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**COMMITTEE WORK SESSION
APRIL 20, 2009**

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

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

The Committee Work Session convened on Monday, April 20, 2009 at 7:02 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-Agenda and Non Agenda Items:

Mr. Gary Johnston, a Norton resident, thanked all of Council for representing the residents, for what they do and the sacrifices they make. Mr. Johnston discussed his concerns with Ord. #48-2009 Income Tax Credit. Mr. Johnston stated he grew up with Mr. Mowery, went to school with Mr. Zita and Mr. Braman's son. Mr. Johnston stated he hoped Council would think about the residents and these difficult financial times, adding that the timing of this is just not right. Mr. Johnston stated that yesterday he went to about one hundred (100) of his neighbors to talk to them about this legislation. Many of them did not know about this legislation, and many felt it should be put to a vote of the people, and some felt that it was illegal that Council was not putting it to the voters. Mr. Johnston asked Council to let the residents vote on this and let them decide. Mr. Johnston cautioned Council about interfering with what the public might want or not want.

Ms. Charlotte Whipkey, a Norton resident asked for clarification on Ord #48-2009. She understood that the only way roads would be involved with this tax reduction of the credit is if they got torn up in the process of working on the sewer or water lines. Mayor Koontz stated he had no objection of limiting it to just sewer and water and the other appurtenances. Mayor Koontz stated that right now it is set up for infrastructure, it could be limited.

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Mayor Koontz stated that sewer and water are the most critical needs, we pay for road repairs out of the General Fund now. Mr. Pelot stated the amount of revenue estimated at \$650,000.00 would do nothing more than pay for the trunk lines. Mr. Moss replied it would not even be enough money to do that. Mr. Moss stated we have estimated the revenues coming in at \$560,000.00 annually, this would purchase about \$8,000,000.00 of borrowing power in bonds. We need about \$10,000,000.00 to \$12,000,000.00 to build all of the trunk lines. The rest of the money would come from the revenue as a result of expanding the system. Mrs. Hlas read aloud part of Section #1 which states; *credit reduction provided in this paragraph shall be used by the City exclusively for the purposes of paying costs of acquiring, constructing, reconstructing, rehabilitating, renovating, installing, enlarging or otherwise improving water and sewer improvements in the City, including, without limitation, water and/or sewer lines, water and/or sewage pump stations, storage tanks, manholes, hydrants, etc.* Mrs. Hlas stated there is no reference to roads in the legislation and was confused as to what Ms. Whipkey was referring to. Ms. Whipkey stated she had read it in the papers and it was mentioned in discussion about the roads being torn up in the process. Mrs. Hlas stated when it was discussed in Committee, we told the Law Director exactly what our purpose was and he indicated the legislation would be prepared to reflect what we wanted. Mrs. Hlas stated we cannot go out and pave roads with this money, it could only be used to repair what ever gets torn up to install sewer and water. Ms. Whipkey discussed the Council Rules, and questioned why you are wasting time on them? You have at least two (2) more readings and will probably argue about them. We have been operating just fine with the current Rules that we have, you should just accept them as they are and finish out the rest of the year. Ms. Whipkey reminded Council about the possibility that you may still end up with two (2) fewer seats on Council before the end of the year, in addition to the Wards seats up for election this fall. Ms. Whipkey stated that the people have spoken before, stating that we want our rights, we don't want to be limited in our speaking time, or how we should talk. This does not need to be put into the ordinances.

General Topics of Discussion:

City Property Insurance Renewal

Mrs. Hlas stated each year our city property insurance is up for renewal and unfortunately the representative from the company was unable to attend the meeting tonight. Mrs. Hlas stated that hopefully he would be able to attend our Council meeting on Monday to field any questions. Mrs. Hlas stated this year we were able to reduce our deductible and the premium is lower than last year. Mrs. Hlas moved to place this on the next Council agenda with emergency language, and waiving the readings, seconded by Mr. McGlone. Mr. McGlone inquired as to the total amount for this years cost, however Mrs. Hlas stated she did not have that figure, just that it was less than last year and that we would have that by the Council Meeting. Mr. Pelot inquired about letting this go out for a reverse bid with other insurance companies. Mr. Moss replied that this is not a single entity quote situation. It does involve requesting price quotes from multiple companies, and there is a process to pull together the best possible price. This is not an off the shelf product, its just not that simple to do. Mr. Moss stated that he would not rule it out, he was just not that familiar with the process.

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

Motion passed 6-0.

Ord. #49-2009 GPD Engineering

Mrs. Hlas indicated this was on Councils agenda last week and she requested to send it back to the Committee for a minor change in Section 1 and Section 5 was removed because this has already been appropriated. Mr. Moss added the engineers are in place and the State is ready to move forward with this project. Mrs. Hlas moved to add this to the next Council agenda with emergency language, waiving the readings, seconded by Mr. McGlone.

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

Motion passed 6-0.

Budget for Cleveland-Massillon Waterline Project

Mrs. Hlas turned this discussion over to Mr. Moss for the details. Mr. Moss stated we would be having the reverse auction at the end of the month. After that is complete, we will be bringing the lowest bid to Council, we would then know our numbers and be able to request a budget. Mr. Moss stated this project is estimated at \$1,300,000.00 to \$1,400,000.00, which is more than our General Fund can handle. Mr. Moss indicated we would need to look for temporary outside financing to get through the project. Mr. Moss stated that normally we do not borrow money for these types of projects, he was mostly advising Council as a heads up. Mr. Pelot asked about the interest rate, and Mr. Moss replied currently that it is around 4 percent. Ms. Whipkey stated she wanted to comment back to the previous discussions on Ord. #49-2009, but was not recognized. Ms. Whipkey commented about the changes to Section 1 and now it seems to be in conflict with Section 4, questioning if this was correct? Mr. Moss replied that Section 4 is unnecessary because there would not be any reimbursement. Mr. Moss stated that basically the State is running this project, we will be sending them our share of the money to be placed on account. They will pay the 90/10 split so there really is no reimbursement back to the city except for any unspent dollars if necessary. Mrs. Hlas suggested leaving the Budget for Cleveland-Massillon Waterline Project on the Matters Referred listing for future discussions until the reverse auction on April 30, 2009.

Surcharges on Utilities

Mr. Braman stated this was mostly up for discussion this evening, and that Mr. Jones, Mr. McGlone and the Mayor have all discussed this issue recently. Mayor Koontz apologized for not having any specific figures put together for tonight to see the annual income and what we would recommend for a reduction in the surcharge fees. Mayor Koontz stated that these surcharge fees are not being paid by all of the residents; some residents are billed by Summit County and don't pay, and the residents billed by the City of Barberton do pay this fee. Mayor Koontz stated his thought was that if we are to be collecting

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money by the income tax credit reduction, many of these same residents are already paying the surcharge fees, and he was looking to give the residents some relief on their surcharge fees. Mayor Koontz stated that we would need to take a good look at the facts and figures to really see exactly what the effect would be on the city. Mr. McGlone agreed there really wasn't much to discuss until the Administration could present some hard numbers to Council. Mr. Braman stated he suspected that the surcharges would only get reduced, they would not be completely eliminated, and Mayor Koontz concurred. Mr. Braman reminded everyone that Council did freeze the rates for water and sewer three (3) years ago, so there has been no rate increase for the past three (3) years. Mayor Koontz suggested charging different rates for commercial versus residential customers. Mr. Braman stated he has several commercial businesses in his ward and they are already complaining about their high water rates, it's really hurting their business. Mayor Koontz stated part of the problem is the commercial customers are charged twenty-two 22% over Barberton's in-city rate, and then Norton charges 27.5% on top of that. Mrs. Hlas stated that their fees are based on the size of the meter and how much water they actually use. Mr. McGlone suggested that when we do start to discuss this further, we find out what the normal resident pays for the flat fee to tap into both water and sewer with all of the other fees involved. Mayor Koontz indicated the connection fees do vary all around town, partially based on the costs for sewer construction. Mr. Pelot also suggested looking at whether or not we could legally charge different rates for existing homes tapping in versus new construction. Mr. Braman suggested leaving this on Matters Referred until the Administration was ready with more information.

Private Road Standards

Mr. Braman stated we already had our first reading on this last week, however the Planning Commission had not reviewed this at that time. Mr. Braman stated they have met and this is now before Council in a formal resolution from the Planning Commission. Mr. Braman stated that basically there is a slight sentence change, and there are a couple of reasons for making this change. One reason is a safety issue; it can be difficult for the emergency vehicles to get back in to some of the roads with the way they are built. Also, a lot of the roads get put in and later on they get dedicated for the city to take over, and they are not up to code or able to be properly maintained. Mr. Braman stated that this would essentially make all of the streets, public and private, the same. Mr. Braman indicated this would have a second reading next Monday. Mr. Pelot asked if this affected any current developments, and Mr. Braman replied no, not according to what Mr. Ryland had previously stated.

Unfinished Business:

None

New Business:

Mayor Koontz announced two (2) proclamations (see attached). Mayor Koontz also gave several Public Service Announcements (see attached). Mr. Pelot suggested the city have some type of a back up plan to announce a cancellation of any of the Summer Concerts in the event of bad weather.

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Topics for the next Work Session:

Mr. Moss stated that we might need to take a look at the 2009 budget before Council adjourns for summer recess. Mr. Moss indicated the Fire and EMS Dept. have been experiencing excessive calls and EMS runs already this year, and we may need to make some adjustments. Mr. Moss indicated he would like to have something for the May 18, 2009 Work Session.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:37 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.