



**COMMITTEE OF THE WHOLE MEETING
AUGUST 21, 2006**

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

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

The Committee of the Whole convened on Monday, August 21, 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 of the Whole General Discussion:

Ms. Tina Merlitti-Summit County Community Relations Specialist, presented two programs offered by Summit County. The first program is Reverse Alert, which is an emergency telephone notification system. This system would notify any resident within Summit County of an emergency situation within our community. In the event of an emergency this system will place a phone call to published numbers within the area, it will identify the nature of the emergency and will also provide specific instructions. This system will leave a message on voice mail and would also continue calling if there is a busy signal. Ms. Merlitti urged all residents that when they are notified there will be a short pause after the computer voice announces "Reverse Alert" and do not hang up. Residents with an unlisted number would be notified by television or radio alerts. Ms. Merlitti indicated that this system would also be used for an Amber Alerts. Ms. Merlitti stated that a grant through Homeland Security was used to purchase this system with a three (3) year contract. Mr. Zita inquired if each community pays a fee for this? Ms. Merlitti stated that it depends on what type of an emergency it is. If the emergency is Federal or National there is no fee. Ms. Merlitti indicated that there is a small fee of .15 ¢ per successful call. Ms. Merlitti cited an example recently used for an area in Stow that had a boil alert. The system contacted the 500 residents affected in that area for a total cost of approximately \$96.00. Ms. Merlitti also explained a new prescription discount card program being offered by Summit County. Ms. Merlitti stated that this is not a government program. Ms. Merlitti stated that this program offered by Caremark is basically a coupon good toward prescriptions that are not covered by other insurance programs. Ms. Merlitti stated that the County recently did a survey and discovered that there are approximately 69,000 residents in Summit County that do not have a health care plan. Ms. Merlitti indicated that information on this program is available at Acme, Ritzman Pharmacies and the Norton Public Library.

General Discussions Continued:

Ms. Merlitti cautioned residents that may be on the Medicare Plan D not to use this plan because it would effect their accumulated cash pay out amounts. Ms. Merlitti stated that this also covers any pets that currently receive pharmacy filled prescriptions for diabetic and heart related medications. Ms. Merlitti left information at the rail and public counter for any interested residents, (see attached).

PC Resolution #13-2006:

Mr. Pelot stated that this was to rezone the current property from R1 to R3 and asked Mr. Pritchard to explain the difference and the exact location. Mr. Pritchard indicated that this parcel is at the corner of the City of Norton and the Village of New Franklin boundaries, west of Cleveland Massillon Road, south of Eastern Road. Mr. Pritchard stated that the difference from R1 to R3 is the lot size dimensions. Mr. Pritchard stated that by changing this to R3 is more compatible to the lot sizes in New Franklin, and are 75' x 140'. Mr. Pritchard stated that they are proposing an open space area, and that the entrance would be off of Eastern Road and not Cleveland Massillon road. Mr. Pelot moved to add this to Council's next agenda, seconded by Mr. Braman.

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

Motion passed 7-0

Oriana House Contract:

Mr. McGlone stated that this contract is a renewal that expired in 2003. Mr. Collins explained that this was correct however it continues to be in force. Mr. Collins explained that this is for defendants originally cited by Norton Police under city code. They are sentenced by the courts to serve time in this facility, and we have to pay for that incarceration. Mr. Collins indicated that there are very few prisoners sent to this facility, and that last year we had none. Mr. Collins indicated that there is an overall fee increase of 3.5% to 9% for services. Mr. Pelot suggested we change the language to reflect an expiration date of 12-31-07 instead of 12-31-06 since we are already at the end of August. Mr. Collins stated that this may not be necessary because the contract states it expires at 12-31-06 unless mutually agreed to by both parties. There was further discussion on this and it was decided that Mr. Collins would prepare this with a clause that would have the contract automatically renewable until notified by either party, which he would discuss with Mike Lyons for clarification. Mr. McGlone moved to add this to Council's next agenda, seconded by Mr. Pelot.

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

Motion passed 7-0.

Baseball Field Note:

Mr. McGlone turned this discussion over to Mr. Moss for the details. Mr. Moss indicated that as most may have noticed, this project is currently underway. Mr. Moss stated that he needs additional cash to cover the expenses and to increase the current Budget. Mr. Moss stated that the actual engineering costs came in at \$85,000.00. Mr. Moss indicated that we have applied for a grant for the Feasibility Study, however, he does not expect to receive this grant money until sometime in 2007.

Baseball Field Note Continued:

Mr. Moss stated that the Note would be for five (5) years for a total of \$180,000.00. Mr. Moss stated that there would be a \$1,400.00 carryover for this year. Mr. Moss stated that this amount is also based on the assumption that we increase the Franchise Fee as earlier discussed. Mr. Moss stated that this piece of legislation is now with the Law Director for his review. Mr. Moss stated that there is a typographical error in the draft of the ordinance in the packet; In Section 1 it states the amount is Twenty Two Thousand dollars, which needs to be corrected to state Two Hundred Forty Eight Thousand, Six Hundred Eighty Nine Dollars, and Eighty Four cents. Mr. Zita asked for clarification on the Feasibility Study. Mr. Pritchard stated that this was to identify Wolf Creek and Pigeon Creek in order to connect these to the Ohio Erie Canal Corridor. Mr. Moss added that the grant dollars for this are not figured in and when this is received he may need to come back to Council in order to expand the money within the Fund. Mr. Moss stated that Bond Counsel is preparing the Note ordinance and that is why it is not in the packet. Mr. McGlone moved to add the Note Ordinance, the Supplemental Budget for expenses in the 410 Fund and the increase in the Franchise Fees, to Council's next agenda, seconded by Mr. Pelot.

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

Motion passed 7-0.

Codified Updates:

Mr. Zita stated that the current updates removes the old legislation and updates it with the new legislation that has been adopted. Mr. Zita explained that this is done semi annually, which includes the last half of 2005 to the middle of this year. Mr. Zita moved to place this item on Council's next agenda as emergency language, waiving the second and third readings, seconded by Mr. Braman.

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

Motion passed 7-0.

Engineering Fees for Connect/Hazelwood:

Mr. Price stated that URS Engineering has completed the engineering fees for this project, which is to replace temporary waterlines with permanent waterlines. Mr. Price indicated that the total project cost to the city would be \$81,150.00, and the additional cost of \$21,075.00 for the engineering fees. Mr. Collins stated that one home in this area has had ten (10) breaks in their waterline already this year. Mr. Collins indicated that the next step is for the final design and engineering totals \$21,075.00, which includes engineering for the total project. Mr. Collins stated that once approved, he would go out for public bids and would need to come back to Council with the bid results, adding that this would be an assessment project for the properties involved. Mr. Moss indicated that he needs legislation creating a new fund, and to move money into this new fund to pay out expenses related to this project, and another Note ordinance for \$22,000.00, which does not include interest. Mr. Moss indicated that Bond Counsel is preparing this one, which he did not have at this time. Mr. Price moved to place an ordinance creating the Capital Project Fund and budget the expenses for this project on Council's next agenda, seconded by Mr. McGlone.

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

Motion passed 7-0.

Engineering Fees for Connect/Hazelwood continued:

Mr. Price moved to place an ordinance authorizing the contract with URS Engineering on Council's next agenda, with emergency language and waiving second & third readings, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mr. Price moved to place the Note ordinance on Council's next agenda, seconded by Mr. McGlone.

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

Motion passed 7-0.

Mr. Zita questioned the motions made earlier by Mr. McGlone and Mr. Price. Mr. McGlone included three pieces of legislation all on one motion, while Mr. Price made separate motions for each piece of legislation. The Clerk of Council stated that it could be done either way as long as it was clear in the motions.

Old Business:

Mr. Jones thanked Mrs. Campbell & Mrs. Richards for their assistance with his issues he had been having with Time Warner. Mr. Jones stated that he has had issues with his service for cable, phones, internet since around August 8th and August 9th, 2006. Mr. Jones stated that he contacted Mr. Chris Thomas at Time Warner, they sent a technician out who spent over 2 ½ hours at his residence. Mr. Jones stated that the problem was not in the house but out on the main cable line. Mr. Jones thanked Time Warner for getting this resolved. Mr. Jones urged any resident with similar issues to contact 1-888-851-2739, the staff is very helpful and will work with you. Mr. Jones inquired if the issues with the residents in Holiday Heights have been resolved? Mr. Collins stated that all is quiet there now. Mr. Jones inquired if previous Zoning Inspector Colene Conley has reimbursed the city for her education expenses? Mr. Moss stated not yet, however there is an agreement already in place for monthly payments. Mr. Jones discussed noxious weeds near the new CITGO station on St. Rt. 21. Mr. Collins indicated that this area is owned by Norton Commons and he was not aware there was a problem. Mr. Jones stated that that right-of-way area needs to be addressed, and Mr. Collins indicated that he would look into this. Mr. Zita inquired about the status of the OPBA Conciliation report, and Mr. Collins stated that the Police Dept. has been put on notice that they would not be receiving their raise due to the city filing an appeal. Mr. Collins indicated that the city's labor attorney, Mr. Robert Tscholl, has ninety (90) days to file the appeal and he is currently working on this appeal. Mr. McGlone inquired if there has been any activity regarding the Cingular Cell Tower contract? Mr. Collins stated that he still has received no further response from Cingular's offices.

New Business:

Mr. Price thanked Ms. Merlitti for her presentations adding that the information would be left at the front desk and the Clerk of Council. Mr. Pritchard stated that there is a new survey on the city web site www.cityofnorton.org, regarding the city parks, and encouraged residents to log on and give us their feedback. Mr. Jones asked Mr. Pritchard how the Pride One development was moving along? Mr. Pritchard stated that the tree removal has already begun and they should be breaking ground around the middle of this September.

New Business Continued:

Mrs. Campbell stated that the applications for the Cider Festival Parade Car Show and Arm Wrestling Tournament are now available at www.cityofnorton.org. Mrs. Campbell stated that there are a few new events this year, such as arm wrestling and a dog show. Mrs. Campbell reminded everyone that the date for this year is changed to September 30, 2006 and October 1, 2006. Mr. McGlone asked Mr. Collins if the city has received new information regarding this year's natural gas rate? Mr. Collins stated that Buckeye Brokers has not struck a fixed price yet, however he expects to hear something soon. Mr. Moss noted that the rate change for the Franchise Fees would be prepared for Monday along with the Fund 410 legislation. Mr. Jones clarified that these fees collected go directly into the Park and Parkland Improvement Fund, and Mr. Moss concurred that this was correct. Mr. Jones asked where the agreement was for the residents in Frashure Park? Mr. Collins replied that he should ask Mr. Lyons how this is coming along. Mr. Hetrick, a Norton resident, inquired as to the status of the new medical building across from the library and the Miller service station on Weber Drive. Mr. Pritchard indicated that he is anticipating the filing of the site plan for the medical building anytime, and that the site plan for the Miller service facility is already on the Planning Commission's agenda for tomorrow night.

Topics for next Work Session:

Mr. Zita stated the Mayors Salary, Council Rules, and City Park Ordinances would be on the next Committee agenda. Mrs. Campbell stated that on behalf of Mayor Kernan she would like to add the Mayors appointment to the Building & Zoning Appeals Board from Ward Two to the next Committee of the Whole agenda.

Public Service Announcements:

None

Adjourn:

There being no other business to come before the Committee of the Whole, the meeting was adjourned at 8:02 PM.

Michael Zita, President of Council

Date approved: August 28, 2006

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