

## Regular/Public

November 20, 2017

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

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

Vance moved to adopt the minutes of the last regular meeting on November 6, 2017; Wilson seconded. Roll call vote; all yeas; motion carried.

### **Standing Committee Reports:**

Finance – Aspiras: Finance did not meet but there is legislation on the agenda. 2018 Appropriations and 2017 adjustments to the year-end appropriations.

Planning – Hamsher: Planning met just prior to this council meeting to discuss a feasibility study for some downtown development and came to the consensus to partner with Orrville Area Development Foundation and the Orrville Chamber of Commerce to get that feasibility study done to help us determine how best to develop some downtown areas.

### **Administrative Reports:**

Mayor Handwerk: The Nuisance Abatement Committee will be meeting Wednesday, 10 a.m. The annual Home for the Holidays is the day after Thanksgiving. Hopefully we have a good crowd downtown and good weather. Happy Thanksgiving and most importantly, Beat Michigan this week.

Safety Service Department: Leaf pickup continues. Crews have returned to the south end for final round of pick up. They will head back to the north end again and hope to be done completely by December 8. Shop with a Cop raffle tickets are for sale. \$1 each and purchased at Mrs. J's, Cabana Sun, Total Look Salon or Orrville Police Department from 8 am – 4 pm M-F. We also accept monetary donations for those who are not interested in participating in the raffle.

Utility Director Brediger: A storm related outage occurred Saturday afternoon when a car on Kansas Road, hydroplaned, and took out a utility pole and crossed up some wire, which impacted businesses in our downtown and a lot of residential in the Dalton and Kidron areas, impacting 800-900 customers. We had residual issues that results from that that kept us from closing the main breaker. We appreciate everyone's patience during that. There are a number of resolutions on the agenda tonight. An email was sent on the 17<sup>th</sup> regarding some concerns from a tax reform perspectives. Those issues center around the Build America Bonds that we utilize as a funding mechanism. The ones we took out paid for the development of the hydro projects and a little bit of Prairie State. So far, prior sequestration has cost us over half million dollars in interest payments on those bonds. If this tax reform goes through the way the legislators have it proposed, we have exposure to about \$44 million of extra interest expense over the 30 year life of the bonds. It's quite troubling. Mayor Handwerk and I have worked with Senator Portman and our legislators to let them know our concerns. One of our board members (Utility Board) Gary Gossard resigned at the last board meeting. We are in the process of identifying potential candidates.

Finance Director Janet Strimlan: Last meeting legislation was passed to enter into a coalition of municipalities seeking relief from the courts from the state mandated centralized collection of municipal net profit taxes. That lawsuit was filed in Franklin County Common Pleas Court on November 17 on behalf of 137 municipalities. 43% of Ohio cities, 9% of Ohio villages are listed as plaintiffs in that lawsuit. It seeks a preliminary and permanent injunction to block a portion of the law that allows for that collection of net profit tax. It argues that the current provisions and the original legislation that council passed in 2015, violates our Home Rule status and also the single subject provisions of the Ohio constitution. We will put a copy of the lawsuit on the City's website and I will also email a copy of that to each of you. We will keep you informed as this progresses. Hopefully we will have some kind of early decision in December so that we know how to proceed for January 1<sup>st</sup>. Prior to tonight's meeting the fund balance report was distributed for period ending October 31, 2017. I ask for a motion to approve that report subject to audit. Aspiras so moved. Corfman seconded. Roll call vote; all yeas; motion carried.

Our representative say they don't want to do anything to hurt municipalities yet 43% of Ohio municipalities have entered the lawsuit injunction to stop them from carrying this out. We hope they take that into consideration.

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### **Old Business:**

Lorson moved that Administrative Order 1-17 be placed on fifth reading. Corfman seconded. Roll call vote; all yeas; motion carried. **Administrative Order 1-17**, An Administrative Order granting authority to the Public Utilities Board of the City of Orrville, Ohio, to increase Water Utility Rates by eight percent (8%) beginning December 1, 2017, through December 31, 2017. The first day of January beginning 2018 through January 1, 2022 increases as follows: The first two years (2018 and 2019) the increase will be seven percent (7%) per year. The next three years (2020, 2021, and 2022) the increase will be six percent (6%) per year.

Discussion: Question was posed, each year we will revisit to see if it is still feasible, if we still need to change these rates as they are set? Yes. Part of the budgeting process.

From Hamsher, this is not a popular thing. We were elected to do what is right for the City and to have this spread out over 5 years is far better than having it happen all at once. To let it slide in by inaction because we don't want to vote yes or no, against or for it, I don't think that is the right thing.

Aspiras: After fifth reading it automatically gets adopted according to charter, correct? Yes.

Hamsher moved that Administrative Order 1-17 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Administrative Order 2-17 be placed on fifth reading. Corfman seconded. Roll call vote; all yeas; motion carried. **Administrative Order 2-17**, An Administrative Order granting authority to the Public Utilities Board of the City of Orrville, Ohio, to increase Wastewater Utility Rates by seven percent (7%) beginning December 1, 2017, through December 31, 2017. The first day of January beginning 2018 through January 1, 2022 increases as follows: The first year (2018) the increase will be seven percent (7%). The next four years (2019, 2020, 2021, and 2022) the increase will be six percent (6%) per year.

Discussion: Vance mentioned the Waste Water expenditures aren't as big as the Water that was just passed. This increase is needed because of the reduction of power production from our power plant as a result of the EPA, the loss of income from that is what is driving this. We have ongoing maintenance that needs to be addressed. These are not new projects so issuing bonds does not make sense. The expenditures for the next 5 years, the biggest is the West High Street water line replacement at \$1.6 million of the \$2 million to be spent next year, prior to High Street being repaved.

Hamsher moved that Administrative Order 2-17 be adopted as read. Vance seconded. Roll call vote; all yeas; motion carried.

President Baker thanked the council for the vote of confidence for the Utility Board and our Mayor that worked on this. There was a lot of discussion.

Mayor Handwerk thanked council for the vote of support. It wasn't a decision anyone wanted to make.

We don't want to be the group down the road that lets the water and waste water go and then someone down the road says what were they doing and now we have to raise the rates 30-40% to try and catch up with everything that needs done.

### **New Business:**

Lorson moved that Resolution 50-17 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 50-17**, A Resolution to establish the classifications of Power Plant Technician 1, 2, and 3 in the Classified Service of the City of Orrville, Ohio; and to abolish the positions of Power Plant Operator Apprentice, Power Plant Operator I, Power Plant Worker II and Control Room Operator; and repealing all Legislation inconsistent herewith.

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Discussion: Ever since we've made operational changes at the power plant, we talked about what we can do as our work force was shrinking on how to make it more flexible and more efficient. We've been working on it and experimenting a little bit since the beginning of the year and basically involves taking the maintenance group and operations group and combining those into one work group. There will be a lot of cross training and re-licensing to have a single group of employees that can cut across all job aspects of power plant operation and maintenance. Human Resource Manager Phil McFarren explained that navigating the changes at the power plant and now operating in a completely different way than we used to, we found we need a more flexible workforce with more diverse set of skills and much easier to deploy depending on the need on any given day. The weather forecast determines how the plant operates and we need a staff that, at any given time, we can put just about anybody in any role to get the job done. No new staff should be needed. We are staffed at about half the level we were at. When we are not operating the plant, our operations crew has gone from 4 people down to 1 person in the control room and we're utilizing those other operators in maintenance functions. During operation, we've temporary transferred our maintenance staff into the operations department for limited periods of times. We hope to have all staff working at the upper classification levels, fully licensed operators and capable mechanics. The plant has gone from a 24/7 operation down to maybe, about 25% of time. Hopefully they all will, within a year, obtain the State of Ohio Boiler License and complete the checkoff and training to operate the plant. That will be in house. OSU/ATI will assist with some of our training and we are seeing if that training can also be done in house. We will reclassify all current employees in the power plant maintenance I, II, and III positions and the power plant operators II and control room laterally into the technician I, II, and III. This isn't re-training. It is new skills. We are making all employees as diverse as possible. The new classification is needed per Civil Service law. There are set skill, duties and requirements of work for each classification. Our current power plant operations classification have very specific skill sets. This will be more broad and flexible in the new classification. Civil Service will review at the December meeting. We have 3 power plant operator II and 4 control room operators. They will be given the opportunity to train in the maintenance field to make them more diverse as well. We haven't had an apprentice or an operator I for about two years now. (One operator and a few maintenance employees were present at the meeting and invited to speak.) Employee concern is how do you train, hands-on train, when the plant isn't up and running; there are 10 maintenance/instrumentation employees and 8 licensed operators (3 are supervisors) and it is being forced on current staff. The plan is "doable".

Brediger brought up we need to bridge the gap when we are not maintaining as much as we were or the requirements aren't there or aren't as demanding as they were, or we're not operating as much as we were. It is hard to find maintenance people to hire into this situation. We hope this will attract more people as it will have a broader interest level. We would like to start with the current talented work force that we have now and build and expand and diversify going forward.

Lorson moved that Resolution 51-17 be placed on first reading. Corfman seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 51-17**, A Resolution authorizing the Utility Board of Control to bid and contract, for no more than a one year period, for purchases of electric distribution poles, electric meters and components and chemicals for all utilities for year 2018.

Discussion: This is an annual resolution for supplies.

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 51-17 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 52-17 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 52-17**, A Resolution authorizing the Public Utilities Board of Control to enter into contracts, without bidding, each for no more than a one year period, for various services and supplies required by The Department of Public Utilities, Orrville, Ohio, for year 2018.

Discussion: Annual resolutions, without bidding but with competitive quotes.

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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 52-17 be adopted as read. Aspiras seconded. Roll call vote; all yeas; motion carried.

Lorson moved that Resolution 53-17 be placed on first reading. Aspiras seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 53-17**, 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, 2018, and declaring an emergency.

Discussion: First reading of 2018 Temporary Appropriations. The books were distributed in your folders. They are identical to the 2018 budget that was reviewed in June. Total budget is \$58 million. \$16 million for the tax supported side and \$42 for the enterprise funds. These are temporary and allow us to expend funds for the first three months of 2018 until council approves final appropriations prior to April 1<sup>st</sup>.

Lorson moved that Resolution 54-17 be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **RESOLUTION NO. 54-17**, 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, 2017, and declaring an emergency.

Discussion: This modifies appropriations for various funds for 2017. Some are housekeeping items that are done almost every year. Some others are driven by extenuating circumstances. Tax supported fund appropriations are decreasing \$548,000 primarily attributable to the removal of grant funded project. Also the enterprise funds are increasing \$30,000.

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 54-17 be adopted as read. Corfman seconded. Roll call vote; all yeas; motion carried.

Clerk: We have received a notice from the Department of Commerce Division of Liquor Control that all permits to sell alcoholic beverages within our political subdivision will expire February 1, 2018. If we have objections we need to report them. Otherwise our local businesses need to make sure to renew those by February 1.

**Good of the Order**

Happy Thanksgiving.

Vance moved to adjourn the council meeting; Shupp seconded. Roll call vote; all yeas; motion carried. Council adjourned at 8:36 p.m.

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Jeanne Gault, Clerk of Council

\_\_\_\_\_, 2017  
Date

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Lyle Baker, President of Council