



**NORTON CITY COUNCIL
ANNUAL COUNCIL AND ADMINISTRATION WORKSHOP
SATURDAY, FEBRUARY 3, 2007**

Roll Call: Ken Braman
Tom Jones Excused
Dennis McGlone
Bill Mowery
James Price
Scott Pelot
Mike Zita

Also Present: Mayor Joe Kernan
Jeff Pritchard
Karla Richards
Ann Campbell

Norton City Council convened for an all day workshop on Saturday, February 3, 2007 at 9:08 AM in the Council Chambers of the Safety Administration Building. The meeting was called to order by Council President, James Price.

Mr. Price-Council President-Opening remarks:

Mr. Price welcomed everyone and thanked the guest for giving up his or her time to spend with us today, and thanked Ann Campbell and Karla Richards for the meal provided. Mr. Price asked everyone present to state how long they have been here in Norton and what keeps you here. Most of comments received were good schools; family is close, safe and small town home feel, and location. The emphasis focused mostly on the location, access to I-76, St. Rt. 21, and St. Rt. 585, and the short distance to other communities.

Mayor Kernan

Mayor Kernan discussed the need to continue to look toward the future and address development, equitable tap-in fees for the residents and business. Mayor Kernan also discussed the need to address a road program, septic systems, and sewer systems. Mayor Kernan stated that we have invited our guests to speak and felt it was important to hear from our guests.

Mr. Dave Marquard-Director of Summit County Dept. of Environmental Services

Mr. Marquard gave a brief background of the history of the Dept. of Environmental Services. Mr. Marquard discussed the rate structure currently in place, which is also posted to their website. Mr. Marquard discussed the current strategy, which is for territory protection in order to sustain revenue to continue to provide services. Mr. Marquard stated that their goal is to establish fair rates and improve organization and efficiency in the department. Mr. Marquard discussed the fact that the Ohio EPA has taken an aggressive stance on the requirements for his department and for all infrastructure. Mr. Marquard discussed the capital plan for the next three years, which is for repair and replacement of sanitary sewers, and beyond that is expansion to the northern parts of Norton. Norton will also need infrastructure to keep it coming. Mr. Marquard stated that talk of a new Norton wastewater treatment plant as an alternative to Barberton. Mr. Marquard stated that he hopes to have some more definitive answers from the Ohio EPA by this spring or summer if this potential plant is feasible. Mr. Marquard discussed a cooperative plan with other communities such as Green, Stow, and Hudson in order to help them recoup their costs. Mr. Marquard stated that the problem with Norton is that it is complex, you have the pending JEDD issue to deal with. Mr. Marquard stated that it is the opinion of Summit County Executive, Mr. McCarthy that the County makes the effort to get the infrastructure. Mr. McCarthy had stated that Norton needs to either get into the sewer business-buy the sewers from the County and we leave; or get out of the business we will buy the sewers from you and we will serve the area. Marquard stated that Norton does have options at this point.

Mr. Dave Marquard-Director of Summit County Dept. of Environmental Services, continued:

Mr. Price stated that he and Mayor Kernan had also met with Mr. McCarthy and they were told the exact thing by Mr. McCarthy. Mr. Price stated that having to get sometimes three (3) different permits from three (3) entities were complex. Mr. Price stated that other issues that came up in their discussion were the County budget for 2007, which was pending. Mr. Marquard stated that the budget was passed. Mr. Marquard stated that Mr. McCarthy felt the County needs to enter into an agreement with the City of Norton to be the sewer provider and take this step before moving forward. Mr. Price asked that basically if we contract with the County then Barberton would be out of the picture. Mr. Pritchard gave a brief background on how the districts were created back in the 1970's and the overlaps that have occurred since then. The problem is that the Ohio EPA did not properly track the changes throughout the areas over time. Mr. Pritchard stated that this has recently been corrected with a Clean Water Plan in 1981 and an update for the Lake Erie Basin just approved two years ago and the Ohio River Basin approved this year. Mr. Pritchard stated that the JEDD only complicated this issue because the County was not a part of this. Mr. Price inquired as to how do we get out of the JEDD agreement? Mr. Pritchard stated that the contract is a conflict issue, even if we have the County come in and construct the facility, only a portion could possibly be withdrawn from the agreement. The only way to completely get out of that agreement is to have every single drop of our wastewater treated at a County or a Norton facility. Mr. Pritchard stated the agreement with Barberton is a legal and binding agreement. That agreement also states that we are responsible for the replacement of our systems. That is why we have a connection fee so we have the money to do this. Mr. Pelot asked what is the next step in moving this forward with the County? Mr. Marquard stated that he wanted to supply a statement from the Ohio EPA showing that doing a plant in Norton is feasible. He was hoping by now to have the answer, and due to funding they were unable to hire a consultant until just recently. Once we have this study they would have a better idea on this. Mr. Marquard stated that Mr. McCarthy has suggested buying the Barberton Plant, as well as talking to Barberton about expanding their plant and expanding it ourselves. Mr. Marquard stated that you have to decide what to do about the JEDD, and you need to enter into an agreement with the County in order to get the ball rolling in this direction. Mr. Marquard stated that the best thing Norton could do is to enter into an agreement with the County. Mr. Pritchard stated that even with entering into such an agreement, if we don't benefit ourselves by keeping more of our money here, it may get to a point that it may not be in our best interests. Mr. Price stated that the bottom line here is what are we going to do for Norton and how do we get out of bad contracts? Mr. Pritchard discussed the feasibility study and the fact that this study will guide the city into the proper direction. Mr. Pritchard stated that the study might determine that the city should have the county take over our system, operate it and expand it. There was discussion on grants, and Mr. Marquard stated that there are very few dollars out there. Mayor Kernan stated that Norton had their chance back in the 1980's and we passed this up. Mr. Marquard stated that Issue II money, what little there is, may help.

Ms. Violet Carr, a Norton resident, spoke regarding her concerns about the new laws from the State regarding required connections to sewer lines. Ms. Carr stated that the residents have been repeatedly been told we would not have to connect unless their septic systems failed. Ms. Carr stated that all of the residents would be severely financially effected. Ms. Carr asked Mr. Marquard if there was any way the County could help? Mr. Marquard stated that their job is to either build a sewer or not and they try to get funding if it's available. Mr. Marquard stated that when you have a separate regulatory agency stating there is pollution taking place and it needs fixed, they can't be selective. You build a sewer and serve the area and everybody must connect. Mr. Marquard stated that it is not his decision, and offered the suggestion for the homestead exemption that could defer tap in fees over five (5) years. Ms. Carr inquired about a payback program. Mr. Marquard explained their ordinance states that when a private developer extends sewer across the frontage of property that did not participate in the original cost of the sewer, we enter into an agreement and compute what the developers costs were and spread those out over the frontages of the property and then charge that back to the person who connects. This is in addition to the tap in costs and all of the normal connection costs. Ms. Carr stated that we are facing the entire amount out of pocket, construction costs, all of the other charges and interest on their loan.

Mr. Dave Marquard-Director of Summit County Dept. of Environmental Services, continued:

Mr. Pritchard stated that the current laws and EPA requirements would require you to connect regardless if your system has failed. However, in addition to that it states that you have to comply with the 208 guidelines and prescriptions that apply indicated that you do not have to connect until the local Health Departments determines your septic system has failed. Mr. Pritchard stated that the homeowner does not have to pay for the installation of the sanitary sewer. Mr. Marquard stated that you are only paying for their fair share across the frontage of your property. There was further discussion on our own laws in place with the 208 guidelines and prescriptions and Mr. Pritchard reiterated once again that within the 208 prescriptions we have EPA reviewed and approved stating that the City of Norton has detailed the timing as to when you have to connect. Mr. Pritchard stated that we have EPA backing on the 208 prescriptions.

Mr. Bill Helmick, Member of the BZA and a Norton resident, asked Mr. Pritchard as it stands today if a resident's septic is working, do they have connect, or will it only be until the time the local Health Dept. shuts that system down as non functional? Mr. Pritchard replied it would be up to the Health Dept. to deem that the system is failed.

Ms. Patricia Rakoci-Pride One Norton- Impact Study

Ms. Rakoci stated that she had asked Mr. Greg Myers of Silverlode Consulting to join her today, however he became ill with the flu and is unable to join her. Mr. Myers prepared the impact study for her development (see attached). Ms. Rakoci explained the study page by page and asked for comments or questions. Ms. Rakoci discussed the tap in fees for the 514 homes was close to \$2,000,000 and asked the city for a little relief to the first year in order to get the project moving. Mr. Tony Guarino, also associated with the project was present. Mr. Guarino stated that they do still have some builders interested and they need to do their best to get more builders on board.

Mr. John Moss-Finance Director

Mr. Moss gave a brief background on the overall state of the city (see attached). Mr. Moss stated that the city has improved, and we have met our obligations and increased our resources overall. However we are still suppressed in many areas, we need to continue to pay down debt, and we need to address our Fire and EMS funds as they are in very bad shape. Mr. Moss discussed the effectiveness of going with CCA, and that we are up with collections from the past. Mr. Moss discussed the tax credit and stated that if everyone was paying 2% we would have revenues in the millions, and we are not collecting near that amount. Mr. Moss discussed the possibility of Council looking at addressing this issue. If the residents were willing to change the credit, we would not need to be discussing the tap in fees. Mr. Zita stated that now might be the time to seriously look at reducing the tax credit. Mr. Moss stated that now is also the time to look at how we can address the Fire and EMS levy, and we need to make some choice to change the revenue. Mr. Moss stated that if we do not address the Fire and EMS, we would not have the same Fire and EMS service because we cannot continue to do this. Mr. Moss stated that we may not make it through the year as far as Fire and EMS. Mr. Moss discussed the fact that the Fire and EMS fund no longer supports the current expenses. Mr. Moss discussed the buildings of the city, and some buildings no longer meet our needs, we actually have employee stations in a hallway because we are short on space and busting at the seams. We need to look at expansion and we have spent very little at keeping the Administration Building. Mr. Moss discussed Fire Station # 2 and that this is not a safe and comfortable place to work. Mr. Moss stated that at Station #2, there are no living quarters, only a loft directly in the garage which exposes the employees to exhaust fumes and the elements. Mr. Moss stated that Station #11 was the original township hall and is need of a \$35,000 roofing job. We need to consider either a serious upgrade or complete replacement. There was discussion on the roads and the lack of funding to support a road program, and if the road levy would have passed it would have at least generated \$600,000 plus for annual repairs. Mr. Moss discussed engineering needs for the city, and we need to be proactive in this area. Mr. Moss discussed the computer systems and phone systems at city hall. Mr. Moss indicated that we have reached the life expectancy with the phone system and we need to address this before we get into a crisis situation. We are currently running with Windows 97 ® operating system.

Mr. John Moss-Finance Director, continued

Mr. Moss discussed setting up a long-term plan of funding to set money aside to cover expenses for multiple employees retiring at the same time. Mr. Moss discussed executive sessions, and the fact that the current Charter does not provide for this. Mr. Moss stated that this could be a problem with communicating with Council on certain issues. As a Council you cannot deliberate anything in private. We need to consider bringing back at least a presentation to Council but there is no deliberation whatsoever. Anything more would have to occur in an open public meeting, it just allows Council the opportunity to hear issues. Mr. Moss suggested that perhaps Council could consider inviting someone from the public to participate in the presentation of information. Mr. Moss discussed the extensive costs for infrastructure, and the need to come up with a new system where it does not cost so much to connect.

Mr. Charlie Shook-Norton Business Owner of Charlie's Restaurant & Houston Hall

Mr. Shook briefly discussed his positive experience in dealing with the city in the process starting up his businesses here. Mr. Shook stated that Council does not always hear the good things in the community. Mr. Shook stated that he has never had any problems with Council or the city employees. Mr. Shook discussed the slow trend in his business, as with many other businesses in the area. Mr. Shook stated that the high gas prices have had an impact and most people go to fast food restaurants. Mr. Shook stated that the restaurant business is a tough one to be in. Mr. Shook stated that Houston Hall is going very well with catering and receptions, and the VFW is still there as well.

Jeff Pritchard Planning Director Presentation

Mr. Pritchard stated that we need to continue to work on developing our revenue source and discussed the Finkbinder Study from 2003 (see attached) which is a result of our obligations to the water and sewer agreement. Actions had to be taken to develop a revenue source for our obligations. Part of this was the development of access fees and surcharge fees. Mr. Pritchard read some of the high points from the report such as the purpose of the access charges and surcharges. Mr. Pritchard stated that we need to be careful with spending and we cannot be all things to all residents, because we simply do not have the money. It is coming down to this Council and future Councils to not bury your head in the sand because you don't want to address the issues. It will require good leadership and intimate knowledge of all the issues that face the city.

Fire Chief James Calco

Chief Calco discussed the recent changes in the tangible tax laws and that the State of Ohio is phasing this out over the next ten (10) years. Chief Calco stated this has a financial impact on the city at the costs of about \$95,000 to \$100,000 annually. Chief Calco stated that the biggest need for his department is money. Chief Calco discussed a recent study of the response time for local fire departments, which Norton was at a very dismal average time of sixteen (16) minutes, being last of all surrounding communities. This reason was because from midnight to 6:00 AM there was no one at the station, and this was not acceptable. We have added a fourth (4th) shift and the costs mostly come from the EMS fees, but not all. Chief Calco stated that since that study, he has worked to greatly improve the response time, which is now at approximately 6 minutes. There was discussion of the need to address the Fire and EMS levy and that this needs to be reviewed. Chief Calco stated that the levy originated several years ago and is not in line with the current expenses. We have a fifty (50) year old building with steel widows and large overhead doors, which is difficult to heat and cool. Chief Calco announced that this summer ODOT would begin the bridgework on Greenwich Road for approximately two(2) to three (3) months. This would effectively cut the city in half and will have no access to that part of time and affect our response time. Chief Calco stated that he has planned to have someone stationed at Station #2 during this time, however this building was never built with the intention for anyone to physically occupy this facility. There was discussion as to HAZ MAT teams and Chief Calco stated that the city does not have such a team, we rely on other communities for this service.

Fire Chief James Calco, continued

Chief Calco stated that there is substantial amount of training and a huge cost outlay for the very expensive equipment required. Chief Calco stated that Chippewa Township has offered to assist, but Chief Calco invited everyone in attendance for a tour of Station #1 immediately following the meeting.

Adjourn:

There being no further business to come before it, the Council and Administration Workshop adjourned at 1:00 PM.

James Price, President of Council

I, Karla Richards, CMC-Clerk of Council of the City of Norton, do hereby certify the foregoing minutes were approved at a Regular Council Meeting on Monday, February 12, 2007.

Karla Richards-CMC, Clerk of Council