in Ohio have already enacted legislation like this of some type. Some have already enacted outright bans. So this will give council and Orrville administration and staff an opportunity to better understand and research what we want to do if anything. There's not a lot that's known about how this is all going to play out. There are

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still a lot of rules that have been promulgated so this will be an opportunity to educate ourselves a little bit before we decide ultimately what we're going to do.

Vance: As Mrs. Kirkbride alluded to, we really have no idea of what the impact of marijuana cultivation, operations, processing operations, retail operations would look like. So there's really, hardly, it's difficult to even have a debate about it right now because we just don't know anything about what it's going to be. This is a 6-month moratorium. I have no doubt that we'll be looking at extending this moratorium and that at some point in the future we will have a debate about prohibiting the use of medical marijuana, cultivation, processing, retail sales on marijuana here in Orrville but that debate will remain in the future once we at least know some details and are able to talk intelligently about it. So that's some of my thoughts.

Baker: Anyone else? Thank you Mrs. Kirkbride.

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 33-16 be adopted as read. Shupp seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 34-16 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **Resolution No. 34-16**, A Resolution of the City of Orrville, Ohio for Bridge Inspection Program Services with the Ohio Department of Transportation, including, but not limited to bridge load rating calculations, scour assessments, bridge inspections, and fracture critical plan development, and declaring an emergency.

Baker: Mr. Wheeler.

Wheeler: Thank you, Mr. President. This is our CDBG project for 2017 proposed. This resolution authorizes us to enter into a contract that we are going to go ahead and participate in the project. It does, this CDBG grant does provide for a \$45,000 grant which we believe will be about half of what we need on this so it would require a match on our behalf. We did budget for that in the 2017 budget in our capital items. We did Fair Street last year. This is sort of another chip and seal street that we can experiment with. I hate to use the word experiment but test, I guess, is a better word to make sure that how we are doing it is effective for these chip and seal streets that are not curbed. And we look forward to getting started on this project. With it being a CDBG project it has to be an LMI eligible which is a low to moderate income eligible area. So thus there are requirements in regards to why we selected Pearl Street in particular.

Baker: Any questions? Yes, sir.

Shupp: So this is going to get an asphalt overlay?

Wheeler: Correct.

Shupp: Just like the one we just did.

Wheeler: Fair Street. Yes.

Baker: Anyone else?

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 34-16 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Baker: Thank you ladies and gentlemen. That completes our new business for this evening. Does anyone have anything for the good of the order?

Shupp: Go Tribe!

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Lorson: One more time I'd like to remind folks that no signs of any kind belong in the right of way. That's the area from the sidewalk out to the other side of the other sidewalk so be mindful of that.

Mayor: Mr. Lorson, I will say that Dan Lowe is constantly on the lookout for those. However, with all the other stuff he's doing we do miss those. A lot of times it's somebody that's coming in and doing some work for somebody. They will walk out there and stick that sign out there. And you're right, they're not supposed to be there. None of them are. Political signs or any other kind. Thank you for bringing that up.

Baker: Anyone else?

Vance moved to adjourn the council meeting and Aspiras seconded. Roll call vote; all yeas; motion carried.

Baker: Thank you. Ladies and gentlemen thank you for attending our meeting is adjourned. We're adjourned.

Council was adjourned 8:02 PM.

Jeanne Feudo, Clerk of Council

Date

Lyle Baker, President of Council