

## Regular/Public

February 6, 2017

A public hearing was held in regards to **Ordinance No. A-17**, An Ordinance amending the Zoning Map created by Chapter 1120 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify parcels of land located on the south east side of Rohrer Road consisting of 12.044, 11.445 and 13.467 acres in the City of Orrville, Ohio, from R-1 (Residential) to R-2 (Residential).

President Baker swore in those wishing to speak during the hearing and gave instructions.

Wayne Zacour of Taggart Law Firm in Wooster, Ohio, on behalf of XL Builders, introduced Wayne Schlabach, President of XL Builders and will be the contractor for this project who gave a power point presentation of their project.

There were no questions or comments from those sworn in. Public hearing was closed. 7:46 p.m.

Council President Baker called the meeting to order. Pastor Brad Dews offered the prayer. The Pledge was recited.

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

Excused: Wilson

Vance moved to accept the minutes of the January 17, 2017, meeting as documented; Hamsher seconded. Roll call vote; all yeas; motion carried.

### **Standing Committee Reports**

Finance – Aspiras moved to accept the 2017 Final Appropriations schedule. Corfman seconded. Roll call vote; all yeas; motion carried. Feb. 27, Utility Board to review/approve. March 6, books distributed and 1<sup>st</sup> reading. Special Meeting March 13 for 2<sup>nd</sup> reading. Third reading on March 20.

### **Administrative Reports:**

Mayor Handwerk announced the employee of the month from Finance Department is Michelle Baab. JLG announced that they would be ceasing production at the Orrville plant September of this year, consolidating it with the plant in Pennsylvania and also consolidating two overseas locations into another location.

Safety Service Director Steve Wheeler: Street Department will be out, weather permitting, filling potholes.

Utilities Director Jeff Brediger: The Power Plant went thru a milestone day, it was their last day operating the facility on a 24/7 basis on coal. Tuesday, January 31, the three remaining coal units were reduced down to 10% operating limit in effect from now one; operating at roughly 800 hours a year, during peak periods mostly during summer and winter or in cases of emergency. This change along with the natural gas conversion of Boiler 13 were part of the EPA settlement Fall of 2015. Focus this year will be on operational transitions; designing and planning of the second transmission interconnection to minimize exposure to risks since plant will not be operating on a 24-hour basis. We will be on the market for about 20-25% of our energy. The balance comes from our AMP projects: hydro, gas, coal plant, and wind.

Finance Director Janet Strimlan: Reminder to citizens to file income tax returns if you are a resident age 18 or older, non-residents that work in Orrville that their employers do not deduct City tax need to make sure they file, non-residents who own any rental property in Orrville, any non-resident or resident

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businesses that do or conduct activity in the City are required to file. Retirees are only required to file a return if you have earned income from W2's, 1099's, rental, or Schedule C income. If you're retired and you have only non-taxable income such as Social Security, retirement, disability, 401K distributions or interest and dividend income, you are not required to file a return. Forms available on line and in City Hall lobby, in the public library, and they can be mailed to you. Tax filing deadline is April 17 and need to be postmarked by that date to avoid the late penalty. If you need assistance in completing your City return our tax office is open M-F until 4:30 p.m. and can assist you. State Auditor Yost released the 2015 Financial Health Indicators report. The City received 16 out of 17 "green". The one "yellow" (cautionary item) was due to income tax revenue decline greater than 1% from 2014 to 2015. 2014 was a record tax collection year for the City due to some one-time, non-recurring business payments and also we split our income tax revenue. A portion to capital fund and a portion in general fund. We modified that split to direct a larger portion of the revenue into the capital fund to support some extra infrastructure repairs and improvements. Only the tax revenue that goes into the general fund is taken into consideration. It is available to view on the auditor's website or call our office for a copy. Governor's budget proposal includes a provision that allows businesses to file one form for municipal income tax through the Ohio Business Gateway which would create a centralized collection system for municipal income tax for businesses. They would process the payments and distribute it back to us with a 1% administrative fee. Will it be all inclusive? Will the State also handle compliance issues? Collection of past due accounts? We have one individual that handles all income tax matters including the receiving of the revenue and if the State is not going to take over ALL of the income tax matters, we'll still have to keep that person on staff, pay them and also pay the 1% administrative fee to the State. That fee would have amounted to \$40-50,000 if we had to pay it last year. If it includes withholding, it would be considerably higher. Will the centralized collection provide regular payments to us to prevent any cash flow issues since we have a large portion coming from our business receipts? The other area of concern is to alter the distribution method for local government funding. He would like to move to more of a "needs" based approach for distribution rather than the formula. It will take several months to work through these issues. We will keep you informed of what is happening. The investment report for the year ended 2016 prior to tonight's meeting. Fund Balance report for period ending December 31, 2016, motion to approve by Aspiras; seconded by Shupp; roll call vote; all yeas; motion carried.

### **Old Business:**

Lorson moved that Ordinance A-17 be placed on second reading. Corfman seconded. Roll call vote; all yeas; motion carried. **Ordinance No. A-17**, An Ordinance amending the Zoning Map created by Chapter 1120 of the Codified Ordinances of the City of Orrville, Ohio, to reclassify parcels of land located on the south east side of Rohrer Road consisting of 12.044, 11.445 and 13.467 acres in the City of Orrville, Ohio, from R-1 (Residential) to R-2 (Residential).

Discussion: Is it necessary to rezone all three at the same time or can we do individually? No. The utility infrastructure will span all three parcels and the building phases do not follow the different parcels. Planning Commission minutes mentioned a variance for R-2 for cluster, single dwelling versus a percentage? Right now it is R-1, single family homes. R-2, if the project not completed, it remains R-2, future buildings could be single family homes or duplex units with 20% could be duplexes. Rezoning comes to Council. There is also a conditional zoning permit that was approved by Planning Commission for cluster division which allows them to do the entire development as a duplex units on the condition that the rezoning to R-2 is approved. As is, R-1, only single family units are allowed. Cluster allows more compact density than a regular residential property. You can change the lot lines, setbacks, giving more flexibility on laying out the lots. We have other cluster developments: Weaver, Orchard Glenn,

