



COMMITTEE WORK SESSION OCTOBER 16, 2006

Committee Members Present: Ken Braman
Tom Jones
Dennis McGlone
Bill Mowery
Scott Pelot
James Price
Mike Zita

Also Present: Mayor Joseph Kernan
Claude Collins
John Moss
Jeff Pritchard-Excused
Karla Richards

The Committee Work Session convened on Monday, October 16, 2006 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Council President, Michael Zita.

COMMITTEE WORK SESSION GENERAL DISCUSSION:

Recycling Program Presentation by Shelly Kadilak-Summit/Akron Solid Waste Management

Ms. Kadilak gave a brief presentation of what is defined as a recyclable product and how to properly dispose of such products. Ms. Kadilak provided hand out fact sheets for the public, (see attached). Ms. Kadilak stated that Summit County Solid Waste Management Authority does collect hazardous materials at their Stow location six (6) months out of the year. Ms. Kadilak stated that every April is Appliance Recycle Month.

Resolution of Support of Akron Zoo Issue 20

Mr. Zita stated that Issue 20 is not a new tax it is a renewal to keep the Akron Zoo in operation. Mayor Kernan stated that he thought that there was an increase in this levy. Mr. Braman stated that perhaps Mayor Kernan was thinking about the Summit County Metro Parks levy, which is an increase from .85 mills to 1.46 mills. Mr. Zita stated that the Akron Zoo is asking for Councils support by a resolution. Mr. Zita moved to place this item on Councils next agenda, waiving the second and third readings, seconded by Mr. Price.

Roll Call: Yeas: Zita, Price, Braman, Jones, McGlone, Mowery, Pelot
Nays: None

Motion passed 7-0.

Note for Johnson Meadows Project

Mr. McGlone turned this over to Mr. Moss for the details. Mr. Moss stated that this is a one (1) year note to refinance the entire amount plus interest to date. Mr. Moss stated that it is his understanding that the church intends to move forward early next year. Mrs. Elaine Tompkins, a Norton resident, commented on this issue, (see attached). Mrs. Tompkins urged Council to re-think what we are doing here. We were only supposed to be assisting them slightly by installing 1030 feet of an entrance road into their project, not what is now. Mr. Pelot inquired when the church is supposed to start repaying the city, if there was a definite date in place. Mr. Moss stated that they do not have to begin payments next year. This time next year would be the completion of the fourth (4th) year. If the project were done, we could then take it to bond and assess them, and they would then have the option of paying in a lump sum or assessed on their taxes over a ten (10) year period including interest and collection costs. Mr. Moss stated that even if the project were completed next year, the city would not see a payment until late 2007 as a lump sum or 2009 for an assessment. Mr. Moss stated that in the meantime this debt does reside on the city's books, and ultimately the source to pay the debt is the property. Mr. Pelot asked if there was a way to set it up so that no matter what happens over the next year, payments start coming into the city starting in 2008? Mr. Moss stated that a special assessment process is technical and he cannot change that process. Mr. Pelot inquired about the value of the property if it was sold to cover the debt, and Mr. Moss stated he was not aware of what the value of the property was. Mrs. Tompkins stated that in Ordinance #81-2003, the time frame then was for twenty (20) years rather than ten (10) years. Mr. Moss stated he was not aware that it was twenty (20) years. Mr. Moss stated that once it goes to bond, the actual costs of the entire financing of that project is included in the bond at the time of assessment and off of our books. Mrs. Tompkins stated that we are not collecting management fees, and we are not being project managers. Mrs. Tompkins stated that in one of the ordinances, it authorized the Administrative Officer to go out and get bids for putting in this road. Obviously we are not in the project management business, and there are all kinds of interesting things that have happened with this project that the city should have never gone into with this project. Mr. Jones stated that Mr. Pelot raised a very good issue; what is the value of the land, how much land is involved, etc. Mr. Jones stated that the city is holding the note and we are paying interest on this as well. Mr. Jones stated that generally you secure something when you loan money out, and he would like to see something to support this type of a loan, and we don't even know if the land is worth that kind of money. Mr. Moss stated that approximately. Mr. Moss stated that if we were to convert to a special assessment now, we would not be converting the full \$560,000.00, but only the amounts actually spent, and the interest which is approximately \$200,000.00. Mr. Pelot stated that he wants to look into having a valuation for the property now and when the money is spent, and Mr. Moss stated he could look into this. Mr. Jones asked if we could demand some sort of up front payment now? Mr. Moss stated that this is a Law Director question, and he was not aware of a special assessment which required an up front payment. Mr. Pelot stated that in essence the city is not really making any payments, it is just being rolled over into the debt each time. Mr. Pelot inquired when was the last update on the project, and Mayor Kernan stated that it was about 6-8 weeks ago and all intentions were to move forward early next year, however he did not have an exact starting date. Mr. Pelot stated that he would like to have Mr. Pritchard get firm details on the plans for the start of construction. Mrs. Tompkins inquired as to who is the developer for this project, as it was stated by Mr. Saus from the church that it was LL II of Wadsworth, and that Mr. Rancini would be operating it if it was ever built. Mr. Moss stated that he could not recall the name, however the developer has not changed and they are still ready to move forward. Mrs. Tompkins stated that the church should have some type of document providing the valuation of this property on hand.

Note for Johnson Meadows Project continued:

Mrs. Tompkins suggested that the ordinance should include the road being 1030 feet because that was the initial start and should be included in the title. That is what the church asked for and that is what the city agreed to. Mr. Moss stated that the note ordinance itself does not list the specific length of the road, this does not finance any of the many roads within the project, only one that becomes a public road. McGlone moved to place this on Councils next agenda, waiving the second and third readings, seconded by Mr. Price.

Roll Call: Yeas: McGlone, Price, Braman, Mowery, Pelot, Zita
Nays: Jones

Motion passed 6-1.

Resolution accepting the County amounts and rates

Mr. McGlone stated that this resolution is accepting the amounts and rates established by the Budget Commission. Mr. Moss stated that this is the annual tax budget, which the County Budget Commission has concluded that the amounts are appropriate, and there is no change. Mr. Moss stated that this is a schedule that is due annually and we really have no control over. Mr. McGlone moved to add this to Councils next agenda, suspending the second and third readings, second by Mr. Price.

Roll Call: Yeas: McGlone, Price, Braman, Jones, Mowery, Pelot, Zita
Nays: None

Motion passed 7-0.

Management Letter

Mr. McGlone stated that Council has received the official copy of the Management Letter and asked Mr. Moss to elaborate on this. Mr. Moss addressed each item listed on the letter by a separate memo, (see attached). Mr. Moss stated that there are certain things that the Auditors address that may need attention. Mr. Moss stated that there are things that may need to be addressed, which he has addressed individually. Mr. Moss stated that each item was addressed independently, and can be addressed. Mrs. Tompkins stated that her draft and the official are simply tools for the Council to be able to be aware and work with Finance on how to produce a better report so that no one gets in trouble. Mrs. Tompkins discussed the issue with the Mayors Court Computer Fund and stated that this appears to be a dispute with the Solicitor and the Auditor in regards to over time compensation. Mrs. Tompkins inquired as to the legal opinion the Auditors refer to, adding that she was unable to locate. Mr. Moss indicated that the legal opinion might in fact be an Ohio Auditors legal opinion. Mr. Moss stated that this original opinion was confusing to some employees in regards to overtime, and a second opinion was released a few years later clarifying this issue. Mr. Moss stated that this process has been stopped and the overtime is no longer coming out of the Court Computer Fund, it is now coming from the General Fund. Mrs. Tompkins stated that the most alarming and critical issue is the over appropriations of funds, which tells her that there is a severe break in communications. Mrs. Tompkins stated that there is 1.3 million overspent or over appropriated for 2005 so far. Mrs. Tompkins questioned how do we get better communications with Council and Administration on this issue. Mr. Moss stated that this does not mean we have spent more than what we have available, it simply means that we have not certified the resources. Mr. Moss stated that it does not matter how much there is available, it's whether the amounts being spent are certified.

Management Letter continued:

Mr. Moss stated that it is a common notation in most management letters to give areas needing addressed. Mr. Jones asked if we could get in trouble or put on notice for this? Mr. Moss stated that yes we could. Mr. Jones asked who would issue this notice or warning? Mr. Moss stated it would come from the Summit County Budget Commission, the Summit County Auditors, the Summit County Treasurer and the Summit County Prosecutor who make up this Board. Mr. McGlone stated that if anyone has questions regarding the Management Letter they should contact Mr. Moss.

Charter Review Commission Res. #4-2006

Mr. Zita stated that this resolution is condensing the Parks and Recreation Board and the Cemetery Board, since their functions and duties are the same. Mr. Zita suggested a title change to "Park, Grounds and Recreation". There was some discussion on this and it was decided to go with the title of "Parks and Cemetery Boards" since recreation was in essence a part of parks. Mr. McGlone discussed placing this on the November 27, 2006 agenda for a first reading in order for it to catch up with the other three (3) Charter issues in January. Mr. Zita moved to place this on Councils agenda for November 27, 2006 for a first reading only, seconded by Mr. McGlone.

Roll Call: Yeas: Zita, McGlone, Braman, Jones, Mowery, Pelot, Price
Nays: None

Motion Passed 7-0.

OLD BUSINESS

Mr. McGlone stated that the Mayors salary would be voted on next week, and would like to have some feedback from the balance of Council if we dropped the benefit package, would this have a better chance of passing? Mr. Jones stated that raising the Mayors salary is going to make any person more responsible that what they are today. A part-time job is a part-time job. Mr. McGlone stated that the current Mayors salary was probably established ten (10) to fifteen (15) years ago, and was out of line. Mr. Jones stated that he couldn't support this type of an increase. Mr. McGlone stated that he was just trying to bring the Mayors salary up to what other communities are paying. Mr. Jones stated that he understood this, however we do not have the industry or commerce to support this type of a raise. We are out there asking the residents to pass a road levy, and he is totally against raising the Mayors salary. Mr. Jones added that the proposed benefit package alone is \$11,000.00 Mr. Zita stated that he was not in favor of offering a benefit package, and that maybe the salary range should be tiered or in increments with the maximum in the 4th year. Mr. Jones stated that in the past he thought we gave a former employee additional salary for not taking the health care benefits. Mr. Collins and Mayor Kernan strongly disagreed with this, and that to their knowledge this is not the case. Mr. Pelot stated that he agreed that a benefit package should not be included. Mr. Pelot stated that the current salary is definitely competitive with other communities. Mr. Pelot stated that if you are offering someone \$11,000.00 salary there is only going to be so much dedication to the city and by increasing the salary this would attract more people. Mr. Pelot stated that he was not sure that the timing was right for this right now, with the other issues in the city needing to be addressed. Mr. Pelot suggested that we look at this maybe next year after we see what kind of shape we are in. Mr. Braman asked what is the big rush, it would not be effective until 2008, and would like to see something substantial like a 50% increase in the current salary with no benefits. Mr. John Carris, Sr., a Norton resident, spoke regarding this issue adding that part-time employees should not have full time benefits, and agrees with the process to increments instead of all at once. Mr. Price stated that at first he supported this with the benefits, it's roughly \$2.00 per resident.

OLD BUSINESS CONTINUED:

Mr. Price stated that he agreed with Mr. Carris' comments and some others with no benefits. Mr. Price stated that his last compromise is to have the salary increase in steps without benefits. Mr. Mowery stated that we have a Mayor, Administrative Officer and an Administrative Assistant, and within this mix and the money involved, the increase in salary increase will not solve the problems. Mr. Mowery stated that if you are elected as the Mayor you know what needs to be done for this city, adding that it's the results you get not so much how much you are paying.

Mr. Price stated that the sewer fees would be on the November 20, 2006 Committee agenda, and that he has been working on getting some figures together and getting them verified. Mr. Price stated that his initial research has revealed that there are additional costs involved because the residents would also be required to abandon or collapse their existing septic systems when they connect to the sanitary sewers.

Mr. Moss stated that one item mentioned in the Management Letter was for the city to establish an Audit Committee, and that Council would need to address this one way or the other.

Mr. Jones discussed his continued situation with Time Warner and that again tonight he had no services, no phone. Mr. Jones urged the residents again to contact Ann Campbell at City hall with their complaints. Mr. Collins stated that city hall could not address this and they should be contacting Time Warner instead. Mr. Jones stated that he just wants to know about the residents who do contact city hall.

Mr. Price stated that he would like to look into using the money in the Time Warner fund to assist the residents to connect to the lateral sewer lines. Mr. Moss stated that the money could not be used for that purpose. Mr. Collins stated that he is working with Summit County Department of Development on a potential program for assistance for residents that may be eligible for a grant for homeowners maintenance programs. Mr. Pelot asked why the city could not defer payments for the residents, and Mr. Collins stated that he did bring this up to Council in the past but they were not interested.

NEW BUSINESS

Mr. Braman discussed a large 4' x 8' political sign on Cleveland Massillon and Wadsworth Road, which is obscuring the vision in this area. Mr. Collins indicated that he would look into this.

Mr. Jones stated that Wadsworth Road has several speed bumps that need to be scraped down east and west of St. Route 21, about every 30-40 feet. Mr. Collins stated that he would look into this, adding that we do not have the equipment to fix this, it was borrowed from Barberton in the past.

PUBLIC COMMENT-NON-AGENDA ITEMS:

None

TOPICS FOR NEXT WORK SESSION:

Mr. Zita reminded everyone about the November 20, 2006 Work Session topic of sewer fees, and that a representative from the Floyd Browne Group would be present. Mr. Pelot mentioned the listening devices and other services for hearing impaired residents, and that this would also need to be discussed when going over the 2007 Budget.

Mr. Moss indicated that he may have the 2007 Budget prepared in the near future and it may also be ready for the next Work session.

ADJOURN:

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:40 PM.

Michael Zita, President of Council

All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted. If you do not have access to Time-Warner Channel #15, you may request to view a copy of any VHS recorded meeting in Council Chambers. Please contact Ann Campbell in the Administration office to make the necessary arrangements at (330) 825-7815 ext. 14