



COMMITTEE WORK SESSION JANUARY 20, 2009

Committee Members Present: Ken Braman
Brenda Hlas
Tom Jones
Dennis McGlone
Bill Mowery-Excused
Mike Zita
Scott Pelot

Also Present: Mayor David Koontz
Rick Ryland-Excused
John Moss
Karla Richards
Ann Campbell

The Committee Work Session convened on Tuesday, January 20, 2009 at 7:01 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

Public Comment-Non Agenda Items:

Ms. Charlotte Whipkey, a Norton resident, commented on the change to the agenda layout and asked why it was not voted on to approve the change and who authorized the change? Mr. Zita stated it does not have to be voted on, and as Council President he can change the agenda layout. Ms. Whipkey asked about the agenda and non-agenda items? Mr. Zita replied this would be discussed later in the meeting. Mr. Pelot added the public could talk on any issue tonight. Ms. Whipkey asked how the President has this right, it doesn't say that anywhere. Mr. Zita stated he just does, it may not be in the Council Rules but it is up to the President of Council to make that call. Mr. Zita stated he also made this change at the first meeting of the year, we tried it last year and it worked well and he wanted to do it for this year. Ms. Whipkey asked why Council didn't stick to it last year, and Mr. Pelot stated we thought we would address it at the beginning of this year to make it consistent for the whole year. Ms. Whipkey complained about having only five (5) minutes to get all of their issues addressed, and sometimes that just can't be done, its censorship. Mr. Zita stated its not censorship, if there is something you cannot address during the Council meeting, you are welcome to contact your Council person during the week. You still have an opportunity to talk at every meeting.

Committee Work Session General Discussion:

Approve/Modify Council Rules

Mr. Pelot stated that everyone has a copy of the proposed changes from the last meeting, asking for any further changes, modifications or comments. Mr. Jones discussed Rule 202 stating in the past we have allowed people to speak in Committee Work Session on the topics at hand and now we want to limit it to a one time, five (5) minute period. The people have the right to speak on these topics, they are the ones that pay the tax bill for all of us. Mr. Jones stated that taking this right away, to him seems unconstitutional. Mr. Jones stated that you have heard that word before. They are only allowed to speak, according to this new changes here, twice a month for a total of ten minutes, that is absolutely wrong. Mr. Braman stated that for once he has to agree with Mr. Jones on this. A lot of other communities are set up this way, we are different, and we have always allowed people to speak on agenda or non-agenda items. Mr. Braman stated that the public knows we meet every Monday night and they might become confused whether it's a Council or Committee night. Mr. Zita stated that whoever said they are only allowed to speak one time for five (5) minutes, he was not sure where that came from. It was discussed in a previous meeting, that when we get to the individual topics of discussion, if the Chairperson of that committee wanted someone from the audience to come back up to the podium, we would like to keep it within the five (5) minutes for a combined total. Mrs. Hlas clarified for a Committee work session the public can talk about any subject, during the Public Comment time they are limited to the five (5) minutes. They can still come up and speak during the individual topics as they have always done. Mr. McGlone stated that basically nothing has really changed, and Mr. Pelot agreed. Mrs. Hlas stated that it's the same sentence, it is just re-worded. Mrs. Hlas stated that we are just cleaning up the Council Rules to match what we have been doing. Mr. McGlone did agree with Mr. Braman that some residents may be confused as to when they can speak, they would have to wait two (2) weeks to speak. Mrs. Hlas stated they could ask to be heard, and Council could waive the rules for that instance if they so choose. Mr. Jones discussed the problem with the public disguising the difference between the Council and Committee meetings. The only way they could tell the difference was they way we dressed because we say the prayer at every meeting. Mr. Zita asked if Mr. Jones was suggested we do away with prayer at a Work Session and Mr. Jones replied he suggested that last year or the year before that prayer was not necessary for the Work Session. Mr. Jones stated he just wanted to give the people the right to speak their mind, and if they want to give us some guidance he is all for it. Mrs. Hlas stated she felt the Council meeting is our legislative meeting, and should be where we vote and stay on topics and we could be done. There was discussion on having different meeting days for Committee meetings as was done in the past and the history of doing it that way as well as the reason for changing to the current format. Mr. Pelot stated this topic would be continued to the next Work Session since Mr. Mowery was excused.

Amend Ord. #2-2008-Ward Posting Locations

Mr. Pelot stated since Cleat's has closed for now everything has been approved for posting at the Duke and Duchess Station at St. Rt. 21 and St. Rt. 261. Mr. Pelot moved to place this on Councils next agenda, seconded by Mr. Jones.

Roll Call: Yeas: Pelot, Jones, Braman, Hlas, McGlone, Zita
Nays: None

Motion passed 6-0.

Set date for Annual Workshop

Mr. Pelot discussed some possible dates for the Annual Workshop and most were in agreement for a Saturday from 8:00 AM to 12:00 PM. The potential dates of February 7, February 21 or February 28, 2009, and possibly March 14, 2009. Mr. Pelot asked everyone to please check their calendars and get back to either him or Mrs. Richards with your best choices as soon as possible.

Appoint Council Representative - Norton Health Advisory Board

Mr. Pelot asked for any volunteers for this year, noting that Mr. Braman had served the last two (2) years, there were no volunteers. Mr. Zita stated since there were no volunteers, as President he appointed Mr. Jones, who declined. Mrs. Hlas volunteered.

Ms. Whipkey asked to discuss items under A-Council Rules, Item 106-Committee Work Sessions and the mandatory requirement to attend. Ms. Whipkey questioned if the same rules reply as in the Charter if you miss three meetings in a row because it is not stated in the Rules. Mr. Zita stated the intent was to have these two sections mirror each other. Ms. Whipkey stated you should state this in the Rules to be clear. Ms. Whipkey discussed picking up mail by Sunday and asked about email because Council receives their packets via email. Mr. Pelot clarified Council does not get their packets by email, only the agenda. We still have to come and pick up the packet. Ms. Whipkey discussed Section 504-Archiving of audio & video tapes; adding that a few years back Mayor Price stated everything was to be stored on a CD or DVD. Mrs. Hlas stated we have a records retention committee that decides what is stored and purged. Ms. Whipkey stated she was aware that DVD's were being made at some point and now it states they are being destroyed. Mayor Koontz stated that Mrs. Richards keeps the official approved written record of the minutes.

Appoint Representatives - Volunteer Firefighters Dependents Fund

Mr. Pelot asked for any volunteers, Mr. Braman and Mr. McGlone volunteered. Mr. Pelot moved to place this legislation on Councils next agenda, seconded by Mrs. Hlas.

Roll Call: Yeas: Pelot, Hlas, Braman, Jones, McGlone, Zita
Nays: None

Motion passed 6-0.

Income Tax Credit Reduction

Mrs. Hlas stated Mayor Koontz has requested Council consider the possibility of adjusting the income tax credit, and turned the discussion over to the Mayor for the details. Mayor Koontz stated a sewer study was done in 1997 and in 1997 and 1999 a water study was done. Mayor Koontz stated just about every politician in the City of Norton over the past thirty years has said that we need to expand our sanitary sewer and

water line systems. As he walked throughout the city in 2007 while he campaigned for the office of Mayor, many people stated they were anxious to have sewer and water in their neighborhoods. Some told him the city had been promising sewers since the 1960s! Mayor Koontz stated he has listened to these people, and he intends to carry out the charge they gave him, to bring sanitary sewer and water lines to the people. As you know, this year we will complete the task of replacing thousands of feet of undersized temporary water lines, and we installed new waterlines along Wooster Road and Cleveland-Massillon Road over the past 10 years. We have also installed some sanitary sewers along Barber Road and Wooster Road, but these were put in over 10 years ago. But there has not been a serious citywide expansion of either system. We know that we can not have economic growth without sewer and water, and this is why growth of businesses in Norton has been stagnant. In addition, we know that our failing septic systems continue to pose an expanding threat to our environment and to the health of our citizens. It is time that we take seriously our responsibility as elected and appointed officials, and commence with a comprehensive program to extend our sanitary sewers and waterline network. It will not be easy to address this challenge, and it will not be cheap. We in the Administration have been working very hard to identify sources of outside funding, but there would most assuredly be requirements for local matching funds. We will not likely receive 50% grants like we did for the recent waterline replacement projects. On those projects, the local share was assessed to the landowners, so very little cost was borne by the city and the taxpayers in general. This will have to change for our future expansions. Part of these networks will be trunk lines that are oversized and possibly located in areas with fewer homes than normal. These factors make these lines too expensive to assess the full cost to the homeowners, so we will have to find a way for the city to share in the cost of these trunk lines. The aforementioned lack of business growth, and along with it a lack of increased workforce with its income tax revenue, has put an ever-increasing burden on our taxpaying citizens to pay for the essential city services we all enjoy. Adding the additional burden of paying for extending sanitary sewer and waterlines is just not feasible, and so Mayor Koontz asked that all working citizens of Norton share in this challenge by paying a small fraction of a percentage of their income to the City for this purpose. Mayor Koontz stated he became aware that some on Council were opposed to this idea, without even hearing any details of our reasons for the request, without hearing the scope of the need for the sake of our growth, our environment, and our health. They were opposed without even hearing from their constituents, or letting them take time to think about the problem on a city-wide level or on a personal level. Mayor Koontz stated he believes the citizens of Norton are smart enough to recognize a problem and appreciate our efforts to find a solution. We should not give up on this challenge so easily. President Barack Obama took the oath of office today, and gave an inaugural speech in which he spoke of the challenges that our great nation is facing. Mayor Koontz shared some of his speech, which he felt was particularly pertinent to the challenges we face: *“ Today I say to you that the challenges we face are real. They are serious and they are many. They will not be met easily or in a short span of time.... Our capacity remains undiminished. But our time of standing pat, of protecting narrow interests and putting off unpleasant decisions, that time has surely passed. Starting today, we must pick ourselves up, dust ourselves off, and begin again the work of remaking America. For everywhere we look, there is work to be done. The state*

of the economy calls for action, bold and swift, and we will act, not only to create new jobs, ... and to lay a foundation for growth” Mayor Koontz stated it sounds like it was written for us. Mayor Koontz stated this is not something to resolve tonight. We are still looking at getting the economic stimulus growth money and we have just meet with LNE Consulting. They are a consulting firm whose specialties are to bring Federal money to local communities for sewer and water. Mayor Koontz stated that in the past Issue II money was used for replacement only. Mr. Pelot stated thirteen (13) percent of the residents work in Norton and pay their taxes here, while the other eighty-seven (87) percent pay zero taxes to Norton, and this would not affect retirees. Mr. Pelot stated he wants to have more input from the residents on this issue, and it is only a .5 percent reduction. Mr. Pelot made some general calculations; \$100,000 income would pay an \$42.00 per month, \$50,000 income would pay \$21.00 per month, \$40,00 income would pay \$17.00 per month and \$30,000 income would pay \$12.50, \$20,000 income would pay \$8.37 per month. Mr. Pelot stated that would be a generate \$600,000 in revenue a year. We would have a return on our investment because we would attract more businesses to Norton. Mr. Richard Easterling, a Norton resident, commended the Mayor, Administration, and Council for addressing this. It has to be done, it’s not going to be easy. Mr. Easterling stated we need to educate the residents on this and he supports Council on this and would like to help any way he can. Mr. Braman stated that this may be a big way to help the residents who will be faced with the failing septic systems. Mrs. Elaine Tompkins, a Norton resident, spoke in favor of this adjustment, it is way overdue. However, the timing is all wrong, specifically with the trend with the schools. Mrs. Tompkins suggested if you do go into this that you do so for a specific time limit, adding that a .5 is really only about at thirty-three (33) percent reduction. Mrs. Tompkins suggested going out for maybe ten (10) years or so to write the bonds and that this is just one step in the process. Mrs. Tompkins stated the income tax should come back to the community where the residents receive their services. This will be a mammoth job to sell to the community because of the schools. Mrs. Tompkins stated that senior citizens live here too and we should be willing to help if there is a specific time limit attached to it and earmarked for a specific job, which was the one thing we missed with the Fire Dept. levy. Ms. Whipkey stated she could understand your problem here but expressed concerns that some are not willing to do it because of losing their jobs. Ms. Whipkey discussed the idea of going back to the Cities and getting back that .25 percent to the City of Norton without having to raise taxes. Ms. Whipkey stated that if a ballot issue was proposed it would force them into to do this, the smaller cities would outnumber them. Ms. Whipkey stated that if you could swing it we could end the reduction sooner. Mr. Jones discussed the water coming from Barberton and the enormous water bills our residents pay to the City of Barberton. Mr. Jones stated he is not against having water and sewer that would be grand, however if we could approach Barberton and talk with them to help defray the costs for the people presently. Mayor Koontz stated we are in ongoing discussions with Barberton on that same issue. We have our tap in fees, the County has their fees and then there are Barberton fees. Mayor Koontz stated we are also discussing the rates with the County to see what we can work out. Mr. Jones stated times are tough, people are losing their jobs, losing their homes, etc. Mr. McGlone asked about the money currently in the water and sewer funds and their intended use. Mr. Moss stated that funds are to be used for the replacement and expansion of the water and sewer systems.

Mr. McGlone stated that some of these residents would still continue to be paying these surcharges. Mr. Moss stated that money we need here is money to go forward, not back. Mr. McGlone stated he would like to see this go to the ballot and let the residents tell us this is what they want, he would be more comfortable with that. Mrs. Hlas stated we have all heard this from the residents, it is well past time to get it done. We are elected to do a job, we need to talk to our residents, listen to them. We have some hard decisions to make and we all need to do our homework. Mr. Jones stated that these improvements would increase the value of your homes, and would eliminate the issues of failing septic systems and clean up the water tables. Mr. Jones stated the hard part is selling it and promoting it. Mayor Koontz agreed that selling it will be difficult, and that will be his job. Mr. Pelot expressed concerns about making sure these funds would be securely earmarked for sewer and water projects only. Mr. Moss indicated that anything done by legislation by this Council would be on the table to be reversed by any subsequent Council, however there are other ways to put legal limitations to it. Mr. Easterling questioned if Norton would be getting its own treatment plant in the future. Mr. Moss stated we are not to that point yet, the question is what is best for the City; to own our own, go with the County, the City of Barberton.

Unfinished Business:

Mr. Jones asked Mr. Moss about his recall election reimbursement expenses and Mr. Moss stated that he is waiting for the purchase order to be signed. Mr. Zita stated he had discussed last Friday with Mr. Jones and Mr. Moss. Mr. Zita indicated that a resident brought it to our attention, before the Christmas break. Mr. Zita stated that he has reviewed the documents and is waiting for the Law Director to return from vacation to review it with him. Mr. Zita stated even though it may be according to law the auditors may have a problem with it. Mr. Moss stated this will draw a red flag with the auditors and we want to make certain we are doing it correctly, this is something that has never been done before. Mr. Jones stated it is under Ohio Revised Code, Section 705. 92. Mrs. Hlas asked how much the request is for? Mr. Moss replied approximately \$470.00 something. Mr. Moss stated the law reads fifty (50) percent of the actual expense or the amount limited by law, whatever that is.

Mr. Moss commented about the salt usage, and that we started the year and have purchased 4,900 tons of salt. We have used 4,000 leaving us with 900 tons, and we have more on purchase. We thought we were ahead of the game, and now we need to rethink about restocking our supplies so that we do not fall short for next year. Mr. Moss stated the salt storage dome is under construction and moving along as scheduled. Mr. Moss stated that our current contract price for salt is \$44.00 per ton and we are limited to a specific amount for that price. Mr. Pelot questioned if the city has ever used cinders to help with the slick roads and Mr. Moss replied we do not, it can cause problems backing up into various storm sewers.

New Business:

Mr. Jones stated he recently discussed the NES silos with Mr. Moss and that the Akron Barberton Cluster Railroad, which goes right by there, has use in mind for storage. Mr. Jones suggested Mr. Ryland contact Mr. Les Ashley, the General Manager, about that situation.

Mr. Ashley had indicated he had a firm that wanted to use the silos to store polymer pellets. Mr. Moss indicated that NES had no plans to use these silos or to spend the money to dismantle them.

Mayor Koontz stated as he mentioned earlier he met with the LNE Group recently and would like Council to consider hiring them to go after funding for water and sewer projects. Mayor Koontz indicated there is a very short time frame, it is due in middle of February to the State Senators. Mayor Koontz indicated their fee is approximately \$50,000.00 to \$60,000.00 and is paid out at \$4,000.00 to \$5,000.00 per month until June or July and by that time you would know if you have the funding. If it is not a go, then you quit making payments. There was discussion to get this on the next Committee Work Session agenda and more information would be available as soon as possible.

Mr. Pelot asked about the position for Planning Director and Chief of Police. Mayor Koontz stated we have three (3) applications for the Planning Director position that are very decent. Mayor Koontz stated that the Police Chief position is still pending with the Civil Service.

Mr. Zita questioned the status of the one Police Dept. cruiser that was hit on the highway during the last snowstorm. Mr. Moss stated initially it was thought this vehicle was totaled, now that may not be the case. Mr. Jones asked what year this vehicle was, and Mr. Moss replied it was approximately two (2) years old.

Topics for the next Work Session:

Charter Amendments-Legal Advertisements, Approve/Modify Council Rules, Set Date for Annual Work Shop, Income Tax Credit Reduction. Public Hearing for the rezonings.

Mr. Jones discussed the legal advertisements requirements, and Mrs. Richards clarified that this was due to the fact we had to run five (5) legal notices for the demolition of the house on Easton Road because we are lacking a section in the Charter and had to follow Ohio law. Mr. Kostoff suggested we insert a new section in the Charter that addresses legal advertising to two (2) publications instead of five (5). Mr. Jones suggested contacting the Akron Beacon Journal to get a cost break on legal ads. Mrs. Richards stated that they don't offer such discounts. Mr. Pelot stated that last fall Mrs. Richards looked at a number of different options to reduce the costs and this is the best we can do.

Mr. Moss asked to have discussion for the Budget and Capital project added for the next Work Session.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:38 PM.

Mike Zita, President of Council

****NOTE: THESE MINUTES ARE NOT VERBATIM****

All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.