



**COMMITTEE OF THE WHOLE MEETING
MAY 3, 2004**

Committee Members Present: Brenda Hlas
Dennis McGlone (absent)
Bill Mowery (left at 8:40)
Scott Pelot (excused)
James Price
Mike Zita
John Conklin (excused)

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

The Committee of the Whole convened for a meeting on Monday, May 3, 2004 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Brenda Hlas, Vice-President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

Committee of the Whole-General Topic of Discussion

University of Akron intern Jason Beck thanked the Administration and Council for his time spent with the City for his internship. Mayor Kernan gave Mr. Beck a letter of recommendation.

Property Insurance:

Mr. Tom Wichert of Wichert Insurance took the podium and stated that in researching the City's renewal, he experienced difficulty in finding any other carrier, besides our current CNA, that would carry us, citing that the last few years have been tougher than most. The City's insurance premiums are up by 35.2%, discussing that the majority of the activity came from zoning enforcement, law enforcement involving defense and litigation on Public Officials, stating that Norton has far more frequency of claims of this sort than another city of its comparable size. Claims on property, general liability and auto were below usual. Mrs. Hlas noted that if the zoning codes were cleaned up that it would likely reduce our claims occurrences. Mr. Tomko, a Norton resident, stated that he wanted to see an exact breakdown of the costs and the details of past zoning code litigation. Mayor Kernan stated that the information would most likely be limited, but that he would do a search of the Clerk of Courts in the Civil Division and send Mr. Tomko any information that he would be available to review. Mr. Pritchard stated that there are a lot of issues regarding zoning, stressing that a lot of our current code is conflicting and will continue to be in court. Mr. Mowery moved to have this legislation prepared for Council's next agenda, suspending the 2nd and 3rd readings and declaring an emergency, which was seconded by Mr. Price.

Roll Call:

Yeas: Mowery, Price, Hlas, Zita

Nays: None

Motion passed 4-0.

Convenience Store Security

Mr. Mowery discussed that this legislation would be a safety upgrade to the five businesses in Norton that are open 24-hours, requiring these businesses to have at least two employees on the premises during the hours of 1:00am to 6:00am. Mr. Mowery stated that most cities already practice this policy. Mr. Price asked if Chief Carris agreed that this would prevent robberies, questioning if there could be other practices, such as safety glass, that the businesses could utilize to protect their business. Mayor Kernan mentioned that the sample legislation from Barberton in the Committee packet details alternative safety measures to be required if the company decides against scheduling a second employee during these hours. Mrs. Hlas noted that as a general practice, two people are safer than one in these circumstances. Mr. Mowery stated that he would be responsible to notify these businesses that Council is considering this legislation. Mr. Mowery moved to have this legislation prepared for Council's next agenda, going all three readings and no emergency language, seconded by Mr. Zita.

Roll Call:

Yeas: Mowery, Zita, Price, Hlas

Nays: None

Motion passed 4-0.

Gardner Blvd Phase II Grant

Mr. Collins stated that a Resolution of Support for Gardner Blvd Phase II is requested to be able to apply for the Ohio Public Works Commission State Capital Improvement Grants, which needs to be applied for by June 30th. Mr. Collins also indicated that a separate ordinance was needed to pay URS \$27,886 for the engineering and proper submittal of the grant request. Streets being considered for Phase II are Gardner, Hawthorne, Parkway and possibly Beech Row. Mr. Mowery asked Mr. Pritchard if this grant application provided matching funds, of which Mr. Pritchard confirmed that it is a 50% matching grant. Mr. Price moved to place the Ordinance to pay URS \$27,886 for engineering on Gardner Blvd Phase II on Council's next agenda, waiving the second and third reading, as an emergency, seconded by Mr. Zita.

Roll Call:

Yeas: Price, Zita, Mowery, Hlas

Nays: None

Motion passed 4-0.

Mr. Price then moved to place the Resolution of Support to proceed with Gardner Blvd Phase II on Council's next agenda, seconded by Mrs. Hlas.

Roll Call:

Yeas: Price, Hlas, Mowery, Zita

Nays: None

Motion passed 4-0.

Additional park land to Frashure Park

Mr. Collins explained that in January of 2001, AR Lockhart Development Corp. agreed to donate 1.5 acres of land, located between the old Inas Dr. and the new Inas Dr., adjoining Frashure Park as greenspace, stating that this is a great addition to this park area. In late March of this year the City was deeded this land but found that there are past due taxes of \$819.83 on the property. Mr. Collins stated that if we decided to refuse to pay the lien, the property would most likely be sold in a Sheriff's sale and the City would lose the ability to own it. It was explained that once this lien is paid, the City would apply to have this parcel changed to park property, which would eliminate any further taxes. It was also noted that there is permanent sanitary sewer maintenance fee of \$21.50 a half due to the County that the City would be responsible for. Mr. Price moved to place accepting this park land on Councils next agenda, seconded by Mr. Zita.

Roll Call:

Yeas: Price, Zita, Mowery, Hlas

Nays: None

Motion passed 4-0.

Allocation of Funds Resolution of Intent

Mrs. Zerga explained that she and Mr. Lyons has tried to address every outcome of the potential income tax increase and credit adjustment to provide a few options for Council and how they would like to move forward with the expenditures of this potential income. Mrs. Zerga referred to a memo she produced (attached) which contained various options of the allocations of funds.

Mrs. Hlas stated that she too had worked on putting together suggestions of the allocations, feeling that the income tax increase should go towards the operations of the City and that \$500,000 of the ½% credit adjustment should be used towards a road program and the remaining \$100,000+ should go into an account to improve infrastructure. This would show tangible use of the money to the residents. Mr. Pritchard stated that \$500,000 for roads is a band-aid, but he agreed that industrial zone infrastructure is important to lure business. You have to spend money now to improve infrastructure for businesses so that taxes may be reduced in the future. Mayor Kernan stated that we might have to look into assessing residents to be able to have a strong road program. Mr. Mowery questioned how far do we want to go on development, should we be building a little at a time or go whole hog? There needs to be a balance. Mr. Richard Easterling, Norton resident, questioned if we are receiving tax from the construction companies doing business with the developers building in the City, of which Mrs. Zerga stated that in most cases, yes, they are. Mayor Kernan stated that this has not been paid much attention in the past, but is being examined now.

Finance Department Position

Mayor Kernan stated that if Council chooses not to use CCA as a tax collection agency, the hiring of another employee to work in the finance department is just not possible, especially if we are talking of having to lay off employees to stay within our budget. Mrs. Hlas stated that it is hard to justify spending \$100,000 to have the agency collect the taxes. She is also concerned about having to spend more money for the required equipment once we decide to stop using the collection agency. Mrs. Zerga stated that the expenses to use CCA as opposed to hiring another employee is more like \$50,000 and that the advantage of using an collection agency would put

our house in order. Mayor Kernan likened the situation to spending \$100,000 for a staff of hundreds to set the City on the right path or \$50,000 for one person and still not being able to collect all that we could be collecting. Mrs. Zerga reiterated that with the current overburden of duties on her staff that by hiring another person she actually would only be getting a half of a person. Mrs. Hlas then stated that if we decide to use the agency she would like to have the Finance Department provide a policy and procedures within the next year on how we would commit to collections once we stopped using a collection service. Mrs. Zerga assured that it was her intention to provide this information. Mr. Tomko stated that the easiest way to collect from the construction companies would be to issue a tax collection statement with the building permits. Mr. John Carris, 3268 Longwood Dr., agrees that the best thing to do is to give it to the collection agency for two years, get reorganized, and then take the job back. Mr. Mowery stated that he understood that Mrs. Zerga inherited a troubled finance department. He believes that we should go into a holding pattern and that she should be given time to make her department more efficient and keep the money that would be spent on a collections agency and set it aside. Ms. Zerga noted that the collection of tax is the main source of income for the City. Every time that she attempts to move forward, she is hit with another problem, inconsistency or equipment failure in her department. Her staff has not had the training to be able to effectively collect the taxes the way they should be collected. Mr. Price asked why are other cities doing better? Mrs. Zerga stated that this was because they are set up correctly. Mr. Pritchard questioned that as we know that we are in a bad situation, why not take advantage of the newest technology that the collection agency can provide us? He stated that the Department Heads are stretched to the limit and there are so many things that are not being able to be done.

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 8:45 PM.

John Conklin, President of Council

Date approved: May 10, 2004

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