

Regular/Public

September 9, 2020

Council President Paul Vance called the September 8, 2020, regular meeting to order.

Pastor Brad Kelley led the prayer. The pledge was recited.

Roll call. Present: Handwerk, Aspiras, Lorson, Mosley, Foy, Widmer

Unexcused: Wilson

Council minutes of regular meeting held July 20, 2020, were presented for approval. Mosley moved to approve those minute; Lorson seconded. Roll call vote; all yeas; motion carried.

We have three committees that would like to schedule meetings. Those will be coordinated at the end of the committee reports.

Standing Committee Reports

Parks and Recreation – Handwerk: Has not met. Much has been accomplished. Rehm pavilion was painted. Bridges strengthend in lower park. Community cleanup day at the park helped remove weeds in upper and lower park areas. Thank you to all who came out. Lion’s Club – Stephanie – provided food. A committee meeting is requested to discuss the Gateway project, some fall entertainment at Rehm, and market research, concept development and funds/grants for future projects.

Utilities – Foy: Utility Board met August 31st. Rates are expected to be frozen for the remainder of 2020. The August 11 power outage was due to a large old tree fell on Crown Hill Road around 2 am with power back on by 7 am. The city natural gas aggregation rate has been locked in for a 2-year term at a fixed rate.

Transportation – Mosley: OPWC projects Smucker Road grinding in process with prep work beginning later this week and hope to pave on Friday, Walnut, Elm and South Crown Hill. A target speed area on Viking/Crown Hill area is in the works. Committee meeting is requested to discuss school zone safety issue, side-by-sides on our roads currently with license plates and also a neighborhood speed awareness program. The citizen roundtable group was surveyed on if they want council and administration involved. There was a high volume of yes responses. We will move forward with that and try to schedule the next meeting.

Health and Safety – Aspiras: Has not met. The fire truck is hopeful to be on scheduled with a delivery of March 2021.

Special Committee Reports - None

Administrative Reports

Mayor Handwerk: There are 22 days left to complete and be counted on the census to bring dollars and grant funding to the community. The little kids will be 10 or 11 at the next census. Be sure to count them for school funding. Schools are back in session during the COVID changes. It is going well. Same with churches, clubs and organizations have either not met or meet online. Someday we hope to be done with this.

Safety Service Director Wheeler: Dominion is working on West Chestnut into next week yet. OPWC streets continue on from Mr. Mosely, adding in North Vine Street grinding on the weekend and hope to pave on Monday to avoid downtown weekday traffic. Pickleball court work continues with drilling and installing posts for the fence if the ground is dry enough. Trash pickup delayed one day due to the holiday. Pick up will be Friday this week. Orrville Police Officer Nate Chrapowicki was selected as the Crisis Intervention Team Officer of the Year for Wayne and Holmes County. For the past four years we have had four different finalists for the award and two who have been selected which reflects on what a great group we have in our police department. Vance asked status of side-by-sides on our streets and if they are currently legal. Wheeler: Side-by-sides are not currently permitted. Golf carts, if they went through the inspection process and have state license, they are. Vance: Even if side-by-sides are licensed, they are not currently permitted on our roadways. We will discuss that at the committee meetings to be scheduled.

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Utility Director Brediger: The power plant has met all the transmission call ups to meet the peak demands and receive the credits. The Utility Board did agree to freeze the power cost adjustment factor that impacts the electric rates. This continues the rate stabilization for electric with the same rate since September 2016. First quarter sales were down about 5-6%. Second quarter they dropped to about 10% mainly driven by a lower sales coming from industrial customers. It is expected to stabilize more in the third quarter. Electric utility bills are a bit higher this month due to the hot summer and higher usage. The second transmission line project is in review of contracts and agreements. We will sell off the transmission innerconnection between us and AEP. The netbook value has come in higher than we expected. It should take a conservative 54 months to complete. Engineering for the upgrades is being done in house for the distribution system with upgrades to our two substations. Diesel generator purchases will be discussed at the next utility board meeting. They will supplement our smallest coal-fire unit at some point in time with roughly 5 MW. Prairie State coal plant in Illinois, has been under fire and efforts to retire them and get coal out of the mix. One of the purchased utility bucket trucks has arrived and in service. Ohio EPA began requesting testing at our water plant for PFAS's (polyfluoroalkyl substances), chemicals used to produce goods that are waterproof, water resistant, non-stick, used in cosmetics and can be disposed of in landfills. Also tested was our tri-annual lead testing. All came back in the non-detectable range. HB6 – First Energy Nuclear Bailout Bill – is in process of being discontinued and brought back out. The governor supports this bill. State Rep. Scott Wiggam is on the committee and we will work with him to be sure it doesn't have an impact on our customers. The annual AMP conference will go virtual this year, Sept. 22-23. Our COVID programs provided to our customers for financial relief were highlighted to the membership this week. Kudos to Finance Director Strimlan in putting those programs together. The natural gas aggregation program rates have been set. We are on a two-year fixed rate at \$3.05 mcf down from \$3.39. You have until October 9th to stay with the program or select another provider.

Finance Director Strimlan: Income tax receipts through July, compared with 2019, are down about 6% or \$275,000, driven solely by business estimated tax payments. Withholding is slightly up compared to 2019. Looking at Orrville major employers, only about two are lagging in withholding compared to 2019. Our utility disconnect began in July, only 6 accounts totaling approximately \$2600 that remain unpaid from March-June. We are in the beginning stages of our collections and are optimistic we will recover more of that balance. We also had a handful that took advantage of the utility relief payment plan and they have until December to pay off the complete balance. Utility billing offices remain closed to the public. Some of the CARES money will be used to make minor modifications in the office area but social distancing in the customer lobby is difficult given the layout with one doorway leading into the office area. The vestibule is very small for the large influx of customers that we sometimes have. Our customers have adapted very easily to the online services. It is difficult to contemplate large expenditures to make renovations in that area when we are doing well with the online services. We will temporarily put on hold any renovations back there. The income tax withholding lawsuit filed by the Buckeye Institute in Columbus, August 25, the City of Columbus filed a motion to dismiss the complaint. It was to stop withholding at a business principal location and divert it to the resident location when working from home. SB 352 was brought forward by Senator Rogner from Hudson, seeking to repeal Sec. 29 of HB 197, the section that permitted employers to continue withholding employee income tax based on the principal location of the business rather than the employee's resident location. She believes cities have had time to adjust to the work from home situation and believes it should be redirected to their home location. We have a large contingent of employers that allow employees to work from home. This bill we will monitor along with the lawsuit and both could have an impact on our revenues.

Council President Vance: The governor has restrictions on groups of 10 or more are not permitted. Social distancing in the council room is challenging for the video and microphones. We will continue to meet on Zoom where we can share the video file with the public. We are keeping our eye on the situation and look forward to meeting in person when it is safe to do so and in accordance with the governor's guidelines. We held a workshop to cover the upcoming trash contract and familiarize ourselves with it, not making any decisions, and there is legislation on our agenda this evening. We also talked about the roundtable and endorsed that. Mr. Mosely will review the survey results and share that with council and we will determine the next step in those meetings. We also gave council the opportunity to share priorities that they would like to work on. Some ideas were shared.

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Nothing is ready to be brought forth. We had an update from administration on how things are going in 2020 and COVID was mentioned as it has a big impact on our year. Committee meeting requests were discussed. Utility Board meets next Monday at 6:30 pm. Transportation will meet at 6:45 PM September 14, 2020. Health and Safety will following that committee. Parks and Recs will meet on September 28th at approximately 6:45 pm following the utility board.

Law Director Kirkbride: As a follow up to Director Strimlan, she has been following that case and legislation is pending about municipal income tax.

President Vance: We will have an executive session at the end tonight with no further business after that.

Old Business

None

New Business

Resolution 26-20 Lorson moved that it be placed on first reading. Mosley seconded. Roll call vote; all yeas; motion carried. **Resolution 26-20**, A Resolution accepting the amounts and rates as determined by the Budget commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Discussion: This is an annual resolution after the council approves the annual budget in July it is presented to the Wayne County Auditor for review by the budget commission. After their review, the county then sends this resolution that they have prepared for property tax collection authorizing the county to collect the property taxes for the city of Orrville. It doesn't need to be approved this evening but does need to be returned to the auditor by September 30.

Lorson, being that this is annual legislation and not up for compromise, moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Mosley seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 26-20 be adopted as read. Aspiras seconded. Roll call vote; all yeas; motion carried.

Resolution 27-20 Lorson moved that it be placed on first reading. Aspiras seconded. Roll call vote; all yeas; motion carried. **Resolution 27-20**, A Resolution authorizing the Board of Control of the City of Orrville, Ohio, to enter into a contract with Kimble Recycling and Disposal, Inc., competitively bid by the City of Wooster, Ohio for refuse collection and disposal and curbside recycling services; and declaring an emergency.

Discussion: A Kimble booklet of information was distributed previously. This is a five-year piggyback off the City of Wooster contract. We have been with Kimble for 10 years. Our current rate \$12.57 with the new rate \$15.02 if we go with what they are charging or \$15.90 and freeze it for five year which is Wheeler's recommendation. This is market rate. If we don't do the piggyback, the ORC is required to go with the five year contract. Our option is to piggyback at the five year rate provided or go out for bids on our own. Wooster was previously with Waste Mangement. Wooster's Director of Administraiton Joel Montgomery is onboard with us piggybacking on to their contract. They would need to pass legislation on their end as well. They went with the variable rates. Kimble bills the City and we bill the residents. We can freeze those rates while we pay the variable rate. It is more convenient for residents knowing what to budget for. With our recycling grant, we give \$.40 per resident credit and then we charge \$.25 administrative fee for our expenses. Are their other cities we can piggyback on? Anyone that has a contract and is willing to do so. This one locks us in for the full five years as opposed to coming into a contract that been in process already. Wooster is bigger than us and they can bid and get a better rate than us. With Kimble already here, it is convience to keep the same carts. Most complaints are on windy days, and mostly recycling, it blows out and ends out on the street. You would have that with any company. This piece will go to second reading.

Regular/Public

September 9, 2020

Resolution 28-20 Lorson moved that it be placed on first reading. Widmer seconded. Roll call vote; all yeas; motion carried. **Resolution 28-20**, A Resolution authorizing the Board of Control to enter into a contract and/or contracts without bidding for the City Hall lobby remodel and declaring an emergency.

Discussion: The CARES Act funding will pay for these modifications to allow for more space in our entryway and to better accommodate visitors into city hall. Human Resource Manager Phil McFarren was present to answer questions as he oversees Ron Ballentine, our Safety Coordinator. Currently someone can walk into city hall and have access to anyone at any time without any check in. The renovations will guide citizens to the proper place and to the personnel needed will be brought out. If someone were sick or questionable, they could spread it throughout the building. This will give visitors better direction when entering and also provide better security. The majority of renovations will be covered with the CARES Act funding. Some modifications, upgraded bulletproof glass, is more for security. Similar modifications were made in the utility billing office. That will be paid with other dollars. We see many visitors that do not know which direction they need to talk to. This will provide a reception like kiosk to help give them guidance as soon as they enter the building. Is there a person in mind for this position? Many retirements are coming up and administration has been meeting fairly regularly to determine how best to manage staffing. We will hire a receptionist. We have 3-4 in the next 6-18 months that will be leaving city hall where duties will be consolidated into current personnel. That person is not yet in mind. It is a timely piece as the monies need to be spent by the end of December. Imhoff has been in to give us a quote, modifications drawn up and engineered. We are always concerned about safety whether from a citizen or a disgruntled employee. Utility bill customers come in and want to talk about their bills, upwards of 15-20 a day that walk in the building and want to sit down with Dave, currently that is not a safe prospect. While safety and security is an issue we are talking about health and peoples lives which is what the CARES money is about. Our administration is known for it's approachability and how much they go above and beyond to help our residents. At the same time, we need to keep an eye on their safety as well. We would like to move forward this evening.

Lorson, given the urgency and improvements paid for almost entirely by Federal funds, moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Handwerk seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 28-20 be adopted as read. Handwerk seconded. Roll call vote; all yeas; motion carried.

Resolution 29-20 Lorson moved that it be placed on first reading. Foy seconded. Roll call vote; all yeas; motion carried. **Resolution 29-20**, 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, 2020, and declaring an emergency.

Discussion: This goes along with the previous piece as we request modification to the 2020 final appropriations to utilize the CARES Act funding we have received to date and allowing for additional expenditures as we anticipate receiving more funding. We have received \$248,000 and anticipate \$275,000-\$575,000 more from several sources. We will have more discussion with council to utilize the incoming funds and appropriations amendments. This is for the city hall renovations and additional personal protective equipment (PPE's), touchless systems in city hall such as faucets, flush toilets, etc. Also for building and vehicle sanitation that has already occurred during the shutdown in March and April. Purchase of sanitizing machines and supplies to continue sanitizing at a more reasonable cost. IT upgrades for more online services to citizen and to our utility customers. Improve telecommunication capabilities in case of another shutdown. Expanding our bandwidth. Purchasing an electronic document management system to reduce amount of paperwork transferred among people. The list is subject to change based on availability. Approximately 89,000 other local governments across the nation are interested in purchasing similar items which could cause delivery issues. The money needs to be spent by December 31st. Ron Ballentine and Phil McFarren have joined us this evening if you have specific questions on the safety items. We have received the funding and this is a timely issue we need to complete by December 31st.

Lorson, given that funds are received and need to be spent in a timely fashion, moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended.

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Mosley seconded. Roll call vote; all yeas; motion carried. Lorson moved that Resolution 29-20 be adopted as read. Aspiras seconded. Roll call vote; all yeas; motion carried.

Good of the Order:

Vance: I misspoke, there were 22 people that responded to the survey. We appreciate their participation.

Handwerk: Spoke to Bruin Haley about the tornado safety systems, a wealth of knowledge on sirens and tornado systems. Handwerk will work with administration on recommendations for consistency in testing and the older sirens with newer radio connections.

Vance: He has an interesting hobby (Bruin). He interest in mechanical and electrical engineering, this is right down his alley and will lead to better thigns to come for him.

Mayor: Bruin has been in contact with Mayor, Mr. Wheeler and Chief Bishop quite a bit already.

Mosley: Gave recognition to those that assisted at the park clean up. We're a small city that accomplish much due to volunteers. It was a teachable moment for his children.

Widmer: Board of Election is in need of poll workers for the upcoming election. Contact the Board of Elections if you are interested.

Vance: We will not be conducting any more business after the executive session but simply come back in to adjourn.

Executive Session:

Lorson moved that council goes into executive session to consider the purchase of property for public purposes; Widmer seconded. Roll call vote; all yeas; motion carried. 8:58 PM

Lorson moved to adjourn executive session; Handwerk seconded. Roll call vote; all yeas; motion carried. 9:29 PM

Adjournment

Lorson moved to adjourn the council meeting; Widmer seconded. Roll call vote; all yeas; motion carried.

Council adjourned at 9:31 p.m.

Jeanne Gault, Clerk of Council

_____, 2020
Date

Paul Vance, President of Council