



**COMMITTEE OF THE WHOLE MEETING
APRIL 18, 2005**

Committee Members Present: John Conklin
 Dennis McGlone (Arrived at 7:09)
 Bill Mowery (Excused)
 Scott Pelot (Excused)
 James Price
 Brenda Hlas
 Mike Zita

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 18, 2005 at 7:06 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Brenda Hlas, President of Council.

Committee of the Whole General Discussion:

City's Property Insurance Renewal

Mr. Conklin turned this discussion over to Mr. Collins for details. Mr. Collins indicated that every year at this time we must renew the city's Property Insurance. Mr. Collins indicated that he contacted the Sutton Insurance to review the policy on the city's behalf. In the meantime, Mr. Sutton has contacted Mr. Wichert of Wichert Insurance and had provided the city with the information attached (See Exhibit A). Mr. Collins indicated that the good news is that it is a 5.6% reduction from 2004. Mr. Collins indicated that the annual premium for 2005 would be \$138,752.00. Mr. Collins introduced Mr. Wichert who was present for discussion. Mr. Wichert explained the reason for the deduction was the fact that the city has had two good years in a row. Mr. Wichert stated that the Public Officials carrier decided not to renew because of the city's track record, which has been above average. Mr. Wichert indicated another change was on the deductibles on automobile coverage. Mr. Wichert indicated that they have raised this from \$250.00 to \$500.00 on the more expensive vehicles. There was further discussion on the policy changes and Mr. Wichert indicated that overall the city will save \$8257.00 from last years premium. Mr. Conklin moved to place this on Councils next agenda, with emergency language, waiving the second and third readings, seconded by Mr. McGlone.

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

Motion passed 5-0.

C & D Tipping Fees:

Mr. McGlone turned this discussion over to Mrs. Hlas who has worked on this for some time. Mrs. Hlas stated that she has testified in Columbus twice on this issue. Mrs. Hlas indicated that this Bill permits the Health Districts to charge .30 ¢ per yard tipping, and of that .30¢ the City of Norton would receive .4¢. if legislation is adopted. Mrs. Hlas stated that this House Bill went into effect on April 15, 2005 and our draft legislation should be changed to May 1st, 2005, waiving second and third readings and as an emergency. Mrs. Hlas stated that this would generate approximately \$15,000.00 to \$20,000.00 annually into the General Fund. Mrs. Hlas stated she would like to see this revenue earmarked specifically for the Service Department so they can make the necessary road repairs. Mrs. Hlas stated that she testified regarding the road repair issue and that the City of Norton needed this money to maintain the roads. Mrs. Hlas stated that the House also added some ground water monitoring into the legislation. Mrs. Hlas stated that she discussed this issue with the Barberton Health District and they already monitor the ground water. The Health District would collect this fee monthly and they have 45 days to get the funds to the City of Norton. Mrs. Hlas stated that with this going into effect on May 1, 2005, we probably would not see any money until the middle of July 2005. Mr. Conklin discussed the possibility of Summit County processing this if the Barberton Health District dissolves. Mayor Kernan suggested that the County would have to collect the fees if the Barberton Health District dissolves. Mrs. Hlas stated that she would like to know how the Summit County Health District intended to monitor these two facilities. Mrs. Hlas stated that she knows that Mike Muesel of the Barberton Health District is always on top of the situation and monitors these facilities twice a month. Mr. George Tomko, a Norton resident stated that on a daily average approximately sixty trucks enter the Eshlich C & D. facility. Mrs. Hlas moved to place this on Councils next agenda with emergency language, waiving the second and third readings, seconded by Mr. McGlone.

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

Motion passed 5-0.

Resolution authorizing the Administration to bid for trash haulers:

Mr. McGlone stated that this resolution is in addition to the ordinance on the trash haulers bid. Mr. McGlone turned discussion over to Mr. Pritchard for details. Mr. Pritchard indicated that the TAC Committee modified the text to the bid package. Mr. Pritchard stated that the only item remaining was that Mr. Lyons has to make some changes to the language regarding the time that Council has to review the bids once they are submitted. Mrs. Hlas clarified that this is separate from the bid proposal. Mr. Chaney, a Norton resident commented on the latest bid proposal, having issues with the enforcement and urged Mayor Kernan to veto this and if the Mayor does not, the residents could file a referendum against it. Mr. Tomko stated that it's a shame that the city does not have its own trash facility, we could really make a lot of money here. Mr. McGlone moved to place this item on Councils next agenda, seconded by Mr. Conklin.

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

Motion passed 5-0.

Recycling Grant:

Mr. Price turned this discussion over to Mr. Pritchard for the details. Mr. Pritchard indicated that he has already applied for this grant and that a Resolution from Council is required before they release the funds. Mr. Pritchard indicated that the grant money would be used to educate the residents on a recycling program, and the money could be used to provide containers for special events. Mr. Pritchard indicated that if Summit County falls short on the total percentages of recycled material, the Ohio EPA could step in and mandate a recycling program. Mr. Price moved to place this Resolution on Councils next agenda, seconded by Mr. Conklin.

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

Motion passed 5-0.

MPO Changes:

Mr. Zita stated that the changes to Ordinance #71-2003 would be addressed in the draft Ordinance #41-2005. Mr. Zita explained that this ordinance would address the change of the employee's anniversary date to January 1st of each year instead of their hired date. Mr. Collins indicated that each employee would be evaluated at the end of every year. Mr. McGlone added that this would also be easier for the payroll department to process. Mr. Price questioned is this ordinance was for the non-union employees? Mr. Collins indicated that this was correct, however we are doing this citywide. Mrs. Zerga stated that this would also insure that no employee would be overlooked throughout the year. Mr. Price questioned if this also impacts vacation and or sick time. Mr. Collins indicated that as it stands now, vacations are still calculated on the employees hire date. Mr. McGlone indicated that he does the payroll for Summit County and it is standard that vacations go by the hire date. Mrs. Zerga indicated that the new payroll system handles this process automatically as the anniversary date for employees. The program has one entry filed for the employees start date, and one entry field for the anniversary date and calculates this out. Mr. Collins indicated that there has always been some confusion here. Mr. Collins gave an example with the Clerk of Council. Her hire date was June of 2001, and then at some point was promoted to Clerk of Council. So what is her real anniversary date? It would be the date of hire for the City, not the date she was hired as the Clerk of Council since there was no break in service, it was a promotion from within. Mr. Zita moved to place this on Councils next agenda for three full readings, seconded by Mr. McGlone.

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

Motion passed.

Mr. Zita explained that there is a second part to the MPO discussions, which would be the changes to a previous ordinance as addressed in the draft of Ordinance #40-2005. Mr. Zita explained that this ordinance would bring the authority back to Council for approving any raises in the future. Mrs. Hlas explained that when Council adopted this ordinance earlier this year, some Council members were concerned that we no longer had the authority to give the raises. Mrs. Hlas stated that in hindsight we do have this authority when we address and pass the budget.

Mr. Coklin commented on the fact that he thought we are micro managing the Administration since the yearly budget addresses this issue. Mr. Price stated that Council needs to be informed on all financial issues before decisions are made. Mr. Price stated that we are all on the same page here—it is everyone’s job to watch how and where the money is being spent. Mayor Kernan suggested that if Council wants a 30-day notice before someone gets a raise, he would have no problem providing Council with this information. Mr. Price expressed his concerns about the 3½% raises granted earlier this year, and that we had the trust with the Administration and were working together until this occurred. Mr. Price stated that he felt Council was not kept informed about the raises until it already occurred. Mr. Collins stated that this was not accurate, Council was informed on at least four separate occasions. Mr. Collins stated that Mayor Kernan came to Council in January of this year indicating he was lifting the wage and hiring freeze unless there was opposition from Council, which there was none. There was further discussion on this issue and Mr. Conklin questioned whether or not we really need another ordinance on this. Mayor Kernan stated that he did not feel an ordinance was necessary, and that this issue could be resolved internally with a memo of understanding. Mr. Zita moved to leave the current ordinance in effect as it is and to require the Administration provide Council with a 30-day notice before any raises are given, seconded by Mr. Conklin.

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

Motion passed 5-0.

Old Business:

None

New Business:

None

Other Business:

Mr. Tomko spoke about the advertising on Channel #15, and thanked Ann Campbell for doing a terrific job.

Mayor Kernan thanked Council for their confidence in the Administration and leaving the MPO Ordinance as it stands.

Mr. McGlone discussed the situation with the Crawford Cider Mill and asked where it stands. Mr. Collins indicated that Russ Arters is working on an Adjudication Order with the Law Director to address this. Mrs. Hlas stated that there are two buildings at this property, and would like to have concrete letter on what is going to happen to either one of these buildings.

Mayor Kernan stated that Norton Clean Up day is May 7, 2005 at 9:0 AM at the Columbia Woods Pavilion. Doughnuts will be provided before it begins, and hot dogs afterwards.

Mr. Carris Sr., a Norton resident inquired as to what Council is working on in the future. He was concerned that there has been a major slow down with legislation. Mrs. Hlas indicated that there are no matters pending before council. Mayor Kernan stated that there is the first section of the Zoning Codes updates that is pending with the Planning Commission, and would eventually come to Council for action. Mayor Kernan stated that there are a number of different developments within the city. Mr. Pritchard stated that one would be the Berkshire Golf Course Community, Baughman project, Johnson Meadows Church project, and Pride One. Mr. Carris asked about a road program in the future. Mr. Pritchard indicated that this would be discussed at the Council/Administration Annual Workshop this Saturday, April 23, 1005. Mrs. Hlas reminded everyone that this workshop begins at 8:30 AM and Karla will be finalizing the agenda this Wednesday.

Adjourn:

There being no other business to come before the Committee of the Whole, the meeting was adjourned at 8:27 PM.

Brenda K. Hlas-President of Council

Date approved: April 25, 2005

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