



COMMITTEE WORK SESSION NOVEMBER 20, 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
Karla Richards

The Committee Work Session convened on Monday, November 20, 2006 at 7:02 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:

Presentation by Christine Bade-For the Record Software Program

Mr. Zita introduced Ms. Bade and turned the discussion over to Ms. Bade for the presentation. Ms. Bade gave a live demonstration of this software program, which is a digital recording that can create minutes on the spot during the meeting. Mr. Pelot inquired if this program would address the hearing impaired issues. Ms. Bade stated it does not, however she has a company that they work with that can fill this need. Mr. Pelot asked Mrs. Richards how much time this program would save her when doing the minutes? Mrs. Richards stated that this would cut her time in half. Mrs. Richards also stated that would be a time saver for Ms. Cindy Hughes, the Boards and Commissions Secretary. Mr. Moss inquired about saving the information, and Ms. Bade stated the information could be stored in the network or save it to a disk. Mr. Pelot asked about memory on the hard drive, Ms. Bade did not have this answer. Mr. Price asked about the training aspects; how many people could be trained, or if this was extra? Ms. Bade stated that they would train as many employees as necessary as long as it all occurred on the same day. Mr. Price asked about phone support, and Ms. Bade stated that this is available. Mr. McGlone inquired about support, and warranty issues. Ms. Bade stated that the program has a 90-day warranty, dial up support at a cost of 11% of the cost system. Mr. Pelot inquired about the service tech, and Ms. Bade stated that they have twelve (12) out of the Cleveland office. Mr. McGlone asked if this cost was in the Budget, and Mr. Moss stated that it is in the proposed 2007 Budget. Mr. McGlone stated he would like to put this on the next agenda to discuss with the 2007 Budget. Mr. Zita thanked Ms. Bade for her presentation.

Presentation by Jim Demboski of Floyd Browne Group

Mr. Price introduced Mr. Demboski of the Floyd Browne Group and turned the discussion over to Mr. Demboski for his presentation. Mr. Demboski stated that he was previously the Director for Summit County Environmental Services before he retired. He now works part time for Floyd Browne Group who has assisted with the D. B. Hart Company in the city's Comprehensive Plan. Mr. Demboski stated that Comprehensive Plan group has determined the need for water and sewer in the city. Mr. Demboski stated that a feasibility study is the initial step in this process. Mr. Demboski stated that the study would look at the long term costs and all options available to the city. Mr. Demboski gave a summary of all of the associated costs and fees for water and sewer connections (see attached). Mr. Demboski stated that the big issue here is the tap in fees, and sometimes you have three (3) cities or entities charging three (3) different fees. Norton fees go for future infrastructure needs such as to replace lines, or extend lines. Barberton fees are used for debt services, capital costs, etc. and the same is true for Summit County. Mr. Price discussed the feasibility study and asked if this study would help the city decide what direction to take? Mr. Demboski stated that the study would compare the costs of going with Barberton, creating a treatment plant owned by the city and operated by Summit County. Mr. Price stated that his goal with study was to get rid of the three (3) sets of fees that the residents now have to pay and to possibly reduce costs. We either need to get into the business or get out of it. Mr. Pritchard discussed the other part of the equation is the loss of our income tax to businesses within our JEDD districts which is at 40%. This percentage is something that would grow as the city continues to grow and expand. Mr. Pritchard stated that this is an undetermined figure that could also be going toward improvements or the sanitary sewer system within the city. This is money being well spent, and it's the citizen's money that stays within the city as well. Mr. Demboski stated that Council and the Mayor decide the fees the city collects. If the city were to get certain guarantees from the County and Barberton to do certain aspects, then maybe the fees Norton charges do not need to be as high. Mr. John Conklin, a Norton resident spoke regarding septic issues, Storm Water Phase II and Phase III regulations, and inquired as to future costs to bring current septic systems up to the new requirements. Mr. Pritchard stated that it is very site specific adding that in 2007 the Ohio Department of Health will have stricter regulations as well as the Ohio EPA. Mr. Pritchard discussed the current costs and the expected increases in 2007 (see attached). Mr. Conklin stated that it could cost \$18,000 to \$20,000 to connect to the sanitary sewers verses \$16,000 to \$35,000 for on lot septic systems that may only last twenty (20) years. Mr. Jones stated that the replacement cost twenty (20) years from now would not cost \$16,000 to \$35,000, it would be much higher than that, and possibly double. Mr. Pritchard stated that it is in this Councils hands to address it and move the city forward. Mr. Jones stated that he could agree with the need to move forward, however we need to help the commercial and residential residents to help them tap in but not at costs they cannot afford. Mr. Jones stated the current project has the residents worried that they will be run out of their homes because they cannot afford to hook up. Mr. Jones stated that the numbers the residents got tonight are probably inflated because the developer was not required to install laterals. The laterals are a big part of the hook ups, and asked what the additional costs for this if we don't put laterals in for existing lines? Mr. Demboski stated that it depends if the street is open cut or bored under. The estimated cost for an open cut would be \$1,000 added to the costs, and to bore under would add \$3,000. Mr. Zita stated that he has seen figures somewhere in a report of \$11,000 and asked where did this figure come from? Mr. Jones asked why they couldn't open cut on secondary roads, and somehow we have got to help these people hooked up.

Presentation by Jim Demboski of Floyd Browne Group continued:

Mr. Pritchard stated that we need to be very careful with this, we could apply for DEFA funding and it is done project by project. Mr. Pritchard calculated that if lateral connections on both sides of the street could send the costs up to approximately \$177,000 for the Millers sewer extension alone, which would most likely kill the entire project. Mr. Jones stated that this Council as a whole is not looking to put the burden on the developer, we need to clean up the problems we have presently. Mr. Jones stated that the balance in the Sewer Fund account #127 is close to \$470,000.00 not including interest. Mr. Moss stated that was correct, and the city does collect interest in all of the funds. Mr. Moss stated that the interest is credited to the General Fund and Council has the power and authority to transfer the money as they wish. Mr. Jones stated that somehow the city should kick in and help residents and developers. Mr. Jones asked if money in this fund has been used in the past? Mr. Moss replied yes, this money was used in the past for engineering, sewer lines and repairs for the Wooster Road West sewer line, half of the costs for the feasibility study. Mr. Pritchard urged Council to be cautious with this fund, we will need the money to purchase land, pump station development, local match for grants, etc. Mr. Moss stated that the previous Council cut the requested needed funding in half, so we are basically accumulating half of what we need from what the previous feasibility study suggested. Mr. Moss stated that the need exceeds the revenue stream. Mr. Braman discussed the estimated additional costs for the laterals and suggested that the costs to dig up and put laterals in one at a time would be twice as much. Mr. Stavarz, a Norton resident, stated that it appears Council is looking at underwriting this. You should be loaning the project the money so the developer can proceed with the lines and the city could recover the costs as each hook up takes place over time, rather than lay the costs onto the developer, you will kill the projects if you do that. Mr. Pelot discussed placing manholes in the right of ways for connections, and asked if this could be done? Mr. Demboski did not recommend doing this because things can clog up in manholes, which is also the same reason you don't run two (2) house to one lateral. Mr. Demboski stated that a feasibility study would look the pros and cons of all possible options for the city. There was further discussion and Mr. Price moved for the Law Director to prepare legislation for a feasibility study on Councils next agenda, seconded by Mr. Pelot. Mr. Stavarz asked if this is for one company or would it go to public bid? Mr. Collins stated that this would go out for a public bid.

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

Motion passed 7-0.

Section 1042.01 Reimbursement Charge-Wooster Rd. Sewers

Mr. Price discussed the suggested change to the language in Section C, and the response he received from Mr. Lyons on this subject. Mrs. Richards read a portion of Mr. Lyons' statement "It is my opinion a change of the word "may" to "shall" would not change the decision in the present case. This subsection of the code allows more than one structure to use a single line to tie into the sewer main provided it is large enough to handle the anticipated flow. Neither the Barberton Utilities Dept., nor the Norton City Engineer regarded this as an appropriate tie-in. I presume this was based non a determination that the lateral was not designed to serve flow beyond the flow expected from the Willig property and/or the utilization of the line by an adjoining property owner would interfere with the use of the lateral by Mr. Willig.

Section 1042.01 Reimbursement Charge-Wooster Rd. Sewers continued:

Whether the word “may” or “shall” is used in the sentence as suggested would not change the evaluation done by the engineers, the decision in this case would be the same”. After reading Mr. Lyons’ opinion there was no need for further discussion on this issue.

Mr. Zita called for a temporary recess for 10 minutes before getting into the Budget discussions.

2006-2007 Budget Review

Mr. Zita stated that since Council just received the Budget prior to the meeting, he called for a Finance Meeting on December 4, 2006 at 6:00 PM to discuss the Budget. If necessary there may be a need for an additional meeting on December 7, 2006 to wrap things up. Mr. Zita stated that Council must take a vote on the Budget at the last Council meeting of the year, which is December 11, 2006. Mr. Pelot suggested that in the future Council should have the Budget no later than November 1st as a standing rule. Mr. Moss discussed his request to amend the payroll budget for this year (see attached). Mr. Moss stated that the summary is correct. A mistake was noted by Ms. Tompkins, it is missing the Community Development Department. Mr. Moss stated this would be corrected and a new summary would be submitted to Council. Mr. Moss stated that the correct amount for the summary sheet should be \$132,884.12. Mr. Moss stated that we did have some pay increases that were not budgeted for this year. There was also a change in the Court Fund overtime; the costs were originally charged to Court Computer Fund, which the auditors stated was improper. This is no longer being done and is charged to the Court Fund. There was further discussion and Mr. McGlone moved to add this amended appropriations for payroll ordinance to Councils next agenda, seconded by Mr. Price. There was discussion that in order for this to be approved by December 11, 2006 the third reading needs to be suspended.

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

Motion passed 7-0.

Mr. Moss discussed a new format for the 2007 Budget indicating revenue at the top of the sheet and the resources shown boxed in at the bottom of the page. Mr. Moss stated that you cannot pass a budget that exceeds the Certificate of Resources. Mr. Moss discussed the carry over balances of two (2) months being 15% and four (4) months being 33 ½%. Mr. Moss discussed some key issues for the 2007 Budget; Road Fund on page #47, \$285,088.68 for 2007 due to the levy failing. Garage Fund on page #51, we need to continue to fund this in order to purchase the building in 2008. Capital Land Improvement Fund on page #50, reflects a rate change on cable service fees. as a result there is room for additional spending. Mr. Jones asked Mr. Moss if he could provide a total for all overall increases from the 2006 Budget to the 2007 Budget. Mr. Moss stated that he could provide a spreadsheet, but stated that the budget is fund oriented and is set up similar to a little business or company. This numbers on this spreadsheet could be a little misleading because all financial activity between the various businesses add up and when you total it, it looks like a larger budget.

Old business:

Mr. Jones discussed the speed limit change on Medina Line Road, and the signs would be posted soon. Mr. Jones stated that the streetlights are still out at the ramps on St Rt. 261 and St. Rt. 21. Mr. Collins stated that he was told they were replaced, Mr. Jones stated that now the east side is out. Mr. Collins stated that he would notify Ohio Edison. Mr. Zita stated he had a letter to read from Mrs. Karen Miller and asked for a roll call to approve the reading.

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

Motion passed 7-0. Mr. Zita read the letter aloud, (see attached)

New Business:

Mr. Jones discussed page #22 of the Budget for the Police Dept. and the projected figure of \$2,278,650.51 for 2007. Mr. Moss stated that is what is requested, however if you add the new programs it is a larger number of \$2,463,072.62. Mr. Zita discussed the request from Mr. Collins to sell two former police vehicles. Mr. Collins stated that they are in fair condition, and would like to hold a public auction to get rid of these. Mr. Jones moved to place this legislation on Councils next agenda, waiving the second and third readings with emergency language, seconded by Mr. McGlone.

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

Motion passed 7-0

Public Comment-Non-agenda items:

Ms. Violet Carr, a Norton resident, spoke regarding the financial assistance program available from Summit County and stated that this stinks! Ms. Carr stated that this does not fit our situation, we don't need loans, we need grants. Ms. Carr stated that with this program it would cost her \$125.00 per month for twenty (20) years plus interest of \$11,000.00, and she cannot afford this It is wrong and unethical to ask the residents to pay for this (lateral lines). It is time to take care of the residents, who would all be harmed if forced to go with this. Ms. Carr stated that Council has the powers to put a hold on this project until grants are available.

Ms. Dianne Caudill, a Norton resident, spoke regarding the Millers project. Ms. Caudill stated that ninety-seven (97) signatures on a petition were ignored when the rezoning for this project was voted on. Ms. Caudill stated she just installed a new state of the art septic system, and would not be affected by the sewer line. Ms. Caudill discussed comments made by Ms. Shea and Ms. Miller at previous meetings that this project "won't cost anyone a penny". These same ninety-seven (97) residents who were ignored do not want to be assessed for the expenses. Ms. Caudill discussed the so-called hardship for the Millers that should have been well known when they asked for the zoning change.

Public Comment-Non-agenda items continued:

Ms. Megan Booth, a Norton resident, stated that she has discovered \$500,000 in the budget, would this make everyone happy to have to use in a sewer fund or a road fund? Ms. Booth stated the city has an opportunity to contract with the Summit County Sheriff for services instead of our Police Dept. Ms. Booth stated she discussed this with Capt. Dick Roach of the Sheriff Dept. The City of Green is paying only \$1,500,000 for their services, our own Police Dept., is \$2,460,000. They have Swat Team, K-9 Units, helicopters, etc. Ms. Booth stated that this is the same type of coverage we currently have, they would retain the same employees. Ms. Booth stated that Capt. Roach is willing to come and talk to us about this and provide more information. Ms. Booth stated that the city of Green has far more residents and businesses than we do and they are getting it done for less money than we are. Mr. Jones stated that Ms. Booth's comments are the truth, he also met with Capt. Roach and Chief Larry Givens on September 7, 2006 and these same issues were discussed. He was told that the Summit County Sheriff is well aware of everything we have in place today, and they can save us \$500,000 plus per year. Mr. Jones stated that after Ms. Booth contacted him about it he told her to come and discuss this with Council. Mr. Jones stated that he has nothing against our Police Dept., however we are spending way too much money to show that we have our own Police Dept. Mr. Jones stated that Green has as many officers on duty as we do and they are three (3) times the population, with an additional ten (10) miles. Mr. Jones stated that it is high time we seriously take a look at it. Mr. Jones stated that the Charter would need to be changed because it calls for a Chief of Police. Mr. Jones stated that Ms. Booth is on the Charter Review Commission, and Ms. Booth stated their next meeting is on Wednesday, November 29, 2006 and she would bring this issue up. Mr. Jones stated that he would like to have Capt. Roach attend a Committee meeting to discuss this. Mr. Jones stated that he had been holding off on this discussion until he talked with retired officers, former Mayor Mr. Crawford. Mr. Jones stated that the Summit County Sheriff's Dept., is a very good department and well equipped. Ms. Booth added that they are the second largest in the State of Ohio. Mr. Jones stated that they would keep our full-time officers, and keep them in this same community. Mr. Jones stated that the part-time officers would be questionable. They would start some of our officers out in the Summit County Jail to go through the necessary training and criteria, as is done with all new employees. Mr. Price stated that all we are doing is asking for free information and would support this discussion. Mr. Pelot suggested that when we have this meeting, he wanted to have Chief Carris invited to attend. Mr. Zita stated that we should wait until January because the end of the year is quickly approaching, and Mr. Jones stated he was fine with this, lets do this at the first Committee Meeting on January 16, 2007. Mr. Jones asked for Mr. Zita to send a letter to Capt. Roach requesting his presence and confirming this arrangement. Mrs. Elaine Tompkins, a Norton resident, concurred that Norton has some choices to make on the amount of money they are spending, we do have choices. Mrs. Tompkins asked what is the status on the Police Dept., negotiations for 2006, and what would be the legal ramifications of all of this? Mr. Collins stated that the negotiations are still pending in the Summit County Court of Appeals.

Topics for Next Work Session:

Mr. Zita stated that most of the items have already been addressed earlier tonight.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 10:10 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