



**COMMITTEE OF THE WHOLE MEETING
MARCH 7, 2005**

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 (Excused)
Jeff Pritchard

The Committee of the Whole convened for a meeting on Monday, March 7, 2005 at 7:03PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Brenda Hlas, President of Council. Mrs. Hlas indicated that the Clerk of Council and our Deputy Clerk of Council are both out sick, and Mr. Zita would be in charge of the minutes.

Committee of the Whole General Discussion:

Summit-Akron Solid Waste Management Authority-Municipal Waste & Recycling Program Presentation by Yolanda Walker, Executive Director.

Mr. McGlone introduced Ms. Walker who also introduced Mrs. Jenny Markovich, Program Coordinator. Mrs. Markovich is in charge of community grants. Mrs. Walker indicated that their organization would be distributing over \$300,000.00 in grant money to the communities this year. Ms. Walker gave a brief overview of their services. Ms. Markovich gave a power point presentation of the community grant program, and handed out literature. (See attached). There was general discussion on the current proposed city wide trash program; the idea of an opt-out provision was discussed in detail. Mrs. Hlas discussed the options, and asked council for their ideas on what they wanted to do. Mr. McGlone stated that he felt we could do percentages when we do go out for bid. Mr. McGlone felt we could maybe go with 50% of residents going with the program, would be one rate, 25% going with the program obviously would be higher. Mr. Conklin stated that the problem with the opt-out issue, you do not have the higher number of participants, and the price of the program rises and would no longer be competitive. Mr. Conklin also discussed the potential of placing this issue on the ballot. Mr. Conklin stated that he felt the best way to give the residents the lowest possible price is to have 100% participation and put it to a vote of the people. Mr. Price stated that he was for this in the beginning and felt it is a good idea. Mr. Price stated that the residents should have a choice of an opt-out option maybe on a sliding scale as Mr. McGlone indicated. Mr. Price wished there were another way to give the residents a choice without the expense of placing this on the ballot. Mr. Pelot stated the residents should have a right to vote on this, and agreed with the idea of a sliding scale.

Mr. Pelot suggested we go ahead and put this out for bid with the sliding scale to get some preliminary pricing. Mr. Pelot stated that if we need to have 100% participation, then it must go on the ballot. Mr. Mowery indicated that he feels this should have an opt-out program. Mr. Mowery stated that with placing this on the ballot, it is merely an opinion poll. The say of the residents can still be overridden by a Council vote. Mr. Mowery indicated that he is generally opposed to this and there are so many questions to be worked out on this. Mr. Mowery suggested there was no hurry on this and maybe we should continue to look at this. Mr. Zita indicated that this is a health issue for the city and was discussed at a recent Health Board Meeting. Mr. Zita stated it was discussed that this should be a mandatory program with possibly three choices of services you could obtain. Mrs. Hlas indicated that she has worked on this for two years. We were elected by the people to do our job and make decisions for this city. Mrs. Hlas discussed the current ordinances on the books for recycling, and the fact that EVERY one and two family household in the city shall be required to secure trash service from a trash hauler. Each house is also required to participate in recycling, etc. Mrs. Hlas stated that no matter what happens with the current trash proposal she will insist on enforcement of the current code which has been in effect since 1993. Mrs. Hlas stated that what is in the proposal is also currently everything we have on the books right now. Mr. Arsic of 123 Disposal and a Norton resident commented on this issue, and felt the bid package is a Cadillac of services, and may not need to be revisited for a long time. Mr. Easterling, a Norton resident spoke in favor of this program with an opt out provision. Trash is a fact of life, and he did not see this as government shoving this down our throats. Mr. Easterling urged Council to get this program up and going, since you have been working on this for nearly two years. Mr. Coyle of Republic Waste spoke regarding his concerns on the opt-out portion. Mr. Coyle stated that his company services the City of Green, and that the three levels of service being discussed are comprehensive to everyone in that community. Mr. Coyle discussed the three options in Green's contract and the fact that the residents were given three options of service; limited, unlimited and bag service. Mr. Pritchard discussed the opt-out portion, and asked Mr. Arsic and Mr. Coyle about their concerns with having an opt-out. Mr. Coyle stated that with Tallmadge, they have an opt-out program, which is difficult to determine how many are going to participate. As a hauler, it makes it impossible for us to give you the best price because of this. Mr. Pritchard clarified that our bids would come in higher if we have an opt-out program. Mrs. Susan Dayton, of Dayton Nursery spoke about her concerns with government or the EPA determining who takes your trash away. Competition is good; it drives price down and does not eliminate the little companies out there. Ms. Dayton discussed the recycling and could not understand why the residents don't recycle. It may be that they are not informed and they need to be educated. Ms. Dayton stated that Council could go door to door and do a survey, or post flyers at the grocery stores and banks. Ms. Dayton strongly felt that there must be an opt-out and the residents should have that choice. There was further discussion on this issue and Mr. Conklin moved to have legislation prepared for a city wide trash program with a provision for the residents to opt out, and a review by Council before the bid is awarded, seconded by Mr. Pelot. Mr. Conklin also felt the package should be tweaked to include the three choices of programs, discussed earlier.

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

Motion passed 5-2.

MPO:

Mrs. Hlas stated we have no legislation from the Law Director in order to discuss, there was no discussion at this time.

Permissive License Plate Tax:

Mr. Conklin indicated that there is the flexibility to add the \$5.00 dollars, some communities already do this and some do not. This additional money cannot be used for anything other than roads, and road repairs. Mr. Conklin discussed a lack of a road program this year due to lack of funds, and that by raising the license plate tax by \$5.00 this would generate additional revenue needed to do a road program. There was discussion as to how much money this would generate, approximately \$160,000.00 annually. Mr. Conklin indicated that in the past the city was able to do a road program for approximately \$300,000.00 to \$400,000.00 annually. Every two years this \$5.00 increase in license plate tax would be enough to do a decent road program. This would be better than not having a road program at all. Mr. Conklin discussed the time line of June 1, 2005 in order for this to be effective for 2006 and we could expect to see the revenue in the first quarter of 2007. Mr. Pelot indicated that he liked this idea, and that in the future when funds are available we would have more funds for the road programs. Mr. Zita was also in favor of this increase as long as the funds go specifically towards a road program. Mr. Carris Sr., a Norton resident stated that he was glad to see Council finally do something about a road program, and was in favor of this. Mr. Mowery stated that we just keep chipping away at the residents and with this they will not see anything for their money for a few years. Mr. Mowery had concerns about if this would truly be used for a road program and not something else. Mrs. Hlas indicated that if the legislation were spelled out this way, then Council would have to change legislation in order for the funds to be used for anything other than a road program. Mr. McGlone stated that he hesitated going to the residence with another increase, however he had a few phone calls this weekend about the poor roads, we need to address the roads now. Hetrick, a Norton resident stated that he is not against a road program, however reminded Council about the recent increase in the taxes, and the 20% of the residents that are already paying the bills. Mr. Hetrick urged Council to try and do something about the 80% of the residents that are not paying for the services before passing this. Mr. Gilbert Chaney, a Norton resident spoke in favor of this and that everyone going through our city benefits from the roads as they travel. Mr. Chaney stated that if we need the money for roads, and other things, why not just go for one bigger tax to cover for everything, instead of an increase here, and there. Mr. Dave Firis, a Wadsworth resident spoke regarding the amount of revenue and felt the figures were misquoted. Mr. Firis stated that at the \$160,000.00 as stated this would be for 32,000 cars, which is more than the current residential population. Mr. Price stated that he does not support this and he is getting sick of paying taxes. Mr. Price stated that we need to get more creative, we do not try to solve a problem and fix things, we just throw money at it, and he is getting sick of this. Mr. Price stated he is not against a road program, we cannot get together between Council and Administration to work out a better plan. Gas prices will be close to \$2.25 by summer, and we should not be taxing the residents again. We do not have a money tree here and we cannot continue to throw money around every time charging another fee. We need to do a better job. Mr. Conklin suggested someone tell the Governor of the State of Ohio what Mr. Price just stated. Mr. Conklin agreed with Mr. Price and does not want to tax the residents either, but when the State cuts our funding, what else are we supposed to do? If the roads are falling apart, and we don't do anything, they will get worse.

Permissive License Plate Tax continued:

Mr. Easterling, a Norton resident spoke in favor of the increase, and the only way to really do a real road program is to do an assessment to the residents. Mr. McGlone located the number of estimated revenue that was submitted by the Finance Director in a previous memo, and the correct amount would be \$67,500.00 annually. Mr. Mowery stated that every time there is a problem, the residents always have to pay for it. Mr. Mowery commented on the fact that we need to know how the money is spent, and where it is spent. The residents are given creative reasons for the needs for the money, and this creates mistrust. If the residents have a little bit of mistrust initially, how can they say where the money is going. When you are dealing with the public's money, you need to have clear and clean answers. Mr. Easterling stated that it appears that Mr. Mowery was implying there is fraud here, and he strongly disagreed with Mr. Mowery on that issue. Mr. Easterling stated that he does not miss trust what is going on here. Mr. Mowery stated that he did not say fraud, but that it is what it is. Mr. Carris Sr. stated that the residents drive on these roads, and if that want them to be safe, there should not be an issue with the \$5.00 increase. Mr. Tompkins, a Norton resident inquired if we could charge more than \$5.00 and Mr. Conklin stated that the limit is \$5.00 at this time. Mr. Conklin moved to place legislation for a \$5.00 increase to create a road program, and that the funding cannot be used for anything other than roads, on council's next agenda, seconded by Mr. Zita.

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

Old Business:

Mr. Mowery wanted to discuss the legislation for the salary increase for the Law Director, since this is up for a third reading next Monday. Mr. Mowery stated that he has many issues to discuss with Mr. Lyons before the vote on this. Mr. Mowery stated that he submitted a request to review Mr. Lyons' personnel file. There was discussion about if there were any reprimands on the file, and Mayor Kernan stated that he has not given Mr. Lyons any reprimands. Mr. Collins stated that Mr. Lyons sent an email and memo regarding the status of the Finkbinder report as it relates to the water and sewer access fees, (see attached Exhibit A).

New Business:

Mrs. Hlas indicated that there would be no Committee of the Whole meeting as scheduled for March 21, 2005 due to lack of agenda items to discuss. Mrs. Hlas stated that at this point the Council/Administration Workshop is scheduled for April 23, 2005, and she has received three responses to attend. This is the last time to attempt to schedule this. Mr. Pritchard indicated he would be attending, this important meeting. Mr. Pritchard stated that this is where the city gets the direction it needs to take, and sets the tone and goals for the years. Mr. Pritchard suggested that a Road Program should be a topic of discussion. Mr. Pelot suggested we really need to have this meeting, and it should not be cancelled. Mrs. Hlas stated that so far, Mayor Kernan, Mr. McGlone, Mr. Conklin, Mr. Price, Mr. Pelot, and Mr. Pritchard are attending. Mrs. Hlas indicated that we need a reply from Mr. Mowery and Mr. Zita in the future. There was discussion on holding this in the future on a weeknight after work as a possibility.

Adjourn:

There being no other business to come before the Committee of the Whole, the meeting was adjourned at 9:11 PM.

Brenda K. Hlas-President of Council

Date approved: March 14, 2005

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