



**COMMITTEE OF THE WHOLE MEETING
OCTOBER 17, 2005**

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

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

The Committee of the Whole convened for a meeting on Monday, October 17, 2005 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Brenda Hlas, President of Council, followed by the Pledge of Allegiance and a moment of silent prayer. Mrs. Hlas indicated that Mr. Conklin would possibly be arriving later in the meeting. Mrs. Hlas indicated that Mr. Mowery was excused, he is out of town. Mr. Conklin was unable to make the meeting.

COMMITTEE OF THE WHOLE GENERAL DISCUSSION:

Contractor Registration:

Mr. Pelot discussed the Contractors Registration and the need to address the amount of liability insurance required. Mr. Pelot stated that this legislation would hopefully discourage some contractors from taking advantage of our residents. Mrs. Hlas stated that the residents should be comfortable knowing that the contractors will be registered. Mrs. Hlas stated that she has no problems with the legislation just the \$1,000,000.00 liability insurance required. Mrs. Hlas indicated that two contractors that were upset with this legislation approached her and that the contractors may be coming to a Council meeting to express their concerns. Mrs. Hlas suggested a lesser amount of \$500,000.00 for liability insurance. Mrs. Hlas stated that she saw two benefits with this; one being that it will keep the contractors on the up and up with the city and the residents, and second that it would ensure the employee are on file for income tax collections. Mrs. Hlas stated this legislation would take effect January 1, 2006. The fee would be \$100.00 for the first year and \$50.00 each year thereafter. Mrs. Hlas also indicated that Russ Arters stated it's just a matter of time before the State comes in and mandates this, then this legislation would no longer be needed. Mr. Pelot moved to place this legislation on Councils next agenda waiving the second and third readings, and no emergency clause, seconded by Mr. Price.

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

Motion passed 5-0.

Wooster Road Sewer:

Mr. Price turned the discussions over to Mr. Collins for the details. Mr. Collins stated that the connection fees we currently use were established in 1990's for Wooster Road Sewer. Mr. Collins stated that ordinance set the fee at \$2500.00 plus trunk fees for connection, and this is incorrect. Connection fees became reimbursement fees. Mr. Collins indicated that this would become a potential problem if not addressed soon, especially with the potential new development of Norton Commons and Rt. 21 and Hametown Roads becomes a reality. Mr. Pelot inquired about the current fees, which Mr. Collins replied that today's prices are \$2660.00 per benefit for sewer and \$1060.00 for water and it is based on meter size. Mr. Pelot clarified that this is not a new fee, it is only making the language better. Mr. Tomko, a Norton resident inquired if these property owners will have to pay the 27½% surcharge fee, and Mr. Collins stated that when they are connected they would have to pay this fee to Barberton. Mrs. Hlas indicated that she would like the legislation specifically state the reference to Ord #83-2004 so that there would be a paper trail for reference later. Mr. Price moved to place this on Councils next agenda for three full readings, seconded by Mr. Pelot.

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

Motion passed 5-0.

Trees & Plants Ordinance:

Mr. Zita opened the discussion stating that this legislation sets procedures and guidelines for planting, trimming and care of trees and plants on public property. Mr. Collins stated that the City of Norton has nothing enforcing this and it should be addressed. Mr. Pelot discussed the resident notification process listed on Section 1032.03(c) and felt that 5 days was too short, suggesting it be changed to 10 days. Mr. Collins indicated that he did not have a problem with this suggestion. Mr. Jim Lino a Norton resident asked what would happen if a Norton resident came home from a two week vacation to find all the trees on their property cut down. Mr. Collins indicated this would be a direct violation and did not feel this could ever happen. Mr. George Tomko, a Norton resident stated that someone needs to take a look at the bushes near the stop sign at Summit & McCoy Roads, they need cut back because you cannot see. Mrs. Hlas inquired if undedicated streets are considered a right of way? Mr. Collins stated that he was not sure. Mrs. Hlas indicated several inconsistencies with the term Director of Public Service and just Director, it was so noted and the Clerk would make the corrections. Mrs. Hlas questioned Section 1032.02 (B) trees planted in a tree line (i.e. the Stonewyck Development) and Mr. Lyons indicated that this section should be changed to state "without the approval of the Director". Mrs. Hlas discussed the section which states permit fees and who would set them. Mr. Collins stated that he some other communities do charge a fee to public utilities for that public service. Mrs. Hlas asked for an example of a reasonable fee, and Mr. Collins stated he has not addressed this just yet. Mr. Collins stated that it is probably along the line of the right of way fee, which is \$50.00. Mr. Pelot as Mr. Collins if he would be coming back to Council with that fee? Mr. Collins stated no, it would be set in a policy that he would issue. Mr. Pelot recommended it be reduced to \$25.00, and Mr. Collins stated he would make a note of this. Mr. Collins preferred not to put the fees in the ordinance. Mr. Zita moved to place this on Councils next agenda for three full readings, seconded by Mr. McGlone.

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

Motion passed 5-0

Resolution Supporting MRDD Issue 6:

Mrs. Hlas discussed supporting Issue 6, stating that she would like to pass this with emergency language. There was brief discussion on this and Mrs. Hlas moved to add this to Councils next agenda, seconded by Mr. Zita.

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

Motion passed 5-0.

Driveway Approaches:

Mr. Zita opened the discussion on this topic stated that this effects only new driveways and driveway approaches. Mr. Zita explained that new driveways and approaches must now be at least four feet from a utility box or a fire hydrant. Mr. Zita moved to place this on Councils next agenda for three full readings, seconded by Mr. McGlone.

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

Motion passed 5-0.

Modify Budget Increase/Decrease:

Mr. Price explained the legislation and turn it over to Mrs. Zerga for further details. Mrs. Zerga indicated that last year we passed the 2005 Budget and this is end of the year house cleaning legislation, and if three full readings are necessary we need to start this now. Mrs. Zerga indicated that the OPERS increase from 8½ % to 9 % and the changes are reflected within the 2006 Budget. Mrs. Hlas questioned the necessity of three full readings, adding that this is modifying a budget and we would be estimating on the revenue and expenses in the last three months of this year. Mrs. Hlas stated that she would rather wait and readdress this at the Committee meeting on December 5, 2005, waive the second and third readings at the December 12, 2005 Council meeting, when Mrs. Zerga has more concrete and accurate numbers. Mrs. Zerga stated that this was true and by waiting she would be able to present Council with a better overall picture. Mr. Pelot suggested that if anyone on Council has an issue that they should contact Mrs. Zerga between now and then. Mrs. Zerga stated that it is important to remember that we are not appropriating in excess of funds that are available to the City. Mrs. Zerga added that even with these changes all of the fund balances have a positive number at the end of the year. Mr. Hlas suggested that we send this back to Administration for them to bring it back to Council with further information, and Mr. Price agreed.

Old Business:

Mr. George Tomko, a Norton resident discussed the yard sale issue he raised at the last meeting. He neglected to mention the fact that his Daughter did call the city before she put up any signs. She asked if a permit was required and was told no, she was also told that she could place the signs anywhere from 5-10 feet away from the road. If this was incorrect, she should not have been given this information. Mr. Tomko stated again that this is selective enforcement. We have all of these signs in the wrong place and the owners should be contacted to get them back where they should be or they will be fined.

New Business:

Mr. Zita inquired from Mr. Collins as to the status of the Union negotiations. Mr. Collins indicated the process has begun, and next week is the first meeting. Mr. Price asked if Council could attend the meetings, and Mr. Collins indicated that yes they were welcome to attend. Mr. Pelot inquired as to salary increases for the Unions and Mr. Collins stated that he did not want to discuss this publicly. Mr. Pelot discussed the Charter Review Commission and indicated that he would be sitting in on these discussions when they begin.

Matters Referred:

Mrs. Hlas stated that the Codified Updates and Hike and Bike Trails legislation would be discussed at the next Committee of the Whole meeting on November 7, 2005.

Public Service Announcements:

Mrs. Hlas mentioned that Mulch Makers on Clark Mill Road will be taking yard debris only Monday through Friday from 7:30 AM to 5:30 PM. Bagged material will be inspected on site for any unauthorized debris.

Adjourn:

There being no other business to come before the Committee of the Whole, the meeting was adjourned at 8:23 PM.

Brenda K. Hlas-President of Council

Date approved: November 14, 2005

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