

Regular/Public

June 7, 2021

Council President Paul Vance called the regular meeting to order. Mayor Handwerk led the prayer. The pledge was recited.

Roll call. Handwerk, Aspiras, Lorson, Mosley, Foy, Widmer and Wilson all were present.

Request to amend the agenda and remove Resolution 25-21. Lorson moved to remove Resolution 25-21 from the agenda; Mosely seconded. Roll call vote; all ayes; motion carried.

Council minutes of regular meetings held May 17, 2021, were presented for approval. Lorson moved to approve those minutes; Wilson seconded. Roll call vote; all ayes; motion carried.

No Public Comment

Standing Committee Reports

Utility – Foy: No report. Resolution 22-21 this evening is to replace a water main that was installed in 2001 but some existing line is still in place. Replacing this year before the street is repaved.

Planning – Widmer: Committee met to discuss the future of the Ludwig (Manhattan) building. The Historical Society would like the City to take the building because the Railroad Heritage Society is not interested. The first step will be to have an asbestos survey done to best determine the next step.

Administrative Reports

Mayor Handwerk: Requested approval of a new member for the Design Review Board as Steve Seifried is moving. Justin Haislip was recommended for that position. Lorson moved to approve Justin Haislip to the Design Review Board; Aspiras seconded. Roll call vote; all ayes; motion carried.

Safety-Service Director Wheeler: Summer concerts kick off this Thursday with Chardon Polka Band. Next will be July 8, Blue Lunch. August 5, Derbytown Chorus from Akron. Concrete street projects have begun removing downtown curbs to replace those and work on the Ella and Church intersection. Some of the curbs have broken off since they were installed in 1993-94. Some are just sitting on the street and not attached. Kirk Avenue resurfacing has begun as a CDBG project through Wayne County. The storybook trail project has begun. Tennis court asphalt work is complete and awaiting dry weather to apply the paint. OPWC project is out for bid. Introduced Police Chief Birkbeck to give a synopsis of at-large dogs and how those are handled by the city.

Birkbeck: Thanked council for the speed signs which have been a tremendous asset. Council brought that project to the chief and it has been well received. Citations are not issued based on those signs. Park security summer help position has not yet been filled and we are looking for someone for that. Issues with at-large dogs and how they are handled will be discussed so that council will be aware of how they are handled when constituents contact council members. One complaint is, with the hot weather, don't leave your dog in your vehicle as it heats up quickly. Also the well-being of pets left outdoors without food and water. We look at the condition of the area, is it clean, do they have fresh food and water? Dogs can knock over their water so make sure their leash can't knock it over. People notice and call the police department. We don't take the dog, under ORC, only the county dog warden can seek a court order to seize the dog under those circumstances. We assess and contact the county dog warden if needed. Dogs running at large, residents call and wonder why we didn't pick them up. As police officers, if they don't come up to you but run from you, it's because they are afraid. If you try to catch the dog, it can bite you and that sets off a host of problems with a dog bite, an employee that needs rabies shots and creates a host of problems. Monday –Saturday the warden's hours are 9:30-6:00 p.m. If we cannot corral the dog, we will notify the dog warden. Or we ask the citizen to call the warden directly at 330-804-3647 waynedogshelter.org. Currently the dog warden is Katelyn Lehman and they are located at 5964 Burbank Road. On occasion we will pick up a friendly dog, or a resident will, which creates issues for us. We are now responsible for the care and wellbeing of the dog. We are one of the few that have kennels to house them. Most villages and cities do not have kennels. For us it takes over an hour to take them to the warden which then leaves us short of an officer. We can kennel it and hold it until the warden comes over. It could take a couple of days for that. Ordinances we deal with is the annual registration requiring dog tags and the ORC requires the tags be worn. Be sure you have them registered, have the tags, and that they wear the tags so your dog can be returned to you. Barking dogs Ordinance 505.21. There is no set

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time of day like our general noise ordinance. The officer must determine if a dog's barking is unreasonable. Officers will stop a distance away and listen for the dog barking. If someone is approaching a home, the dog will bark. We check to see if it is unreasonable and without provocation. Contact the chief if you have questions. Also Medway now has the TIP 411 anonymous reporting capabilities. For the Orrville Police Department, in the recipient line of a text message type in 847411. The same for Medway. For it to come to Orrville, in the message begin with OPD a space and then your tip. For Medway, type in Medway a space and your tip. Medway doesn't have their app yet but it is coming and you will be able to download the app like you can for OPD.

Question was asked if owners are notified of barking dog complaints. Yes, letters are sent. We also have the nuisance ordinance where after a few occurrences that this is happening and a problem, then they get the fine for the nuisance. Citations can be issued if needed.

Question was asked about when a citizen finds a stray dog, should they call the police or the warden. They can call the police and the dispatchers can forward the call directly to the warden. Or the citizen can hold the dog until the warden can get there.

Question about if a dog approaches a runner or cyclist and is aggressive and nips at someone and how it is handled. That is different. The dog warden will come out after hours for that. A physical bite, it is required by law to take a report for that.

Mayor: Back to the summer security position opening, any young person that may be interested in going into law enforcement future, this is a good experience for them.

Birkbeck: Yes. It's a nice feather in the cap. We have one that now serves with a police department. We were able to vouch for them.

Utility Director Brediger: State of Illinois Governor's office and legislature are looking to decommission prematurely the balance of their coal plants in their state. We have owner interest in those. This is not a federal mandate. They are looking retire the plants in 2030-2035 timeframe. We have invested in that plant until 2047. We don't have a lot of energy coming from that plant but is likened to the Governor of Ohio saying you have to move up your mortgage payment on your house by 15 year or else we are taking your house. That plant was put in service in 2012. Many of the owners are on edge. Cleveland has interest in this so you may see it in the news.

Finance Director Strimlan: The Senate Finance Committee released proposed changes to HB110, the state's operating budget. Changes would retroactively alter language to section 29 of HB197 adopted in March 2020 by Governor DeWine. That's the section that temporarily froze the municipal income tax withholding procedures for non-resident employees. They are adding language that would require municipalities to honor refund requests back to March of 2020. That's a big concern for us. We had contacted Senator Roegner with our concerns for Orrville and the State's perspective. Mayor also reached out to Representative Wiggam who has requested a meeting so we can express our concerns to him. We are concerned about the refunds on a closed fiscal year and also how this will impact the treatment of employees to continue to work from home and how their withholding tax will be treated. If you have a chance, reach out by email or phone to our representatives in the house and the senate and give them an idea of what the impact to Orrville would be. We hope they take it under consideration. As a reminder, budget books will be sent out next Friday. If you have question, contact Director Strimlan. Let her know if you require a workshop.

Law Director Kirkbride: At our next meeting we will have proposed legislation for the changes to the Charter. We would like to have it on the November ballot so it is due early August.

Council President Vance: As we meet together again in person, this room is not set up for social distancing with microphones and camera angles. If we had to wear masks, we didn't want to meet that way. Those mandates and restrictions were lifted and we discussed it at last meeting. Everyone was positive to meet in person. We now have the building sanitized and take bacteria counts before and after the cleaning. We have hand sanitizer available. Our gallery has room for a normal size crowd. It is valuable to have the interaction together in person. Meeting virtually we could record the meetings and also people could join live. At a recent zoom committee meeting we had 27 people logged in. That would be a huge crowd in person. There was additional access for residents to tune in and share their views and comments. We could post those recordings and it would be around 2,000 views of those watching the meeting recordings. We want to continue that level of accessibility and interactivity with the public and our IT department is researching various options we may have to do that. We don't have an unlimited budget but we will see what is possible. Welcome

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Mrs. Foy, the newest council member who joined us last June but we haven't actually seen her. Great to have her with us and the contributions she's been making. Welcome Armstrong Utilities. Mike has joined us and is excited about serving our community. You can see all his equipment to cover our meeting. Mike has agreed to accept the responsibility to upload the meeting recording to the Armstrong YouTube channel. That will help us increase the avenues to share these meetings. We appreciate Armstrong's commitment to our community and making these meetings publicly available. Also, it's great to have the Daily Record back with us as well. Thanks Sam for coming tonight. At our next council meeting we will be bringing a liquor license permit to council so we will give you a chance to review that before.

Old Business

None

New Business

Resolution 22-21 Lorson moved that it be placed on first reading. Handwerk seconded. Roll call vote; all yeas; motion carried. **Resolution 22-21**, A Resolution authorizing the Director of Utilities to enter into a contract and/or contracts, without bidding, to modify the water mains on West High Street, and declaring an emergency.

Discussion: Existing water lines that extend north of Crown Hill on High Street, west to the city limits. We have two water mains that serve that region. One put in over 60 years ago that serves 23 customers that has been leaking. We will abandon that line and integrate those onto the newer line. And make those connections before Mr. Wheeler does the street upgrades on that portion of High Street later on this summer. Roughly \$93,000 of contractor work and about \$20,000 of materials. The leak problems the last 5-6 years will be eliminated and there will be better flow. About 20 days of construction with cuts in the road to make the taps. We will not replace any lines but multiple taps into the other line and will seal the smaller line. Anytime there is upcoming street work we compare that against our list of issues we have to see if we can get it done before any street work. It was requested to approve tonight to secure our contractors.

Due to the necessity of taking care of the water line before we do the street work, based on that Lorson 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 22-21 be adopted as read. Foy seconded. Roll call vote; all yeas; motion carried.

Resolution 23-21 Lorson moved that it be placed on first reading. Wilson seconded. Roll call vote; all yeas; motion carried. **Resolution 23-21**, A Resolution authorizing the Mayor to enter into a Partnership Agreement with the City of Wooster and Wayne County for applying to the Ohio Department Services Agency for a Small Cities Community Development Block Grant for Community Housing Impact and Preservation (CHIP) Funds and declaring an emergency.

Discussion: This is a million dollar CHIP grant in partnership with the City of Wooster receiving \$350,000, Orrville would receive \$261,000 and Wayne County would receive \$400,000 if the grant is approved. The money is then eligible to property owners on an income based grant to help with home repair, down payment assistance, homeowner rehabilitation and those kinds of projects. It is very critical to our community and to those that need a little help making improvements to their home. If this grant is approved, Kristin will come before council to give an update on it and get the word out so property owners are aware of the opportunity and the process required in order to get the funds. Request approval tonight to move forward with the application.

Given this is money applied for to get our fair share along with the County and the City of Wooster, Lorson moved that the rules, regulations, and statutes requiring the reading of a resolution on three separate days be suspended. Widmer seconded. Roll call vote; all yeas; motion carried. Lorson

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moved that Resolution 23-21 be adopted as read. Wilson seconded. Roll call vote; all yeas; motion carried.

Wheeler: Mr. President, there is a typo in the title of Resolution 24-21. The title it says Orr Pool Bathhouse Renovations. It should say Orrville Park Gateway Project. I would ask that be amended to reflect the change. The legislation is exactly how it should be; just the title.

Kirkbride: We need a motion to amend the title as the body of the legislation is correct. To remove Orr Pool Bathhouse Renovations and replace with Orrville Park Gateway Project.

Aspiras moved to amend Resolution 24-21 with the removal of Orr Pool Bathhouse Renovations in the title and replace it with Orrville Park Gateway Project. Widmer seconded. Roll call vote; all yeas; motion carried.

Resolution 24-21 Lorson moved that it be placed on first reading. Mosely seconded. Roll call vote; all yeas; motion carried. **Resolution 24-21**, A Resolution authorizing the Safety – Service Director to enter into an agreement with the Ohio Department of Natural Resources for grant funds for the ~~Orr Pool Bathhouse Renovations~~ Orrville Park Gateway Project and authorizing the Board of Control to advertise for bids and enter into a contract and/or contracts and/or to procure quotes and enter into a contract and/or contracts without bidding for the project, and declaring an emergency.

Discussion: This is an Ohio Department of Natural Resources grant that was submitted in the annual state budget last year to move forward on two projects. One being a new restroom facility in what we are calling the gateway park area, where the bowling alley was prior. Also a potential spray park which we are still looking at potential locations. There are logical reasons to have it close to the pool, lifeguards and such. ODNR is aware we are looking at locations and are okay with that. \$341,000. Representative Wiggam was an influential part of this process and Senator Roegner. What amount the grant will cover of the project we won't know until we go out for bid. Spray park estimates are larger than what you would think but it will cover a large portion of it. We budgeted extra for the restrooms this year and the spray park next year's budget with extra in there as well. The restrooms will be between the ballpark and the pickleball courts. Will the oak trees be cut down? Our goal is no removal of trees. It is a matter of getting the agreement done on our end and maybe bid the restrooms out this year.

Given that this has been well researched and looked at for a long time, we applied for the grant funding over a year ago, based on that Lorson 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 24-21 be adopted as read. Wilson seconded. Roll call vote; all yeas; motion carried.

Adjournment

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

Council adjourned at 8:29 p.m. Our next meeting is June 21, 2021.

Jeanne Gault, Clerk of Council

_____, 2021
Date

Paul Vance, President of Council