



**COMMITTEE OF THE WHOLE MEETING
JULY 3, 2006**

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

Also Present: Mayor Joseph Kernan (Absent)
Claude Collins
John Moss
Jeff Pritchard
Karla Richards

The Committee of the Whole convened on Monday, July 3, 2006 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Council Vice President, James Price.

Committee of the Whole General Discussion:

Gardner Blvd. Phase II Bids-Construction & Fire Hydrants:

Mr. McGlone stated that Don Wartko Construction was the lowest bidder for the construction of waterlines for Gardner Blvd Phase II, and his bid came in at \$394,772.00. Mr. McGlone stated that JEM Industrial Maintenance Corp. was the lowest bidder for the fire hydrant materials, which came in at \$50,640.00. Mr. Collins added that Wartko Construction also did Phase I, and they did a very good job. Mr. Pelot inquired if we need to separate this out, and Mr. Collins indicated that it might be on one ordinance, however Council is accepting two separate bids. Mr. McGlone moved to place the bid from Wartko Construction in the amount of \$394,772.00 on Council's next agenda with emergency language and waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 5-0.

Mr. McGlone moved to place the bid from JEM Industrial Maintenance Corp. in the amount of \$50,640.00 on Council's next agenda with emergency language and waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 5-0.

Dedication & Acceptance of Baughman Subdivision:

Mr. Pelot stated that everything was in place except for the report from the video of the storm drains. Mr. Pritchard concurred, adding that the Municipal Engineer, Ted Weinsheimer and himself have walked and inspected this building site, and that all areas have been addressed. Mr. Pelot inquired about the time frame for the performance bond, and Mr. Pritchard stated that it is two years. Mr. Pelot discussed having the emergency language, however if the video report were not received by Monday's Council meeting, it would be a first reading only. If this report is received by then, Council could suspend future readings. Mr. Pelot moved to place this item on Councils next agenda, as an emergency, seconded by Mr. Braman.

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

Motion passed 5-0.

MPO Revisions:

Mr. McGlone stated that last week was a first reading of Ord. #62-2006 and he saw some things he would like to address. Mr. McGlone stated that he wants to have emergency language and waive the second and third readings, the employees have waited long enough. Mr. McGlone asked Mr. Collins to clarify if this legislation also provides a salary increase to other non-bargaining employees. Mr. McGlone stated that we should treat Ann Campbell and Jim Mitchell in the same manner as our Clerk, one third for 2006, one third for 2007 and one third for 2008, and it should also be retroactive to January 1, 2006. Mr. Collins elaborated on this issue clarifying that he made the changes in the legislation as Mr. McGlone discussed, and there were no changes to the schedule. Mr. Collins indicated these were submitted to the Clerk of Council and would be ready for Monday's meeting. Mr. Pelot asked Mr. Moss if he has any concerns with these raises, and Mr. Moss stated that he did not, as was the case with other employees. Mr. Moss did express his concerns with the carryover balances being less than two months. Mr. Moss stated that at the moment carryover balances are actually a little high, however a full year projection would not be quite as high, reminding everyone that this is a projection. Mr. Moss stated that he could recalculate that to get a definite number to present to Council. Mr. McGlone stated that these are non-union employees that did not receive anything last year and they have waited long enough. Mrs. Elaine Tompkins, a Norton resident, inquired about the increase in longevity pay last December and she thought that it was increased about 10%. Mr. Collins stated that the longevity was changed some time ago in order to match what the union employees receive, and are only paid to those employees who qualify with five (5) years of service or more. Mr. Collins stated that the non-bargaining employees receive no more longevity pay than the union employees do. Mrs. Tompkins stated that she believed this was changed sometime in early December of 2005. Mr. Collins clarified that there would be no additional longevity paid out this year, this is a separate issue from the pay raises or pay scales. Mrs. Tompkins stated that although there was a pay freeze last year, those employees entitled to longevity pay did receive this in 2005. Mr. McGlone moved to amend Ord. #62-2006 with the changes discussed for Monday's agenda, suspending the third reading because it's the last one before recess, seconded by Mr. Pelot.

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

Motion passed 5-0

Baseball Fields Bids:

Mr. McGlone stated that three (3) bids were received and Cavanaugh Construction was the lowest bidder at \$474,602.00, which was about \$11,000.00 less than his original bid. Mr. Collins concurred that the total difference was \$11,760.00 less, which worked out to our advantage. Mr. Collins stated that construction time lines are short and he would like to see emergency language in the legislation so they can begin as soon as possible. Mr. McGlone stated that he would also like to waive the second and third readings on this. Mr. Pelot asked Mr. Moss to confirm that the cable franchise fee revenue is enough to start supporting the necessary payment, and what was the loan amount going to be to cover the difference. Mr. Moss provided Council with two sets of spreadsheets (see Exhibit A), showing a multi year budget and the carry over balances. Mr. Moss indicated that the bottom line is that both of these plans will work. Mr. Pritchard expressed his concern with being so thin for funding any park improvements until 2011. Mr. Pritchard stated that he has looked at other projects such as signs, resurfacing the tennis courts, repaving of roads leading into the parks, restrooms, and this is for all parks not just Columbia Woods. Mr. Pritchard stated that we need to keep in mind that we need matching funds for grant applications for various park projects. Mrs. Hlas, a Norton resident, stated that Time Warner is going door to door trying to switch everyone over to digital. Mrs. Hlas stated that this saved her approximately \$8.00 per month, however they would only guarantee this rate for one year. Mr. Moss discussed the possible reduction in franchise fees due to some customers switching to digital, which makes his projected number seem a little high. Mr. Moss stated that he could support an increase in the fees rather than a tax increase because it is more equitable to all residents that have cable. Mr. Moss stated that those residents that cannot afford cable would not be subject to this fee or any future increase in fees. Mr. Collins agreed with Mr. Pritchard's concerns not to neglect our other parks and cautioned the city not to spend every dime, as it becomes available. Mr. McGlone asked Mr. Moss to look into increasing the fees and have this ready for Council after their recess. Mr. Hlas stated that the reason we are here now discussing this is because back in 1998 Council chose to set aside revenue for parkland improvements. Mr. Hlas urged Council to stay on track and stay focused on the Master Plans. Mrs. Hlas expressed her concerns with getting this passed in order to begin construction this year. Mrs. Hlas suggested Council consider an increase of 5% effective in January of 2007. Mrs. Hlas read an email she received from Mr. Weber of GBC Design, voicing his urgency to move forward (see Exhibit B). Mr. McGlone moved to award the bid to Cavanaugh Construction, placing this on Council's next agenda with emergency language, waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 5-0.

Old business:

Mr. McGlone asked Mr. Collins to address the noxious weeds at the property directly across from the BP Station on Cleveland-Massillon Road, and Mr. Collins indicated he would address this.

Mr. Braman addressed an article published by the Akron Beacon Journal last Saturday, which stated that the city was trying to pass a 10-mill road levy, this is not true, and it's 4.5 mills. Mr. Braman stated he emailed them that same day with no response. Mr. Price emailed them today and he got a response and a correction would be in tomorrow's paper.

Old Business Continued:

Mr. Collins provided a follow up from Chief Carris to the residents concerns regarding the activity across from Cristo's House of Pasta. Chief Carris indicated they have contacted the landlord and eviction proceedings have begun and these people should be out of this residence by the end of July. Mr. Collins stated that since this issue was raised at the last Council meeting, things are very quiet in this neighborhood, and he was pleased with the response from the Police Dept. Mr. Pelot agreed, stating the Police Dept. should be commended for their efforts.

Mr. Pritchard announced another meeting for the Comprehensive Plan would be July 13, 2006 at 6:30 PM at the Community Center.

New Business:

Mr. Pelot agreed with looking at a 5% increase in the cable fees in order to address the needs of all of our parks and equipment upgrades.

Mr. Moss stated that he is still working on the hotel/motel tax and has been in touch with Summit County. Mr. Moss indicated that it has been determined that only one (1) business would be affected if this was adopted, and the revenue would be nominal.

Topics for next work session:

Mr. Price indicated that when Council returns from recess on August 21, 2006, we would be discussing and finalizing Council Rules. Mr. McGlone stated that he would also like to address the Mayors salary at that time.

Mr. Moss stated the earlier question as to the actual carry over balance in the General Fund. Mr. Moss stated that we started the year with \$626,000.00 and considering the budgeted expenses we would end the year with approximately \$281,000.00. This is about in half for this point in the year. Mr. Moss indicated that we would have to work to control costs, and we are falling below his desired two-month carryover balance. Mr. Pelot asked if these figures takes into account the new MPO or union changes? Mr. Moss replied that it does not. Mrs. Tompkins stated that when that 2006 Budget was submitted, Mrs. Zerga had built in 3.5% for most of the unions as stated in the dialog. Mrs. Tompkins inquired as to the status of the Police Dept. unions? Mr. Collins stated that 3.5% increases was not put into the 2006 Budget, he distinctly recalls this, it was never an issue, there was no money budgeted and that is what was presented and approved. Mrs. Tompkins disagreed, adding that she has documentation from Mrs. Zerga stating otherwise, which may cause that statement to be rescinded later on. Mr. Collins stated that the Conciliator Report has been received and there were approximately nine (9) issues, and the unions were granted three (3), the city was granted three (3) and there were three (3) issues that were agreed to by both parties. Mr. Collins stated that Police Dept. would get 3% for 2006, 3% for 2007 and 3% for 2008. Mr. Collins stated that the Dispatchers would get 4% for 2006, 3.5% for 2007 and 3% for 2008. Mr. Collins stated that this decision is mandatory, the city has to accept it and implement it. Mrs. Tompkins asked where is this written in the Charter? Mr. Collins stated that it is not in the Charter, it is State law. Mrs. Tompkins stated that if the Charter is not in conflict with issues, then the Charter prevails. Mrs. Tompkins indicated that she would like to see this interpretation in writing. Mrs. Tompkins stated that it's not so much of how much money you take in, it's how you spend it.

Mrs. Tompkins asked if the AFSCME and Police Unions would be paying anything additional on their medical insurance, and what is the true total cost to implement these raises? Mr. Moss stated that he has quickly tried to calculate some of these changes and it gets extremely complex very fast. Mr. Moss stated that this is something we need to address in the 2006 budget and re-evaluate before the end of year. Mr. Moss stated that there might be some accounts that may not have enough to cover the salaries if we don't address this before year-end. Mrs. Tompkins stated that even before anyone picks up a pencil, you could calculate that in this room alone, we have close to over \$500,000.00 in salaries and benefits per year. Mr. Moss stated that there is an advantage to re-evaluating the 2006 Budget at the third quarter. Mr. Moss stated that revenue numbers that come into play, such as new figures received from the County Auditor, and that the CCA tax collection revenue seems to be well ahead of what we had expected. If this is a continuing trend, then that's a positive thing to help fund these additional expenses.

Adjourn:

There being no other business to come before the Committee of the Whole, the meeting was adjourned at 7:58 PM.

James Price, Vice President of Council

Date approved: July 10, 2006

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