



COMMITTEE WORK SESSION MAY 18, 2009

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

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

The Committee Work Session convened on Monday, May 18, 2009 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, Vice 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. Joe Sferro, a Norton resident, spoke regarding problems with his neighbor's cats. Mr. Sferro stated he has called the Norton Police at least six (6) times in the last six (6) or seven (7) weeks. Last week he had a confrontation with his neighbor because he had caught his cat in a trap on his property. Mr. Sferro stated that his neighbor has been told numerous times to keep his cats contained on his own property, but that's not working. Mr. Sferro stated he came to Council tonight to see if there was something that could be done with the ordinance since it states dogs and other animals, it does not state cats. Mr. Pelot suggested we could take a look at this and have someone get back to him. Mr. Sferro stated he has a show car and a motor cycle and these cats are walking all over them. Mr. Sferro stated they have five (5) dogs and he has no problem with them, you don't even know they are there. Mr. Ryland indicated we have looked into this matter with the Summit County Dog Warden and Mr. Sferro can legally trap cats in a live trap and take them to the County Dog Warden, the County will not come out on calls cats.

Mr. Jim Lino, a Norton resident, spoke about other communities receiving money for sewers and improvements and he assumed that Barberton would not be asking for a raise in the tap in fees like they intended to. Mr. Lino stated there was a debate held some time ago about if customers would be held responsible for any repairs either all the way back to the trunk line or from the devil strip. Mr. Lino questioned if this was ever decided upon, and what was the outcome? Mr. Ryland stated we have installed short and long laterals underneath the road and we take them to the right of way line. It is the homeowner's responsibility from where they tap into the lateral, to their home. They go to edge of the city's right of way.

Ms. Charlotte Whipkey, a Norton resident, stated she was displeased with last week's behavior from a member of the Administration. We hear continuously that we should not use names or titles, we shouldn't do this or that, and she found it distasteful that an appointed party of the Administration was belittling a Councilperson for inquiring about Issue #26. This Council member asked for clarification if this was relating to Issue #26 and the response was a "yes for the third time". Ms. Whipkey stated Issue #26 had not been previously discussed and it was not known what the issue was, and she felt an apology was in order. Ms. Whipkey discussed bringing back the televised meetings; we can spend \$25,000.00 for a gazebo, which is a good thing, however it's a seasonal thing. We need to get our meetings back on television so the public can be aware of what is going on. You should be doing everything you can and if you have to spend some money to get it done, then that's the price of doing business. Mr. Pelot gave a brief history of the lawsuit involving Time Warner Cable and another company; they did not have the right to televise local council meetings. They took Time Warner to court and the decision to put an end to public access came down from the court, not from city hall or the administration. Mr. Pelot indicated that until we find a way around that decision, our meetings would not be televised. Ms. Whipkey asked if we have even approached the courts? Mr. Pelot stated we have been looking at various other options, it's not as though we have forgotten all about it, we will continue to look into this.

Mr. Rick Kepler, a Norton resident, spoke in support of the MAD; he has been a resident since 1981 and stated he has never seen Summit County spray for mosquitoes. In the past few years he has seen the MAD vehicles in his neighborhood, and it is working. Mr. Kepler asked Council to maintain what you currently have going now, we do see the difference.

General Topics of Discussion:

Community Center Fees

Mr. Pelot stated Mrs. Hlas had asked to have a list from the last few years, which the Administration has provided to Council. Mr. Pelot suggested we continued this discussion to the next agenda when Mrs. Hlas and Mr. Zita are present for the discussions.

M.A.D. Discussions

Mr. Jones stated this was discussed a few weeks ago and he had asked residents to contact their Council members if they are for or against keeping the MAD, and he has not received one call. Mr. Jones noted that we are short three (3) Council members tonight and was not in favor of doing anything about it at this time. We did discuss it a few weeks ago at length and even Mr. Kepler stated even Summit County was not doing a good job when they were doing it years ago. Mr. McGlone stated that no matter what we would decide, it is a done deal for this year. Let's see how the County service is for this year and bring it back up for discussion after the MAD is done with their season at the end of this year. Mr. Pelot noted that Mr. Harrison and Mr. Kyer of the MAD were present for questions if necessary. Mr. Jones noted that it has been stated by the MAD that if a person was having a party they can call the MAD and they will come down and spray the area in question, in addition to spraying in the park before our summer concerts. Mr. Ryland indicated the MAD has made contact with the city and they have arranged to come to the park and spray on Wednesdays before the concerts on Thursday. Mr. Harrison stated that residents could contact 330-848-2623 for any concerns. Mr. Braman stated he had one resident concerned about spraying mosquitoes in a ditch. Mr. Braman stated he called Stewart's Pest Control and they responded within two hours. Mr. Pelot suggested we readdress this in the fall.

Amend Code Section 660.03 and 660.07

Mr. Braman stated this just brings these codes up to date and last year we did the same thing to the weed ordinance by not requiring legal ads or certified mail, which is very costly. Mr. Braman stated that in Section 660.03 there is one change, which removes the Clerk of Council from serving notification to a resident. Mr. Braman stated that he spoke with Mr. Arters and Mrs. Ryan and they asked that we handle these with emergency language because the summer season is here for cleaning up properties. Mrs. Elaine Tompkins, stated these are not bad adjustments, however she cautioned removing the certified mail as a requirement because you would have a paper trail in hand as proof of service. Mr. Braman indicated this was discussed today and ninety-five percent of them you cant get a hold of with phone calls or posting the property, or regular mail, and a certified letter wont get service either. Mr. Ryland indicated that Mrs. Tompkins' point is well taken, however when we are dealing with large amounts of trash, junk and rubbish, we have rodents to deal with, which becomes a real mess. Ms. Whipkey agreed with Mrs. Tompkins' concerns about certified mail, and that regular mail could just be considered as junk mail, but a certified letter would get their attention. Mr. Braman indicated that the properties would be publicly posted. Mr. Jones discussed Chapter 660.07 and that there are several changes to it. He went through it this morning as best he could and he would like to send these back to Mr. Arters and Mrs. Ryan to get a set marked up in bold and red lined with the changes before moving forward with this, he cannot support it without seeing the changes. Mr. Kostoff indicated there is a set showing these changes as he provided it to the zoning staff. Mr. Kostoff suggested the zoning staff could provide Council with the suggested changes, and Mr. Pelot suggested we continue this to the next work session.

Surcharges for Utilities

Mr. Jones stated there has been talk with the income tax credit being reduced, and that some residents thought they were getting a credit on their income taxes, which is not the case. Mr. Jones asked Mr. Ryland what our current surcharge rate is and Mr. Ryland believed it is .225. Mr. McGlone stated that was the figure he believed was current, however from what he is reading its .275 and that's confusing. Mr. Ryland stated that at one time it was at a higher rate and it was reduced. Mr. Pelot asked Mrs. Richards to pull Ord. #66-2003 for Council to review in the future. Mr. Jones asked if the Administration was seeking to take away the surcharges? Mr. Ryland stated there has been discussion of reducing them, not to take them away. Mr. Ryland stated the last discussion we had was to wait and see how much income the tax credit adjustment would generate. This is the only income source we have at this point in time for the Utility Fund and to completely take away the surcharges now would be premature. Mr. Jones asked about the connection fees, how much they are currently, and if there was any thought about adjusting those fees? Mr. Jones suggested having that information for further review, especially since there are only four (4) of us tonight. Mr. Pelot reminded everyone about the rumblings of a potential referendum out there on the tax credit adjustment. Mr. Pelot cautioned moving too quickly on this because you could take away all of your utility funding. Mr. Ryland reminded everyone that the chart he would provide does have 2008 and 2009 numbers on it, however Council froze the tap in fees in 2007. Mr. Jones stated he read in the newspapers that the tax might not start until January 1, 2010 instead of July 1, 2009. Mr. Ryland stated the ordinance was clear, it starts on July 1, 2009. The Mayor had asked the Finance Director if it would be easier to calculate it if were moved to January 1, 2010, but there has been no change. Mr. McGlone suggested leaving this issue on the Matters Referred list until after summer recess.

Unfinished Business:

Mr. Jones discussed a road crew working today on a culvert bridge between Easton and Harris. Mr. Ryland stated they are preparing to resurface Wadsworth Road and for the construction to begin soon. Mr. Jones stated that this area of the road rises in the winter. Mr. Ryland stated it is due to the base of the concrete foundations, and they are doing evaluations of this area. Mr. Jones stated this is a State culvert not the County. Mr. Jones commented about the holes on Monterey and Rosebay that need patched, and Mr. Ryland advised they have been fixed. Mr. Braman asked Mr. Kostoff about the public comments made earlier about the cats and Mr. Kostoff stated he has asked the Clerk to provide him with a copy of the ordinance to review. Mr. Jones stated he received the email from Mr. Ryland relating to Comunale employees and that all he was looking for is the number of employees that are paying into city taxes. Mr. Ryland indicated that there is a form filed every year after taxes and the first number of 298, that is the last filing form they have filed, which is for the tax filing year of 2007. The 2008 filing has not arrived yet.

New Business:

Mr. Jones inquired about the number of new police cruisers we purchased this year, and Mr. Ryland replied it was three (3). Mr. Jones stated he wished we would have staggered these purchases.

Mr. Braman noted the comment in the Views Line this week was way off. Mr. Ryland concurred the total cost was about \$65,000.00 for all three (3) vehicles. Mr. Jones asked what make and model they are, and Mr. Ryland replied they are Dodge Chargers.

Mr. Pelot reminded everyone of the Memorial Day holiday, and the next Council meeting would be on Tuesday, May 26, 2009.

Topics for the next Work Session:

No pending topics at this time.

Adjourn

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

Scott Pelot, Vice President of Council

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

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