



COMMITTEE WORK SESSION FEBRUARY 2, 2009

Committee Members Present: Ken Braman
Brenda Hlas
Tom Jones
Dennis McGlone-Arrived at 7:19 PM
Bill Mowery
Mike Zita
Scott Pelot

Also Present: Mayor David Koontz-Excused at 9:00 PM
Rick Ryland
Pete Kostoff
John Moss
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, February 2, 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. Whipkey, a Norton resident, spoke regarding the draft of Charter amendment Ord. #13-2009 in the packet as it references 121.22 of the Revised Code. Shouldn't this be the Ohio Revised Code? Ms. Whipkey asked if this wasn't a sneaky way of implement executive session? Ms. Whipkey commented that all throughout the Charter there is no such reference to a Revised Code. There is only one reference to the Ohio Revised Code in Section 5.03 under Board of Control. This is just a fancy way of getting executive session. Ms. Whipkey asked why are we all of the sudden initiating numbers into the Charter? Ms. Whipkey discussed the recent article in the Beacon Journal about Norton getting the "robocar". Ms. Whipkey stated she had a problem with storing innocent people's information in the database, it should be booted out if nothing is red flagged. It's an infringement upon our rights. Something needs to be done about it and mandate that this information is deleted. Ms. Whipkey discussed a recent situation where a woman, in another community, was arrested and thrown in jail overnight over a \$2.00 fine on unpaid city taxes.

Mrs. Elaine Tompkins, a Norton resident, discussed the recent increase in the MAD fees and how they intend to enlarge into Coventry Township and the fact that we gave no say

on the matter one way or the other. Ms. Tompkins encouraged the Administration to return to the Summit County Health District and then sue for divorce from MAD, we were brought into this marriage unwillingly. Ms. Tompkins stated we would be much better off with Summit County because this is nothing more than a duplication of services. Ms. Tompkins discussed the drafted Charter amendment for sale of property, commenting that this was much too broad. She would rather see this narrowed down specifically to small items, exempting any of the land we own for anything. Ms. Tompkins discussed location of the new fire station and the statements made in the West Side Leader that we would continue to use the Community Center as the new fire station site, and asked Mr. Ryland if this was correct? Mr. Ryland stated that is yet to be determined. Tompkins asked who has reviewed and approved the plans? Mr. Ryland stated we have plans to use that existing site. There is also a set of plans that using the Beldick property if we are able to acquire it, and we may or may not need to use the community center. Mrs. Tompkins clarified that no one on Council or in Administration has ever stated that the community center would not be used, and Mr. Ryland agreed. Mrs. Tompkins discussed the Johnson Meadows project and asked where the city is with this because this project expired on December 31, 2008? Mrs. Tompkins stated it is time to call in the note on this project and put it on the assessments. Mrs. Tompkins stated that they have made it well known throughout the community that it was the fault of the City of Norton that they were unable to get their project moving. Mrs. Tompkins urged everyone to re-think how they handled the Johnson waterline that was put in exclusively for their own use, which they did not contribute to.

Committee Work Session General Discussion:

Mr. Zita announced unless there was any objections from Council, he would adjust the agenda items until Mr. McGlone arrived.

Codified Updates

Mr. Pelot stated this is boiler plate legislation that we do every year and needs done to keep the code updated through the end of 2008. Mr. Pelot moved to place this on Councils next agenda, waiving second and third readings, as an emergency, seconded by Mrs. Hlas.

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

Motion passed 6-0.

Reappointment to Health Advisory Board

Mr. Pelot stated this is to re-appoint Mrs. Spisak to the Norton Health Advisory Board, her term expired on December 31, 2008 and she is interested in serving a second term. Mr. Braman stated he served on the Board with Mrs. Spisak and she does a fine job and is always in attendance. Mr. Pelot moved to add this to Councils next agenda, waiving second and third readings, as an emergency, seconded by Mr. Braman. Mr. Pelot stated that some residents might question why we don't just do them all at once and hold one public hearing for all of them. Mr. Pelot explained the reason is because of the short time restriction and requirements relating to the process.

Roll Call: Yeas: Pelot, Braman, Jones, Mowery, Braman, Zita
Nays: None

Motion passed 6-0.

Various Agricultural District Renewals

Mr. Braman stated these are all renewals for Agricultural Districts and we are now up to a total of six (6) applications. Mrs. Richards concurred we have five (5) presented, and one (1) just filed. Mr. Braman stated most of these are in his ward and are definitely agricultural. Mr. Kostoff clarified the five (5) being presented are ones that the Planning Commission will have made their recommendations by the time it comes to Council next week. The one recently filed and any others will be addressed at a later time. Mr. Braman stated he would be attending the Planning Commission's meeting tomorrow evening. Mr. Braman stated that the public hearings would be next Monday along with the first readings and we may waive the third reading. Mr. Braman moved to add these to Council's next agenda for a first reading only, seconded by Mr. Pelot.

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

Motion passed 6-0.

Automatic Snow Ban

Mr. Mowery turned this over to Mr. Ryland for the details. Mr. Ryland explained he would like to modify the current code to make this automatic when the snowfall is equal to or greater than three (3) inches, the automatic snow parking ban would go into effect. We would still continue to notify the press and radio station, but this may help to get the cars off of the roads quicker. Residential streets are extremely difficult to do. Mr. Jones inquired about the number of cars and what streets we are looking at, and Mr. Ryland replied he really had no idea. Mr. Jones asked who our current towing company is? Mr. Ryland replied Bills Towing and that is currently under review. Mr. Jones questioned how would you tow a dozen or more vehicles from one street? Mr. Ryland replied we are looking at using a rotating system using several different towing companies. Mr. Zita stated it is difficult for our crews and snow plow drivers to do their jobs and this would be a win-win situation both ways. Mr. Pelot stated this is an excellent idea, everyone would know up front, they don't have to wait and hear it on the radio. They know if we are expecting more than three (3) inches they need to move their vehicles, and it provides better access for our emergency vehicles. Mr. Mowery discussed issues with damages to residential mailboxes and that the city holds no liability for repairs. Mr. Ryland concurred that if a city plow truck destroys a mailbox we are liable, however if the weight of the snow coming off of the plow strikes the mailbox we are not liable. Mr. McGlone discussed the snow that piles up around fire hydrants and who was responsible for clearing that. Mr. Ryland stated it is the homeowner's responsibility to keep them clear. Mr. Kostoff stated he would prepare legislation and would have a draft for Council to take a look for their next meeting. Mr. Mowery moved to add this to Council's next agenda, seconded by Mr. Jones.

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

Motion passed 7-0.

Approve/Modify Council Rules

Mr. Pelot stated this has been discussed several times and some had concerns with Rule 202. Mr. Jones stated that he likes to hear what the public has to say, we get guidance and ideas from them, he doesn't have a problem with it. Mr. Jones stated that this is taking away their rights away or muzzling them. Mr. Jones stated he wants to hear from them when we do it right and when we do it wrong. Mr. Jones distributed his version of what he would like to see 202 changed to, (see attached). Mr. Pelot asked what has changed from the proposed changes in the packet, and asked Mr. Jones to read is proposed changes. Mr. Jones discussed his relating to a one-time limit of five (5) minutes per meeting and the limits to agenda items at a Council Meeting. Mr. Jones discussed the Committee Work Sessions changes he proposed that during General Topics of Discussion the public should be limited to agenda items with a five (5) minute time limit per topic. Mr. Jones stated let the people speak, they are paying the bill. Mr. Pelot stated as the Rules on this issue stand now, when the public comes to discuss a topic under General Topics of Discussion there is no time limit, and you are placing one on them with your modification. Mr. Jones stated he was talking about the reference to the same one time limit of five (5) minutes per meeting. Mr. Jones stated as he said a few weeks ago, if we take this direction you are only allowing the public to speak a total of ten (10) minutes out of every month to speak. Mr. Jones stated he wished the residents would come to Council and speak out and let us know things that are going on out there, sometimes we are not aware of issues. Mr. Zita stated he did not feel the citizens need to come to a Council meeting to tell us what the problem is, they can call us on the phone and let us know. Mr. Zita stated this is not necessary and it takes away from Council business. Mr. Zita discussed Mr. Jones' reference to muzzling the residents, and pointed to Rule 108, which states under Committee Section, and the restriction of agenda items only was deleted. Mr. Zita stated his goal was not to put a muzzle on anyone, it was to refine the Rules. Mr. Zita discussed his drafted agenda layouts that he submitted a few weeks ago including keeping Council meetings limited to the agenda items only. Council meetings are a formal business meeting for legislative action and should be limited to agenda items. Mr. Zita stated he is only asking for some consistency in that regard. Mr. Zita stated that it used to be you could address agenda items only during Committee meetings. Mr. Jones argued that he wants the residents to be allowed to discuss the other topics without using up their five (5) minutes. Mrs. Hlas stated that they have that opportunity to do that now. Mr. Jones discussed the mandatory requirement that all Council members attend Committee Work Sessions on page #4, and asked Mr. Zita how he plans to enforce that? Mr. Zita stated that it is just like the Annual Workshop, you are all paid to be here and get work done for the city. Unless you are excused, when at all possible he would like to see everyone attending all of the meetings. Mr. Zita stated as far as enforcement, he would have to deal with it if it arises. Mr. McGlone questioned if we would need to re-write the Charter because of the way it reads, and Mr. Zita replied, no because Committee and Work Shops are not defined in the Charter. Mr. Zita stated that he could not imagine

that for six (6) weeks with somebody not here and not having a legitimate reason as why they can't be here. Mr. Jones stated he could not recall anyone missing several Work Sessions unless they were on vacation or sick. Mr. Zita stated that last year we started to fall into a routine where if we didn't have something on the agenda that concerned us, we didn't attend the meeting. Mr. Jones stated it looked a little weird to him. Mr. Zita stated that he is just keeping it consistent, and if we don't purposely take off and not worry about being absent, it should not be a problem. Mr. Jones stated if he has something he has to do or that is important he would call Mr. Zita or Mrs. Richards and let them know as he has done so in the past. Mr. Mowery discussed when he was originally on Council, the Committee Chair organized and held their own meetings, it runs a lot better now. It implies that we all should be here and we have all of the information. Mr. Mowery stated it is hard to limit the public and their time because we don't have a digital clock for them to see their time. Mr. Mowery stated this is not a problem for him, we need to be more open with the public, and suggested getting a clock for the residents to see their time. Mr. Ryland discussed Rule 702, its no longer in effect. You may still have the panic button, but there is no one downstairs. Mr. Kostoff stated this is the first time he has seen these Rules and would like the opportunity to review them. If there is ever something within these rules that he would have to enforce, he would like to make sure there isn't something unclear or nebulous or inconsistent. Mr. Braman stated he would like to see both agenda and non-agenda items at both meetings, and Mr. McGlone agreed. Mrs. Hlas, and Mr. Zita stated they like the way they are currently submitted. Mr. Pelot stated it appears the majority feels the public should speak on any subject at any meeting. Mr. Zita stated he would like to keep the agenda layout drafts the way they are at this point unless there is an objection, adding the agenda and non-agenda items to the Regular Council Meeting. Mr. Pelot asked Mr. Kostoff to please review these and report back to Council. Mr. Kostoff asked Mrs. Richards to provide him with what the majority of Council wished to change and he would review them. Mr. Jones discussed the sign in sheet where it references not to address Council as a whole not individually. If we are not going to enforce this take it off of the sign in sheet. Mr. Jones stated he discussed this back on January 5, and the minutes reflected this issue would be up to the discretion of the Council President. Mr. Jones stated over the years, even with Issue #45-Summit County Sheriff issue, several residents have used his name. Mr. Zita asked if anyone has used his name at the podium since January 5, 2009? Mr. Jones replied no. Mr. Zita stated that he would control when a Council member's name is being used; the speaker is finished talking and the form remains as is. Mr. Zita stated a resident had suggested we add one column for Ward location to the form, and all were in agreement. Ms. Whipkey discussed the proposed changes as to when and at what meeting the public could speak. Ms. Whipkey referenced the statement of the same one time limit of five (5) minutes per meeting not per topic. The way it is written this means you can speak one time for five (5) minutes. Mr. Pelot and Mrs. Hlas pointed out that this rule applies under the Public Comment section only. Ms. Whipkey suggested removing the per meeting phrase. Mr. Pelot stated there has never been a time limit on the individual topics of discussion it's confusing. Ms. Whipkey asked why you don't set a time limit per topic, Mr. Zita replied that its to allow dialog and time is not to be limited. Mr. Pelot clarified we are discussing communication under Public Comment, not Topics of Discussion.

Set Date for Annual Workshop

Mr. Pelot stated that several potential dates were suggested and it appeared the best available date would be Saturday February 21, 2009. Mr. Pelot asked Mr. Ryland if this is enough notice for any speakers they are interested in, and Mr. Ryland indicated he would be able to confirm this on Monday. There were no objections from the rest of Council as to this possible date. Mr. Pelot noted if this date does not work out, we would be looking at sometime in March. Mr. Jones stated if it ends up being on a Saturday he would not be able to attend, he could make a Monday night.

Charter Amendments

Mr. Pelot turned this discussion over to Mr. Kostoff for the details. Mr. Kostoff explained the purpose of the first draft for the sale of municipal property is to streamline the process. You currently have to follow the Ohio Revised Code for advertising and we did this for the public property at some additional cost. If this passed, Council could have legislation deciding how many times they want to advertise, once, twice or even trade property. This gives Council the flexibility and he was asked to draft something. Mr. Kostoff stated he reviewed the bidding requirements in the Charter Section 5.02D, which does allow you to move away from the ORC in terms of advertising for bidding. You recently have done this with the reverse auctions. Mr. Kostoff stated he had asked Mrs. Richards to research for any past legislation establishing competitive advertising requirements and she found none. Mr. Kostoff suggested down the road Council consider passing something to address this. Mr. Kostoff commented on Mrs. Tompkins concern that this was too broad, yes it is broad because it gives Council the flexibility to make a determination if advertising is necessary or not. Mr. Kostoff stated he envisioned this would save the city money while providing more flexibility. Mr. Pelot stated that the last time we had advertised for this was over \$500.00 each time and if we have to run ads three (3) or five (5) times it can negate the amount the city receives from the sale. Mr. Jones questioned Section 5 and the reference to Ohio Revised Code Section 121.22 and asked why this is in the legislation? Mr. Kostoff replied it is a requirement that it complies with the Open Meetings laws under Section 121.22 and this statement is in every ordinance and resolution he prepares. Mr. Kostoff stated that is why he also affirms this with his name at the bottom of every piece of legislation, and that it meets this legal requirement. Mr. Pelot moved to add this to Councils next agenda and placing it on the ballot, seconded by Mrs. Hlas. Mrs. Richards questioned which election Council wished to send this to the ballot, they could do it for the Primary in March or the General Election in November. There was brief discussion on the time lines and various voter turnout and Mr. Pelot stated we have some time to give this some thought.

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

Motion passed 7-0.

Mr. Pelot read the detail in Section 1 of the proposed legislation. Mr. McGlone and Mrs. Hlas asked what changed?

Mr. Kostoff discussed the draft for the other proposed Charter amendment relating to Section 121.22 Open Public meetings. Mr. Kostoff stated that this was nothing nefarious, and he was asked by Mayor Koontz to go through the Charter and Codified and bring any recommendations for improvement. Mr. Kostoff stated that 121.22 has been on the books for a long time, and concurred with a resident's comment about this relating to executive sessions. Mr. Kostoff explained that it does and there are seven (7) exceptions and in his short time here as a Law Director there are two (2) instances, one of which is ongoing. Mr. Kostoff stated that this would potentially protect the city's interest relating to any frank discussions relating to trial strategy. Mr. Kostoff expressed his concerns with anytime the city gets sued, it would be helpful to receive some advice and discussion from Council as to the desired trial strategy without discussing it in public. Not that there would be anything to hide, but because the other side would gain an advantage. Mr. Kostoff discussed the recent Federal lawsuit involving the city, and it would have been helpful to be able to speak with Council about the status and details of this case. Mr. Kostoff stated your Charter does not provide for executive session, therefore he is not permitted to privately discuss certain issues with Council. Mr. Kostoff cited another example being the acquisition of public property, offers to purchase, etc, and this can ultimately end up costing the city more money. Mr. Kostoff stated in these types of specific exceptions Council would be briefed on the matter. This is not something that is done in the dark, you are stewards of the city's treasury. Mr. Kostoff offered to insert all seven (7) of the exceptions and would be on the ballot at a considerable length. These are all exceptions well established in the law and if you stay within these requirements, it has the benefit of saving the taxpayers money in the long run. Mr. Jones asked Mrs. Richards if this was presented to the voters before since she has been on Council, she replied yes. Mrs. Hlas replied it was not by itself, it was grouped with other amendments. Mr. Jones asked if it had been at least one time prior to that, and Mrs. Richards answered yes. Mr. Jones asked what it cost the city to put these on the ballot? Mrs. Richards explained that unless it's a Special Election, it would be the normal printing costs for the ballot its nothing astronomical. If an election is already slated, the Board of Elections will bill you for the printing for the required number of precincts. It will cost the city the same amount of money whether it appears on the Primary or the General Election. Mr. Kostoff added as he continues to review the Charter and the Codified and there may be additional amendments, whether Council chooses to approve and adopt them is their call. Mr. Jones stated if anyone wants to go online under Section 121.22 of the Ohio Revised Code, there are several pages, and Section G is what caught his eye. Mr. Pelot asked Mr. Jones if it falls in the guidelines under the Ohio Revised Code, do you have a problem with it? Mr. Jones replied he thinks the people would. Mr. Jones stated in the past it has failed, and the previous Council and Administration have always got along without it. Mrs. Hlas stated that in the past it failed because it was promoted as secret meetings, which in fact it is not. Mr. Kostoff added that if this does go onto the ballot, he offered to prepare a brief summary to use to educate residents. Mr. Pelot stated the law is clear on what you can and cannot talk about and the current issue with eminent domain is one example we may not want to discuss in public. Mr. Zita stated that was a good opportunity because in the past there have been times when you may not have been able to get the most for our dollars, and this is another way of trying to save what we have.

Mr. Alex Stavarz, a Norton resident, stated he has heard the same arguments, it was brought to the voters many times and it has failed and would probably fail again. Mr. Stavarz stated that all Charter amendments should go to the voters at the November election, you have better turn out. It would be an injustice to the residents by not doing this. Mr. McGlone agreed, adding he would like to see more education for the residents, Mr. McGlone stated he does not have a problem with executive sessions, but when you read Section 121.22, it just seems like a regular meeting. Mrs. Hlas commented that we may not have a primary in the spring, depending on the candidates, and may need to go the November election anyway. Mayor Koontz agreed adding that many school boards and other communities have this opportunity. Mr. Moss added that Council can only deliberate and discuss issues, they cannot take a vote on any matter while in executive session. Mr. Moss stated that Council is required to come back to their regular meeting to conduct any further business. Mrs. Hlas concurred adding that there must be a motion to go into executive session, and when the executive session is finished you must return to the meeting, you just cannot go home. Mr. Moss stated that Council could also decide if they wish to share what was discussed with the public. Ms. Whipkey discussed the draft for the first Charter amendment and that land was never mentioned it was mostly various office equipment and such. Its almost like a set up since this CIC has come along and the fact that eminent domain has never been done before, maybe it's too broad. Ms. Whipkey stated the proposed Charter amendment for Section 121.22 is deceptive to the people. To have it down under Ohio Revised Code instead of just saying it is for executive sessions. Ms. Whipkey stated that from what she read in that section it would apply to all Boards and Commissions as well. We could have four (4) of those on Council calling for an executive session although you can't make a legal decision in that back room, you can agree to do it when you come back out. Ms. Whipkey stated as far as the other legal issues about the Police/School issue, there must have been a gag order because nothing was ever discussed openly on Council floor. We never heard about the outcome or the settlement. We all know you use telephones, and emails he could also write you letters. Mr. Kostoff stated for the record that he takes strong exception to anyone's suggestion that his motivation was devious or deceitful in presenting this. Mr. Kostoff stated he is a professional and he has a responsibility to all of you to make recommendations to you. He voluntarily took the floor tonight to fully explain the details and he would not sit here and have someone question his professional integrity. Mr. Kostoff urged Council not to allow this to continue if the future. Mr. Kostoff stated this does not eliminate anyone's public right to speak. Ms. Whipkey responded stating she used the word deceptive and it is deceptive, and was gaveled by Mr. Zita, stating that we have already heard comments. Mr. Dave Spice, Beacon Journal reporter, spoke about executive sessions and that as the press he is instructed by his employer to ask if he can attend the executive sessions. If you decline his participation he needs to know exactly what the subject matter is so that he can report back to his employer. They have a team of attorneys ready to file suit if need be. Mr. Spice indicated you are very limited as to what you can discuss, you must announce what will be discussed. You can only discuss that issue and when you come back out you can vote on it. Mr. Spice indicated that he has been involved with executive sessions since 1973 and he has never seen them done improperly. Mr. Zita stated that if this is proposed as a secret meeting that would be taboo, if it is presented correctly and within the law there should be no problems with it. Mr. Pelot moved to add this to

Councils next agenda to include the seven (7) reasons for holding executive meetings, seconded by Mrs. Hlas. Mr. Pelot asked Mr. Kostoff to go ahead with the offer to prepare an informational sheet explaining the legalities.

Roll Call: Yeas: Pelot, Hlas, McGlone, Mowery, Braman, Zita
Nays: Jones

Motion passed 6-1.

Community Improvement Corporation (CIC)

Mr. Braman turned this discussion over to Mayor Koontz for the details. Mayor Koontz stated we have a summary from Mr. Kostoff tonight. Mr. Moss stated Council does not have this documentation because the copier has broken. Mayor Koontz suggested continuing this discussion to the next meeting, which would provide Council the time to review it. Mr. Moss stated there are two cover memos and sample legislation, one relating to the CIC and the other relating to the land banking program. Mr. Moss indicated copies would be available as soon as the copier is repaired. Mayor Koontz stated that is an opportunity to advance the city. Mr. Kostoff stated in relation to the land banking program, the quicker Council looks at and adopts it the better. There is no downside to this, it addresses tearing down properties that are eyesores, blighted properties, etc. Mr. Kostoff indicated other communities have adopted this and we would have the assistance of Mr. Donofrio's office. Mr. Zita suggested all Council members forward all of their questions to Mrs. Richards so she could route them to Mr. Kostoff prior to the meeting. Mr. Kostoff indicated he is not an expert on these issues, and if he needs to, he could defer any items back to the County.

Cleveland Massillon Waterline Project Bids/Advertising

Mr. Jones turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated we are ready to move forward with the bids and the reverse auctions and we need authority from Council. We have held the Assessment Equalization Board hearing and are looking to move forward. Mr. Ryland requested Council move forward as quickly as possible. Mr. Jones moved to place this on Councils next agenda, waiving second and third readings as an emergency, seconded by Mr. Braman.

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

Motion passed 7-0.

Income Tax Credit

Mrs. Hlas stated she has received two comments from residents; one saying the Mayor was crazy and the other asked are we really going to get water and sewer soon? Mrs. Hlas stated she does agree with the town meeting idea to educate the community. Mayor Koontz stated he was glad to hear the comments, and we need to get the public educated and we are working on preparing some fact sheets. Mr. Moss indicated he would have some examples he could share at the next meeting. Mr. Ryland stated he would have a list

of the preliminary costs of the citywide septic inspections for the next meeting. Mr. Jones stated he has heard a lot of yeas and nays on this tax credit. Mr. McGlone commented he has heard the same and was glad to hear about having a town meeting. Mr. Mowery stated he has not heard one comment. Mr. Braman stated these trunk lines have to be done. Mr. Pelot stated he has heard more positive than negative comments. One comment he heard was that the residents elected Council to do a job, make decisions for us, to do your research, it shouldn't have to go to the voters. Mr. Zita stated he also heard more positive than negative, however no one wants to pay more taxes. Mr. Zita said one resident told him to just do what you were elected to do, this is the right time. We have never had a Mayor with as much experience as we do now and if we don't get this accomplished now, it would never happen. Mrs. Hlas suggested looking at specific dates for a town meeting, and several ideas were discussed. Mr. Jones suggested Sunday, April 19, 2009 in the afternoon, and Mr. Moss stated this would give us time to prepare. Mr. Pelot stated one thing to focus on is to make sure this is earmarked to nothing more than infrastructure. Mr. McGlone stated we have no meeting on Monday, March 30, 2009. Mrs. Hlas proposed Monday March 30, 2009 if the Community Center is available. Mr. Alex Stavarz stated Sunday is good, most people are home and available in the afternoon. Mrs. Tompkins stated that she realized Council is not required to send this to the voters, however beware because they do like to vote on issues. Ms. Tompkins discussed the trunk line issue with the City of Green and they contracted with a company to install sewer and water lines provided they operated the system. Mayor Koontz stated it was a waterline and they contracted with Aqua Ohio and we have also discussed issues with them. Mr. Stavarz questioned if the city will be considering owning their own waste water treatment plants and Mr. Ryland replied everything is still on the table-no decision has been made. Mayor Koontz excused himself from the remainder of the meeting.

Approval of Lobbyist Group for Infrastructure Funding

Mr. Ryland stated that the idea came up with the recent funding available with the newly developed stimulus package. This is something that needs attention to detail and we don't have the expertise to provide. We took the LNE Group off from consideration because they tend to lean towards the Republican Party and we have a Democratic House and Senate at this time. Mrs. Hlas questioned the time lines we were originally faced with and Mr. Ryland stated that was artificially close coming from the LNE Group. Mrs. Hlas questioned the amount we should authorize for or should it be for an amount not to exceed? Mr. Ryland suggested it be in terms not to exceed. Mr. Ryland stated that most contracts are worded at a set fee of \$5,000.00 per month up front. Mr. Jones asked what the maximum amount could be, and Mr. Ryland replied possibly \$60,000.00 to \$65,000.00. Mrs. Hlas moved to add this to Councils next agenda for a first reading, seconded by Mr. Pelot. Mr. Jones asked who this lobbyist might be and Mr. Ryland indicated he was not sure, this is up to the Mayor. We have two (2) proposals and one (1) more that we are considering at this time. Mr. Pelot questioned Mr. Moss about the funding. Mr. Moss stated we have not pulled this funding together, however it would not break the bank. Mrs. Hlas asked if we could use the funds available in the sewer and water fund for this and Mr. Moss replied he was not sure.

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

Motion passed 7-0.

2009 Budget

Mrs. Hlas turned this discussion over to Mr. Moss for the details. Mr. Moss stated the reasons to revise the 2009 Budget is because some estimates for 2008 were either too low or too high and need adjusted. Mr. Moss gave a brief overview of the different increases and decreases. Mr. Moss stated that later he would be coming to Council with a request to establish new funds. There was discussion relating to the Fire Dept. construction and the \$1,500,00.00. Mr. Moss indicated that at this time we are not sure we can stay within that figure and will need to be working on that. Mrs. Hlas moved to add the 2009 Budget Increase/Decrease legislation to Councils next agenda, waiving the second and third readings as an emergency, seconded by Mr. McGlone.

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

Motion passed 7-0.

Unfinished Business:

Mr. Jones questioned when the contract is up with the Barberton Health District, and Mr. Ryland replied April 2009. Mr. Jones discussed an article in the Beacon Journal recently about the City of Akron proposing to merge the Summit County, Akron and Barberton Health Districts together. Mr. Ryland indicated we have looked at the County and met with Mr. Nixon. Mr. Ryland indicated that we do not need to take any action with Barberton Health District, they had already notified us that they have terminated our agreement. Mr. Jones asked Mrs. Hlas if she had time to discuss with Mr. Moss the concerns raised by Mrs. Tompkins about recovering auditor fees? Mrs. Hlas stated that she has met and briefly discussed this, however she had nothing to present to Council. Mr. Jones discussed regionalization and there was something in the papers recently about a \$300,000.00 grant being available and it was also on WJW 107.5 radio. Mr. Jones stated that unfortunately Norton was not mentioned on the air, even though we have just merged our dispatch with Copley. Mr. Jones stated that this is the trend in a lot of these communities today. Mr. Jones stated that he tried this some time ago, but we won't go into that now.

New Business:

Mr. Mowery discussed the Meth Labs and asked to have discussion for the February 16, 2009 Committee Work Session. Mr. Kostoff indicated that Mrs. Richards has several examples for other communities that would be presented at that time. Mr. Pelot stated there is also a request from the Administration for re-appointments to various Boards and Commissions and a Resolution of Appreciation for next Work Session.

Topics for the next Work Session:

CIC, Council Rules Revision, Code Red Reverse 911 Warning System, Land Revitalization Program and Meth Labs.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 9:27 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.