



**COMMITTEE OF THE WHOLE MEETING
APRIL 5, 2004**

Committee Members Present: Brenda Hlas
Dennis McGlone
Bill Mowery
Scott Pelot
James Price
Mike Zita
John Conklin

Administration Members Present Mayor Joseph Kernan
Claude Collins
Jeanne Zerga
Jeff Pritchard
Mike Lyons

The Committee of the Whole convened for a meeting on Monday, April 5, 2004 at 6:04 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by John Conklin, President of Council, followed by the pledge of allegiance and a moment of silent prayer.

Committee of the Whole-General Topic of Discussion

Mr. Mowery stated that he attended a meeting with the Concerned Citizens for the City of Norton recently and they discussed overall concerns within the City. They have not scheduled another meeting yet, but he will be attending the next one and whenever that will be, he would let everyone know as soon as he was aware of the date. Mrs. Hlas stated that she also attended that meeting and thought this was a task force meeting, and Mr. Mowery stated it is not, it is for anything concerning the city. Mrs. Hlas disagreed and stated that she was there for the end of this meeting, that this was a school task force meeting. Mr. Mowery indicated that Mrs. Hlas arrived one minute before the meeting adjourned.

Income Tax Increase:

Mr. Conklin stated that he has made a few changes in Council this week. The first change is that there will be a statement at the bottom of all agendas that if you do not have access to Channel #15, you may request to see a tape in Council Chambers. Another change is in regards to the Communications from the Public. From now on there will be two opportunities for the public to address Council. The first one will be at the beginning of the meeting, which **must** pertain to the agenda items only, and the second opportunity will be towards the end of the evening before the Public Service Announcements, which may relate to any subject. The reason for this change is so that Council can get through the business at hand for the evening and move on. Mr. George Tomko commented on the overhead camera and how it still is getting the tops of everybody's heads, and felt with all the money that has been spent for this equipment, we should be able to correct this. Mr. Conklin indicated that this has been discussed before and we should look into this.

Mr. Conklin thanked Mrs. Elaine Tompkins for her suggestion on providing a presentation to the public, adding that Ms. Zerga and Ms. Campbell have worked very hard this past week in preparing the power point presentation we are about to see. Ms. Zerga explained the power point presentation regarding the state of the city's finances, (see attached overview as Exhibit A).

Mrs. Elaine Tompkins commented on the fact that this concept has to be sold to the community and hoped that this presentation will be aired on Channel #15 and our website, and print this out for distribution to the public. Mrs. Tompkins stated we have done an admirable job of demonstrating how the money would be spent in the future, just to keep up with today, much less tomorrow. Tomorrow is another concept we have to consider, as we all know she is mostly interested in the bond issues, and how much it costs our city, the fact that we need better accountability and she wants to see more and more of this in the future. Mr. Tomko questioned the figures of 30 million or 3 million on slide #24, and cautioned about doing away with preventative maintenance, this is a looser and you cannot do without this. Mr. Tomko inquired about the price of \$2300.00 for the repairs of a transmission on the police cruiser, where are we getting this done, that's too high of a price and we should shop around for better prices. Mr. Conklin called for comments from each Council member, and there were none. Mr. Conklin called for a motion regarding the income tax increase item, which would go all three readings, sit for 30 days and filed with the Board of Elections for the November ballot. Mr. Price moved to place this item on Council's next agenda, and Mrs. Hlas seconded the motion.

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

Motion passed 7-0.

Income Tax Credit:

There was no discussion regarding this issue. Mr. Conklin called for a motion to change the income tax credit to 1%, and Mrs. Hlas moved to place the income tax credit from 100% to 1% on Councils next agenda, seconded by Mr. Pelot. Mrs. Hlas indicated that she had been thinking about addressing this for five years and we would have Council look at it again in four or five years, and wanted to know how the rest of the members felt. Mr. Pelot agreed with this concept, the wording should be something like if Council takes no action it would remain in effect. Mr. Conklin stated he has discussed this with Mr. Lyons, and given the powers and duties in the Charter, Council can technically visit this issue anytime they so choose. Mr. Conklin stated that he was not sure that we want to necessarily bind Council to act within that time frame. Mr. Lyons concurred with this statement, adding that the language to automatically renew after 5 years. Under those circumstances all you are doing is to simply admonish the future Council to look at it after 5 years. Mr. Conklin stated that it would continue every 5 years, unless Council takes action to remove it. Mrs. Hlas stated that her feelings were that in 3-4 years we should be on our road getting somewhere, and if we are not there then we have some very serious problems. Mr. Price questioned if we are sending this issue to the ballot. Mr. Price stated that he personally supports this but has concerns about this. The people he has talked to at the grocery store, church, baseball, etc., they don't like this and cannot afford it. Mr. Price stated that he is torn on this, but he has a job to do here and he may loose a few friends over this if he supports it, but so be it, he will be doing what's best for the city.

Mr. Conklin explained it is not a requirement to do so, and if the residents wish to file a referendum within 60 days of passage, they have that right to do so. There was lengthy discussion as to the language on this legislation and the complexity of the calculations of the percentages. Mr. Lyons stated that this would take some time to work out the details. Mr. Tomko stated that he strongly suggested that everyone should pay 1% across the board. Mr. McGlone stated that he agreed with the language to include the 5-year plan, as did Mr. Zita, Mr. Pelot.

Mr. Todd Williams, a Norton resident, stated that he understands what we are saying here and the presentation contained a lot of information to digest all at once. Mr. Williams stated that he felt you are generating a lot of animosity with the residents when you are asking for us to pay more, and that he simply cannot pay any more. The city is not a business; it should take care of its own residents.

Mayor Kernan stated that Ms. Zerga is looking over the budget again for any other areas to cut before we begin to look at potential layoffs. Mayor Kernan stated that it is not about keeping the city where it currently is, it's all about keeping us afloat and from falling back. Mayor Kernan stated that he disagreed with Mr. Williams and that the city is definitely a business, and as a business this city needs to grow and with increased business growth that could be enough to perhaps put the tax credit back. Mayor Kernan clarified the reference earlier to the 60 days for filing a referendum, which is not correct--it is **30** days from date of passage.

Mr. Jack Gainer, 3920 Wadsworth Road, stated that he is 100% against the tax credit issue, and argued the point that it should not be based on a percentage should the 2% tax increase pass. Mr. Gainer suggested it passes as only implemented with the vote of the people, he suggested it pass as a contingency if the voters approve it. Mr. Gainer reflected to the comment by Mr. Tomko about all residents paying 1%, and he is willing to do this if Mr. Tomko is willing to do this and maybe we should go back about 20 years, he would go along with this. If all of the people who are not paying it and would be willing to pay it today, he has no problem paying this, and he might even support the school levy.

Ms. Carol Parsch, a Norton resident thanked Mr. Price for his comments, and was appreciative to the fact that Mr. Price is concerned and cares for how the residents feel about these issues.

Mr. Alex Stavarz commented on the previous remarks about money not rolling in, and that it does not roll into this city. Mr. Stavarz stated that about 10 years ago Council had set aside \$84,000.00 to spend on road maintenance for the year. We did not bond or borrow any money that year, we only spent what we had set aside. The problem is that previous Council was in the habit of borrowing half a million dollars to do a road program. We need the money and he feels that Council needs to vote for this tax credit and if you don't do this you are avoiding your responsibilities to the residents of this city.

Mrs. Hlas stated that she wanted to withdraw her original motion and reword it as we discussed, and Mr. Pelot withdrew his second to the motion. Mrs. Hlas moved to make the city income tax credit the residents would owe ½ % of their income for 5 years, effective July 1, 2004. Mr. Pelot seconded the motion. Mr. Mowery stated that he can see both positives, but you cannot get blood out of a turnip. We are just digging into their pockets deeper whether it's a 5-year program or not.

Mr. Mowery stated that the city simply has got to do more and cut back somewhere. There was more discussion on this issue and how it would impact the residents.

Ms. Carol Parsch voiced her concerns about the notice she saw in the papers about ticket amnesty and questioned the concept on this. Ms. Parsch felt that it seems like we are punishing those residents who do pay their bills and their tickets on time. Mayor Kernan stated that we have so many outstanding tickets and not enough manpower to go out and collect them. Mayor Kernan stated that it is better to collect half of what is owed than to collect nothing at all.

Ms. Tawny Williams, a Norton resident spoke about the tax issues, adding that she has been a Norton resident all her life. Ms. Williams stated that she knows enough about government to know that we should be looking at our budget over and over again until we find more places to make more cuts, without having people starving. Ms. Williams asked Council to please look at this again and reconsider. Mr. Conklin stated that residents of Norton work very hard for their money, no one here in Norton is Bill Gates, or works for Tyco or anyone else, and no one here is rich. We are a hard working town that works hard for their money. Mr. Conklin stated that as an elected official, he does not take this issue lightly. The way he sees things this city is \$300,000.00 in debt, yes the ENR Fund will bail us out this year, but nothing for 2005 and beyond. Mr. Conklin stated that if the residents vote this down there will be cuts, we are not talking about a small filet cut we are talking about a huge meat cleaver. This means, no salt for the roads, no lights on the tennis court, maybe no cider festival, etc. Sorry, but your grass may not get mowed, your side streets will not get salted, and we would only be able to do the major roads. We may have to pull the plug on the lights at the tennis courts so you may have to play tennis in the dark or only during daylight hours. We may have to lock the doors to the Community Center, except from 8-5 Monday to Friday. Should we move forward with the ball fields and Skate Park--probably not. Can the six kids we were helping to support through college by giving them summer part time work continue—probably not. They are gone because we had to lay them off. Or how about when your kids come to play soccer or baseball this summer, and learn they cant play because the grass is up to their knees—we used to have a staff of twelve at the Service Garage, but now we are down to a staff of six. What about when we send a crew out to dig a ditch, you need two guys to operate the dump truck, one to operate the machinery, and one guy to flag. If you only have six employees, four of which are on one job site, what are the other two employees going to be able to do. We still do not address the issue of replacement of police cars and dump trucks, etc. We need to buy four police cars this year at \$25,000.00 each that's \$100,000.00, where is this money supposed to come from. We could be faced with unsafe vehicles for the officers to ride in or cars with no officers to put in them. We have four snowplows in this town, two are new and two are old. They cost \$80,000.00 each to replace. We have already cut to the bone, and with these vehicle replacements that's almost another \$200,000.00. Another thing to remember is those six people in the Service Garage that we may have to lay off are all Norton residents, they are your neighbor, they go to your church, or you football coach, etc. We don't want to loose these guys and lay them off. Who wants to sit up here and make cuts and layoff your neighbor? Mr. Conklin stated that he does not like this, he is not comfortable with it and he does not feel good about this. We will be shooting off our own foot by laying anyone off, because now we loose the income tax they would be paying. It's like a black whole that swirls around and gets deeper and deeper and there is no bottom. Mr. Conklin called for a roll call.

Roll Call: Yeas: Hlas, Pelot, Price, Zita, Conklin
Nays: McGlone, Mowery

Motion passed 5-2.

EMS Fund Ordinance:

Ms. Zerga explained the need for an appropriation in the EMS Levy Fund. The city has \$4,103.00 available in funding from the Ohio State Board of Emergency Medical Services Grant. It is her suggestion that she has a separate account for these expenses in order to properly account for the expenses. This would also show what money was received for the Grant and what money was spent, earmarked solely for that purpose. Mrs. Hlas moved to place this on Council's next agenda, waiving the second and third reading, as an emergency, seconded by Mr. McGlone.

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

Motion passed 7-0.

Brentwood Water Plant Fund Ordinance

Ms. Zerga stated this is to create a fund in order to account for our Brentwood Water Plant. Currently the expenses and revenue have been distributed in various funds. She is requesting a separate fund be set up to account for these expenses. Along with this she is requesting that we create accounts set up to transfer money from funds which issued payments for the Brentwood expenses over the years into this Brentwood Water Plant Fund, along with the revenue we receive from Barberton. In doing so, down the road when we look back we will be able to see exactly what the Brentwood Water Plant actually costs. Mr. Conklin discussed that Brentwood has been running at a loss, and in the past we have gone into the General Fund to pay for this. Ms. Zerga stated this is correct and currently the Brentwood Plant is showing a deficit of \$8200.00. Mr. Lyons stated that this would be done all in one ordinance. Mrs. Hlas moved to place this on Council's next agenda, waiving the second and third readings, as an emergency, seconded by Mr. Pelot. Mr. Mowery questioned the use of these funds. Ms. Zerga stated that it has always been her accounting practice that money, which is set aside in a Special Revenue Fund, can only be used for that specific purpose.

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

Motion passed 7-0.

EMS Billing Rates:

Mr. Collins discussed the issues around altering these rates and increases. Mr. Collins indicated that Life Force Management who does our EMS billing has suggested that we alter our amounts from \$400 to \$500 and under basic life support to change that from \$250.00 to \$350.00. The new amounts are in line with Medicare reimbursements. Mr. Collins stated that on page #2 there is a minor change where it discusses providing services by the Fire Department, it should be EMS not Fire Department. This allows us to collect what the insurance companies would pay out for EMS calls. Mr. Zita moved to place this on Council's next agenda, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mayor Kernan thanked Council on their difficult decisions on the tax issues, and he and the Finance Director will still be looking at the 2004 Budget for any possible cuts. If there are any questions the public has they should contact Ms. Zerga or him with their concerns. Mr. Price stated that he voted for the tax increase and this would go all three readings, and if any questions need addressed the residents should contact their Councilperson.

Mrs. Hlas stated that at our next Committee meeting, she would like to see Loyal Oak sewer extension on the agenda, and how we are going to address those 50 benefits. She would like to have an answer from Mr. Lyons by then. Mrs. Hlas inquired from Mayor Kernan about his office hours since she is working her newsletter and wants to inform the public of how to contact him. Mayor Kernan stated that they can call his office downtown from 7:00 to whenever a 330-762-9445 or at home at 330-658-0882 or some Monday afternoons here at City Hall.

Mr. Zita mentioned that there is a Norton Kiwanis Prayer Breakfast on May 6, 2004 and if anyone is interested they can purchase tickets for \$7.00 from The Medicine Shoppe or Mr. Collins.

Mr. Gainer voiced his concerns about comments of those residents who do not support these tax increases are not supportive of this community. This is complete hogwash. He does support this community and if you ask him to do anything for this community or the children in this community he is always happy to step forward to help.

Mr. Conklin stated the Crescent Club, which is a women's clubs based in the Kenmore are is holding an Evening at the Races, on Saturday April 17, 2004 at the Immaculate Conception Hall at 2128 17th Street in Kenmore. Tickets are \$10.00 per person; you may contact his wife at 330-826-6767.

New Business

None

Old Business:

None

Adjourn:

There being no other business to come before the Committee of the Whole, the meeting was adjourned at 8:12 PM.

John Conklin, President of Council

Date approved: April 12, 2004

****THESE MINUTES ARE NOT VERBATIM. THE AUDIOTAPE WILL BE ARCHIVED IN THE CLERK OF COUNCIL'S OFFICE****