



**COMMITTEE OF THE WHOLE MEETING
SEPTEMBER 5, 2006**

Committee Members Present: Ken Braman
 Tom Jones
 Dennis McGlone (Arrived at 8:21)
 Bill Mowery (Excused at 8:00 PM)
 Scott Pelot
 James Price
 Mike Zita

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

The Committee of the Whole convened on Tuesday, September 5, 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:

PC Resolution #14-2006 Stonewyck Final Plat Phase II

Mr. Pelot stated that everything was in order for the developer to proceed, and asked Mr. Pritchard to comment. Mr. Pritchard stated that this is simply another step in the process and that he was pleased with what has been presented to the Planning Commission. Mr. Pelot moved to place this on Councils next agenda, seconded by Mr. Braman.

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

Motion passed 6-0.

BZA Appointment

Mr. Zita stated that Mayor Kernan had interviewed four (4) candidates and he has selected Mr. Mike Droppleman to serve the balance of the term that Mr. Judge was appointed to, which expires on February 28, 2007. Mr. Zita stated that Mr. Droppleman is currently serving on the Comprehensive Plan Committee. Mr. Zita stated that Mr. Droppleman was unable to be here tonight, however he would be here on Monday if Council has any questions. Mr. Collins spoke on behalf of Mayor Kernan, stating that Mr. Droppleman is highly qualified and Mayor Kernan was impressed with his professionalism and his grasp of this community. Mr. Pritchard asked for emergency language because the Board has a vacancy right now. Mr. Pritchard stated that it makes it difficult for applicants coming in front of the BZA Board because they must have a unanimous vote so if there is a descending vote, the applicant's request fails. Mr. Jones stated that he supports anyone willing to serve on any Board or Commission, and he was all in favor of this appointment. Mr. Zita moved to place this item on Councils next agenda, seconded by Mr. Pelot.

BZA Appointment Continued

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

Motion passed 6-0.

Cell Phones

Mr. Jones discussed the safety issues with using cell phones while driving. Mr. Jones stated that a former Ward 4 Councilman tried to do something about this about a year ago, and had suggested implementing legislation with a \$300.00 fine for a moving violation without an accident, and a \$600.00 fine for causing an accident while using a cell phone. Mr. Jones stated that he felt this was a little stiff, however he wanted to bring this up for discussion. Mr. Jones stated that House Bill 274 has stalled in Committee, and that Brooklyn, Ohio is the one and only city with legislation, which they passed in 1999. Mr. Jones stated that he did not want to act on anything tonight, however he polled the members of Council for their thoughts. Mr. Price stated that he thought this is really common sense, and may need more discussion on this. Mr. Price stated that if he had to vote tonight, he would not support this, and felt the residents do not need another law. Mrs. Violet Carr, a Norton resident, spoke about a national survey on cell phone use and they compared this to DUI's, and to her astonishment they found that cell phone use involving accidents actually surpassed DUI's. Ms. Mary Sargent, a Norton resident, stated that she has witnessed people eating while driving, and in order to pass something like this you would need to consider enforcement. Ms. Sargent stated that signs would need to be posted throughout the city to notify anyone driving into Norton. Ms. Sargent stated that about 17% of the public does not have a cell phone, and she is one of them. Mr. Price added that the technology is a lot smarter than they used to be. Mr. Price stated that his phone has speakerphone capability so he is able to drive while talking. Mr. Mowery stated that cell phones have a heavy usage, and this would be hard to enforce. Mr. Mowery stated that he discussed this with Chief Carris and there are laws on the books regarding giving full attention while driving and it is a State Code. Mr. Mowery stated that he served on the Mothers Against Drunk Driving (MADD) Board and was not aware of the survey and statistics. Mr. Pelot stated that this is new technology and there are hundreds of thousands of people driving with cell phones in a single day. God help us if there are that many drunk drivers on the roads in a single day. Mr. Pelot stated that you need to have common sense. Mr. Pelot stated that most business commuters need to use them as a time management tool. Mr. Pelot stated that to pass something like this is old school thinking. We need to think ahead, and that a lot of bad decisions were made in the past. Mr. Pelot gave an example of one bad decision, when the government was going to fund water and sewer for the entire city for 20% of the costs to the city. The city turned it down, they said they were happy with having their own wells and septic systems. Mr. Pelot stated that there are laws in place and suggested contacting the Police Chief and let him know we want to enforce the laws that are on the books. Mr. Braman stated that he felt this really should be a State issue and not the city. Mr. Braman stated he dislikes seeing drivers talking on their cell phones, but he does not feel this would make a whole lot of difference if we change it. Mr. Zita stated he sees people driving doing all kinds of things, like drinking coffee, putting on makeup, eating, etc. Mr. Zita stated that the madness has to stop somewhere, and this is really a lot of common sense, or lack of it. Mr. Zita stated that this should be left up to a Police Officers discretion. Mr. Jones stated that he had no problems with the comments made, and he would be in support of some kind of enforcement. Mr. Jones stated that two (2) residents had approached him and asked him to do something, which is why he wanted to discuss this. Mr. Jones stated that he wanted to leave this on the agenda for a period of time, adding that maybe we should have Chief Carris attend next time we discuss this.

BZA Resolution

Mr. Zita stated that he should have addressed this before moving on to the cell phone discussion. Mr. Zita stated that we need to prepare a Resolution of Appreciation for Terence Judge. Mr. Zita stated that we normally do this to show our appreciation for their service. Mr. Zita moved to place this on Councils next agenda, seconded by Mr. Pelot.

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

Motion passed 6-0.

Frashure Park Agreement

Mr. Jones asked the residents present tonight to come forward and speak regarding the history of the sheds being on their property. Mr. Mark Conner, a Norton resident, stated that he has been there for fifteen (15) years and the shed was there when he bought his property. Mr. Conner stated that at the time he was not aware he was encroaching on city park property however is aware of it now. Mr. Conner stated that he came to Council before asking to resolve this situation. Mr. Jones asked the Clerk to provide these residents with a copy of the proposed agreement the city has come up with. Mr. Pelot inquired as to the sizes of the sheds. Mr. Conner stated that his shed is 12 x 8 with plywood. Ms. Jill Wooley, a Norton resident stated she has been there for ten (10) years and her shed was also there when she purchased her property. Ms. Wooley stated that her shed is 12 x 16, and is an all wood structure. Ms. Wooley stated that these sheds have been there for quite some time and she had the understanding that the city is doing nothing to develop the park. Ms. Wooley stated that she would not have a problem if the park is going to be developed. She could not comment on the proposed agreement since she just received it. Mr. Jones asked Mr. Collins if the city intends to develop this park? Mr. Collins stated that the city is eventually going to make a baseball field for Little League in this same area. Mr. Jones asked when this would take place? Mr. Collins stated it could begin as early as next spring, however this can depend on timing, money, and other variables. Mr. Jones asked if there is a dry creek there as well as a wooded area? Mr. Collins stated that was correct, and that a pipe would need to be installed and covered over. Mr. Jones inquired how many acres are in Frashure Park? Mr. Collins stated that he did not have this information with him, but would get this to Council. Mr. Collins stated that the issue is that this is city owned parkland and these residents are encroaching on it. Mr. Jones stated that these residents were not aware they were encroaching when they bought their homes. Mr. Collins stated he understood this, however they were all made aware of this over a year ago when his first letters were sent to them, and they have done nothing. Mr. Collins stated they were notified in July of 2005 when he was informed of this and that some of these residents were actually clearing the land behind their houses. Mr. Collins stated they were notified again in April of 2006. Mr. Jones stated that Mayor Kernan was not present and he had promised to have an agreement drawn up, and he was not sure about what is before Council tonight. Mr. Collins stated that he spoke with Mayor Kernan about this today and Mayor Kernan stated that he would follow suit with whatever Council desires to do about this. Mr. Jones stated he wanted to completely remove paragraph eight (8). Mr. Jones took issues with the statement that "*Owners further acknowledge this agreement is subject to Norton City Council's approval, which approval may be withdrawn at any time by Council action*". Mr. Jones stated that in another two years we may have new council and he has a problem with this. Mr. Jones felt that Mr. Lyons and Mayor Kernan needed to be here for these discussions. Mr. Zita questioned if when the properties were sold, wouldn't there be a survey done and boundaries clearly marked? Mr. Collins stated that if the agent executed a proper sale, they should have disclosed this information. Mr. Jones asked Mr. Collins who informed him of this encroachment issue? Mr. Collins replied that it was Mr. Ted Weinsheimer, Supt. of Public Service. Mr. Collins stated that he and Mr. Pritchard walked this area after being informed, and the city hired a surveyor to make sure of the property lines.

Frashure Park Agreement Continued

Mr. Jones asked for opinions from the Council members. Ms. Wooley stated that they did do something after the first letter was received; they went to their Ward 1 Councilwoman Brenda Hlas. Mrs. Hlas told her *"I have discussed it, don't do anything, there are bigger things in Norton to worry about than this"*. Ms. Wooley stated that the twenty days stated in the agreement is not enough time, she was gone the entire month of July. Ms. Wooley stated that there is a baseball field at Frashure Park, this past spring it was not used. If we need more fields why wasn't this field used, you are building two more ballfields now at Columbia Woods. Why is there such a need for more baseball fields when one is sitting there not being used? Mr. Jones stated that he could agree with Ms. Wooley on this issue; however the fact is this is city property and it's not yours so don't use it. Mr. Pelot stated he has friends involved in this and it is a difficult situation, however he knows where he stands from the city's standpoint. Mr. Pelot discussed the idea that maybe we could come up with some way to move them back onto their own property. Mr. Pelot stated that as of now he really has no stance on this issue. Mr. Zita stated that we are talking about parkland available for all of the city residents to use, and we all know people affected by this. Mr. Zita stated that although he is an at large representative, he needs to do what is best for all of Norton, not just a specific ward. Mr. Zita stated we cannot allow this to continue for these five (5) residents. Mr. Mowery recalled previous situations regarding easements for roads, steps, etc. Mr. Mowery stated that this is pretty cut and dry; you will have to move these sheds eventually, it's just putting off the inevitable. It's a law and we can't just be considerate for these five (5) residents. It does not matter if or when the city develops this land, it is still city property. Mr. Price stated that you are all missing the big picture here; it's all about money. These residents could all pay rent to the city until such time the park is developed then they would have to go. Mr. Price stated that he felt the reasons some residents are all in an uproar is because it's being done for free. Mr. Collins stated it's his opinion to remove these sheds from city property, however it's up to Council if they want to lease it to the residents. Mr. Price stated that if we did this, the residents would have a choice to either pay the city rent or remove the sheds. Mr. Braman stated he had the same scenario with a shed he had on his neighbor's farm property also for many years. That was until the Silver Creek Metro Park came in and he had to come to the city and get a permit and he moved it immediately. Mr. Pritchard expressed his shock that we are even discussing this issue. The issue here is simple-this is city park property for all residents of Norton to use. Mr. Pritchard stated that he was stunned at the idea of leasing this from the city. Mr. Pritchard stated it is a serious issued to use park grounds or to cut and clear it for their own personal gain. Mr. Pritchard stated that one should be chastised from being on park property instead of coming to Council to ask for an agreement. Mr. Pritchard stated that he has never heard of leasing land on any park property for personal gain, it is meant for citizens as a whole. Mr. Conner stated that we came here to ask if we really have to move them now since nothing is going on with the property, adding that he was not in disagreement with the proposed agreement and is willing to sign it right now. Mr. Conner stated that the last time we talked there was nothing going on with this property. Mr. Conner stated that the city has the right to enforce this, and yes we should move the sheds. Mr. Conner stated that he did not expect this to become such a big issue and to take up so much time on it. Mr. Conner stated that it's not going to change our lives, and all of you are right—it is city land and we are using it. Mr. Jones stated that this issue would not be decided tonight. Mr. Jones discussed the city encroaching on property down on Clark Mill Road. Mr. Jones asked if a lease agreement were drawn up, would the city have any issues with liability? Mr. Collins stated that the city would be liable even with a shed on the property. Mr. Collins stated he recalled this discussion with Mrs. Hlas and it was discussed and she knew this would eventually be discovered at some point, and she did not want to get involved, however he was not sure this was discussed on Council floor. Mr. Jones asked the Clerk of Council to check into the minutes for Mrs. Hlas' statements to Ms. Wooley

Sewer fees

Mr. Price turned this discussion over to Mr. Braman. Mr. Braman stated that he was not expecting big decisions here tonight he wanted to hear what the residents and business owners have to say. Ms. Carr stated that she would like to see an independent survey done to determine who profits, who loses. Mrs. Carr stated that a survey would determine what this costs for various surcharges, we cannot go into something this big that affects so many people so deeply without a real plan, we cannot listen to bureaucrats. We need independent surveys that actually show the impact on areas, and people with different financial outcomes. Once this is done the residents would be truly aware and it needs to be published in graph form and in the papers, it also needs to be done in black and white and not one piece at a time. Ms. Carr stated that at one time the Federal Government helped a great deal on this, that's how most of our utility lines were put in. We need a verifiable plan with three known bids for various installations; we need to know who conducts these things, who profits, and who does not. We don't need another Halliburton, we want local control. Mr. Braman reminded everyone that we are not just talking about businesses; this is for residents as well. Ms. Sargent, the current owner of Molly's Custard Stand, spoke regarding the history of the Wooster Road Waterline project, and the impact the costs is having with her trying to sell her business. Ms. Sargent provided a written statement of her concerns, (see Exhibit A). Ms. Ann Bixby, a potential buyer for Molly's stated that in dealing with Barberton for prices, they were very helpful and cooperative, they even came out and looked around and gave us ideas of what we can do. Ms. Bixby stated that it's a different story with Norton, they cannot get any set prices, or if they do they are ridiculous ones. It was almost like Norton was fighting with us. Then there was all of these certain extra things that we were not told about at our first visit, each and every time we went to Norton, it was something different. Ms. Bixby stated the prices that Barberton gave was for a 5/8 inch pipe, the hook up was \$1,000.00, the tap in fee per unit was \$965.00, the line inspection fee of \$15.00 and \$255.00 per meter. Ms. Bixby stated that Norton gave prices for the water was "maybe" \$1090.00 for the sewer again "maybe \$2,740.00 and then the reimbursement fee of \$2,500.00. Then they want two lateral lines so these figures are now double. Ms. Bixby felt this should not be a two handed thing here, if Barberton is handling the water and sewer that is coming into your city, then why are you benefiting from all of these fees? Ms. Bixby stated that she can understand the \$2500.00 reimbursement fee, but we should not be paying double for the same things. If you want to charge fees, then one city should collect all the fees and split it. Mr. Dave Bixby echoed his wife's comments, and stated that the City of Norton staff treated them very rudely and unprofessional. Mr. Jones stated that the attitude with staff has been an ongoing problem and he wished the public would take the time and address this issue with the Mayor with your comments. Mr. Collins inquired as to whom they have been dealing with and this is not acceptable and he would be looking into this. Mr. Collins stated that he did provide exact figures to many prospective buyers. Mr. Pritchard stated that it might be difficult to give hard numbers when the business owners do not submit specific plans for the use of the property. Mr. Price stated that he would like to keep this item on the agenda for September 18th Committee meeting for further discussions. Mr. Alex Stavarz, a Norton resident, agreed this needs to be discussed when more people from Administration are present. Mr. Stavarz stated that the access fees are very exorbitant in some cases and not so in other cases. Mr. Stavarz inquired if there are any rebates offered when a business use changes and the usage is less? Mr. Stavarz suggested moving towards assuming authority like Summit County has. Mr. Stavarz asked why are we paying all of these fees, Barberton, Norton, and Summit County? Mr. Stavarz stated that he understands that Barberton and Norton has these fees, and felt it is time Norton stand up and take care of this. Mr. Pelot stated that there is an ordinance this city passed that sets the prices for the various sizes of pipe. Ms. Sargent stated that she has issues with this ordinance, which was passed in November of 2005. Mr. Collins stated that this legislation was passed to clarify and eliminate some of the language in the original legislation that was passed in 1994.

Sewer Fees Continued:

Mr. Stavarz stated that contractors working in the city of Norton are required to buy a bond, when Barberton only requires insurance coverage in a sufficient amount to cover the liabilities. Mr. Stavarz stated that small contractors cannot always afford to do this and will not bid for jobs in Norton because of this. Mr. Stavarz stated that he serves on the Comprehensive Plan and was concerned about discussions regarding sewer lines out by the golf course and west of there. There were engineers present and discussed how they would be installed, there would need to be a pump station and run it up to top of the hill here and then continue down to Gardner Blvd. A question was raised about the current sewer line that is already here, and it was stated this line is too small and cannot be used. Mr. Stavarz stated that eventually when this area is served there would be two (2) main trunk lines down Greenwich Road. Mr. Stavarz stated that he understood that there were no lateral lines installed at the time because the city did not want to bear the expense. Mr. Stavarz stated that this sewer line is approximately twenty five (25) ft. deep, what do you think the cost would be to dig this up when it comes time for future connections? Mr. Jones asked Mr. Stavarz for more information regarding the bonds, and Mr. Stavarz was not sure on this, he has never been required to buy a bond. Mr. Jones asked Mr. Stavarz if he can open cut the roadways in Barberton when working on a job? Mr. Stavarz stated that he does not, he generally does lateral hook ups and just into the right of way. Mr. Jones asked Mr. Collins about the required amount for the bonds. Mr. Collins stated that he did not have those figures with him, however these would be submitted to Council. Mr. Price asked Mr. Pritchard about the Weber Drive and Cleveland Massillon Road sewer line project for the Miller's service garage. Mr. Pritchard stated that they are planning on extending the sanitary line from their project down to the manhole to the north. That is a Summit County line, as are the lines in Mt. Vernon Estate and Gardner Blvd., and Norton Center. Mr. Pritchard stated that there has been a lack of focus and direction with inconsistency in this city for many years. There are four (4) package plants that are owned and operated by Summit County. The original systems were built by Barberton, owned by Summit County and we have to maintain these lines. Depending on where you connect into the system, and what you connect to, you may be paying one entity, two, or all three. Mr. Pritchard stated that back in 1978 the city missed the boat when the Federal money was available, now that money is all dried up and it is too late. Mr. Pritchard stressed that this is an extremely complex issue and cannot be discussed and understood in one meeting. Mr. Pritchard stated that we have a complicated JED issue and we keep floundering around aimlessly without any plan. Mr. Pritchard stated that all he has heard since he was hired is we need water, sewer and better roads. Mr. Pritchard stated that we have been working extensively with Summit County and we have been trying to work with Barberton. Standards are not the same with either entity, we use the EPA standard of 400 GPD (Gallons Per Day); you go to Barberton and they have a different standard, and they now have a system development charge. Mr. Pritchard stated that we really have not experienced a loss of business, in fact its quite the opposite. Mr. Pritchard stated that we have 514 residential units going in on Cleveland Massillon Road with businesses in front of that; we have OIG Development at Eastern Road with a gas station, doctor's offices, restaurants, retail and professional buildings. We have the new Albrecht facility just up the road, and we have a Doctors office with surgical facilities coming in across from the library, Strickland's Ice Cream, Mr. Walkleys project-Topia. Mr. Stavarz stated that he felt the bond requirement is an obstruction to contractors, and we need to be able to give a more competitive price to the people needing to connect to the sewer lines. Mr. Stavarz agreed that we are a lost ship and it's been that way for a long time. Mr. Stavarz stated that this Council and Administration is responsible to get this ship on course. There seems to be other priorities such as the ball fields, and then you are putting a levy on for the roads. This city is floundering, you just grab money and do what you want with it, and you don't pick useful purposes. Mr. Stavarz stated that the inheritance money should have gone into utilities. You have franchise money coming in that comes from a utility and it should go back into the utilities fund, not for ball fields. We have several ball fields already and apparently one that does not even get used. Mr. Stavarz stated that the County thing is a real issue, we should be in the sewer and water utilities, and if we have to be in it with Barberton then fine.

Sewer Fees Continued:

There is no reason we need to be in it with the County, it just inflates the costs even more. You cannot punish people by making the costs so high without trying to find a way to reduce the costs. Ms. Carr asked Mr. Pritchard to clarify that the sewer line on Cleveland Massillon would go east down Weber towards Gardner Blvd., and hit Parkway. Mr. Pritchard stated that this was correct; this is the proposed plan, which still needs to be reviewed and approved by Summit County and the Ohio EPA. Ms. Carr stated that the cost to these surrounding homeowners would be at the minimum \$25,000.00 to connect. Mr. Pritchard stated that he does not know where she is getting this figure, but it is incorrect. The installation of this sanitary sewer line will be paid solely by the Millers as a cost of their project. If the Millers make an arrangement with Summit County for reimbursement such as what was done with the Wooster Road project, this reimbursement amount would be determined by the total costs of the entire project. Mr. Pritchard stated that if and when a residential septic system fails then the residents in that area would be required to connect into the sanitary sewer line. Ms. Carr stated that she thought that the State has some new ruling that if a sewer line is available the resident has only ninety (90) days to connect. Mr. Pritchard stated that the resident would only be forced to connect is if their system fails and sanitary sewers are available to them. Ms. Carr disagreed and stated she spoke to some of the legislators in Columbus and she was told they would be forced to connect whether they go belly up or not. Ms. Carr stated that Mr. Pritchard stated at a previous meeting the opposite, and if you go back and review the minutes you would find this. Mr. Pritchard stated once again that if a residential unit fails and determined by the Health Dept, that it has failed, you would be required to connect to the sanitary sewer. Mr. Pritchard stated that this is State Code as well as Ohio Department of Health Code. Mr. Collins stated that there is also a city ordinance to that effect. Ms. Carr asked if the Millers would be required to make repairs to the roads if it gets torn up? Mr. Pritchard stated that is correct, they are required to make all necessary arrangements and restorations in this area.

Council Rules

Mr. Zita stated that we have been working on this for some time now and if there were no further changes, he would make a motion to approve them. Mr. Jones stated that he would like separating the reference to Committee of the Whole at a Council meeting from the Committee of the Whole Work Session. Mr. Jones suggested changing the Committee of the Whole to Committee Work Session; this would be less confusing for the residents. Mr. Jones instructed the Clerk of Council to make this change throughout the Council Rules. Mr. Pelot raised the issue if the Charter dictates this, and the Clerk of Council stated that the Charter refers to Regular Council Meetings and Special Council Meetings, it does not address Committee Meetings specifically. Mr. Collins suggested a modification to Rule 701 because he also authorizes the use of Council Chambers for business meetings during the daytime. Mr. Jones stated that he does not disagree with Mr. Collins on this because Mrs. Richards knows on a daily basis what is going on in Council Chambers. Mr. Collins stated that Mrs. Richards knows that traditionally they come to him to use Council Chambers during the daytime and they come to her for permission during the evenings. This issue was discussed and it was decided to add at any time to the end of the second sentence, and to add or a designee at the middle of the third sentence. Mrs. Richards brought to Councils attention the new sign in sheet for their review. Mrs. Richards stated that Mr. Lyons prepared this form, and he felt the previous requirement of items the resident wanted to discuss was irrelevant. Mrs. Richards stated the real intent for this form is to have a record of who spoke at the meetings, and a phone number would be helpful in case there needs to be some type of follow up with the resident. Mr. Zita suggested formatting this a little better and turning the form sideways in order to have more room for the information. Mrs. Richards stated that this sign in sheet would remain at the podium for the duration of the meeting for anyone who wishes to speak; it is merely a record keeping issue.

Council Rules Continued

Mr. Zita moved to adopt the newly revised version Council Rules with all of the changes discussed this evening.

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

Motion passed 6-0.

Mayors Salary

Mr. McGlone stated that he wanted to have Council review this information over the next few weeks, and he would like for this to be in the agenda for the next Committee Work Session on September 18, 2006. Mr. McGlone stated that now might be a good time to think about having a full time Mayor. If we keep this position full time, we really need to address the salary. Mr. McGlone stated that in 2003 there was a ballot issue for increasing the Mayors salary to \$25,000.00 plus benefits, which failed at the polls. Mr. McGlone discussed whether or not this would require a Charter Change. Mrs. Richards stated that the Charter does not stipulate if this position is full time or part time. Mr. McGlone stated that he contacted the Charter Review Commission to also review this issue. Mr. McGlone asked Mr. Collins if he felt a full time Mayor would be beneficial? Mr. Collins replied that it would definitely benefit him and this would relieve him of some of his duties and decisions he has to makes, it would impact all of us because it provides direction. Mr. Pritchard stated that it would be more productive to have a full time Mayor present. Mr. Price discussed setting a specific number of hours if we were to go full time, and that he supports having a full time Mayor. Mr. Stavarz stated that the Mayors position is underpaid, and he does a fine job, however this does not need to become a full time position, just increase the salary range. Mr. Stavarz stated that Mayor Kernan has to make final decisions on many important issues and this position deserves an increase. Mr. Collins read a statement from Mayor Kernan; *"I believe that all salaries are artificially low within the city. I would suggest Council look at raising both the Mayors and the Council salaries and allow elected officials to opt into the city's medical benefits insurance. I do not believe the answer to the city's problems is a full time Mayor unless Council is willing to pay that person no less than \$70,000.00 and benefits. That is the only way we can attract quality candidates. Since I doubt that Council is willing to do that and pay a support staff, the alternative is to leave things the way they are and look at the salary structures.* Mr. Price stated that he agrees with the Mayors statement and Mr. McGlone stated that this is a step towards getting a full time Mayor. Mrs. Elaine Tompkins, a Norton resident, spoke in favor of having a full time Mayor, however we are not at this point just yet. Mrs. Tompkins stated that she supports a salary increase, adding that we have 11,500.00 residents, which equates to the Mayors salary being approximately \$1.00 per resident. Mrs. Tompkins read a statement regarding her concerns of tuition reimbursements, the note for the Johnson Meadows project, and promotion of retired Chief Ramsthaler to Lieutenant (see Exhibit B). Mr. Stavarz agreed with Mrs. Tompkins' comments about the double dipping, and he is opposed to this and that Council should consider legislation regarding this. Mrs. Tompkins stated that she agrees with Mr. Collins on the Frashure Park issue. The bottom line is this, there is the question of imminent domain if you maintain someone else's property for over twenty (20) years, and then it becomes yours. Mrs. Tompkins inquired if this applies now, and Mr. Pritchard stated that adverse possessions do not apply to city owned property. Mrs. Tompkins suggested that if the city considers leasing this, they should have a clause in the agreement for \$1.00 per year or other considerations.

New Business:

None

Old business:

Mr. Jones asked Mr. Collins to address a noxious weeds issue at 2744 Dal Drive, which Mr. Collins replied that it would be addressed if it hasn't already been done.

Topics for the next Work Session:

City Parks Listing, Fire Lane Ordinance, Mayors Salary, Sewer Fees.

Adjourn:

There being no other business to come before the Committee of the Whole, the meeting was adjourned at 10:00 PM.

Michael Zita, President of Council

Date approved: September 11, 2006

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