



COMMITTEE WORK SESSION MONDAY JANUARY 7, 2008

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

Also Present: Mayor David Koontz
Rick Ryland
John Moss
Mike Lyons
Jeff Pritchard
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, January 7, 2008 at 7:00 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Council President, Scott Pelot. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

Committee Work Session General Discussion:

Appoint Prosecutor for Mayors Court

Mr. Zita turned this discussion over to Mayor Koontz for the details. Mayor Koontz indicated that our Prosecutor for the last several years, Dave Fish, was elected as Judge for the Barberton Municipal Court and is no longer able to serve as Prosecutor. Mayor Koontz stated that we will follow the same pattern by using a Prosecutor from the Barberton Law Department, and Mr. Matthew Hiscock has offered to serve. Mr. Hiscock is familiar with Chief Carris and Lt. Hete and will also serve as legal council for the Police Dept. Mr. Jones asked Mayor Koontz to clarify the salary amount, and Mayor Koontz stated that according to the MPO the lowest range was \$10,661.00 and the current offer is for \$10,712.00 with no benefits. Mr. Zita moved to place this on Councils next agenda, waiving the second and third readings as an emergency, seconded by Mr. Mowery.

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

Motion passed 7-0.

Appoint Prosecutor for Mayors Court continued:

Mayor Koontz asked Mr. Hiscock for a brief listing of his qualifications. Mr. Hiscock stated that he has been a lawyer for the past eleven (11) years, and was in private practice for eight (8) years. Mr. Hiscock stated that prior to that he was an FBI Agent based out of New York City. Mr. Hiscock stated that he studied law at Kent State and graduated from Akron University Law School, Mr. Hiscock stated that he is originally from New York (The Bronx). Mr. Hiscock stated that he resides in Wadsworth and has two (2) young children. Mr. Pelot questioned the starting date and Mayor Koontz stated that Mr. Hiscock has agreed to begin working for us in the meantime pending the official legislation so that the city has a Prosecutor. Mr. Hiscock stated that he has already fielded a few phone calls, and he attended the Norton Mayors Court for the first time earlier today.

Amend Ord. #91-1998-Ward Postings Location:

Mr. Zita stated that the Town Crier has changed ownership and is now Cleats Club Side Grille. Mr. Zita indicated that we need to change the name on the legislation for the Ward 1 posting location. Mr. Pelot stated that they are going through some remodeling, although the restaurant will remain open and residents can still access the posting information. Mrs. Hlas suggested that we also change the Norton Library to the correct name of the Akron Summit Public Library. Mr. Lyons agreed this could be done at the same time. Mr. Zita clarified all of the ward postings as: Ward 1-Cleats Club Side Grille, Ward 2-Charlie's Restaurant, Ward 3-Norton Library and Ward 4-Milich's Village Inn. Mr. Zita moved to place this on Councils next agenda, seconded by Mr. Jones.

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

Motion passed 7-0.

Approve 2008 Meeting Schedule:

Mr. Pelot stated that all Council members should have already received the 2008 meeting schedule and asked if there were any corrections or changes, which there were none. Mr. Zita moved to approve the 2008 meeting schedule, seconded by Mr. Braman.

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

Motion passed 7-0.

Set date for Annual Workshop:

Mr. Zita stated that he has discussed this with Mr. Pelot and asked Mr. Pelot to elaborate. Mr. Pelot stated that he would like to get Councils thoughts on holding more than one workshop per year. Mr. Pelot stated that in the past we have one workshop and then there is no follow up.

Set date for Annual Workshop continued:

Mr. Pelot stated that by holding more than one workshop a year we can focus more on just two (2) or three (3) items with more depth and then hold a second meeting later in the year as a follow up. Mrs. Hlas stated that she thought the whole purpose of the workshop was to get Administration and Council on the same page and to set goals for the city, and questioned the purpose of holding more than one meeting. Mr. Pelot replied that the reason for a second meeting is to see that we make the targeted changes or set goals. Mr. Ryland commented on the fact that as elected officials you are all required to complete basic FEMA training and that Mr. Braman has just recently completed this program. Mr. Ryland stated that without your certifications in FEMA the city would not be eligible to receive any FEMA funding. Mr. Ryland suggested this could be a topic for a workshop agenda item. Mr. McGlone stated that this year we have two (2) Mondays that we are not scheduled to meet and we could do a workshop on one of these days. Mr. Pelot stated that the two dates would be Monday, January 26, 2008 and Monday, February 2, 2008. Mr. Pelot asked everyone to check their calendars and follow up with him via email on their best dates.

Mosquito Abatement District-Letter of Protest:

Mr. Mowery stated that Mr. Harrison from MAD was in the audience if Council would like to ask questions. Mr. Mowery stated the he would like to keep this on the agenda as an ongoing discussion. Mr. McGlone stated that he brought this about because of the pending court date to bring in other communities. Mr. McGlone referenced the article in the newspaper (West Side Leader January 3, 2008 "Trustees object to joining mosquito district"). Mr. McGlone stated that it's that same thing that we felt, it's a duplication of service, the petitioners do not realize this is an assessment, and this is taxation without representation. Mr. McGlone stated that he has always been against this district. Mr. McGlone stated that there is a time limit to put a letter together prior to the hearing and that if some Council members feel like he does, maybe as a whole we could prepare a letter to be sent to the Judge. Mr. Mowery stated that he agreed with Mr. McGlone and he also felt this was a duplication of services. Mr. Harrison stated that Mr. Brumagin who is the President of MAD, and Mr. Robert Webb who is the Norton representative are also present in the audience. Mr. Harrison stated the MAD Board decided to expand the district to other communities and that we did this by petitions, which did state exactly that there would be an assessment and it was discussed with the people before they signed it. We also gave them figures of what the assessment is now and this is approximately \$10.00 per year for a \$100,000.00 valuation. Mr. Harrison stated the process to expand the district is just like it was to form the district, there are four (4) steps to the process. The first step is a public hearing before a Judge to approve the districts being added. The second is to prepare a plan which also has public hearings and the plan must also be approved by the Ohio EPA. The third step is to prepare a budget and involves a Board of Appraisers and more public hearings. Mr. Harrison also stated that the Board of Appraisers has the authority to change the assessment amounts, and cited an example with large farms. The fourth and final step is obtaining the approval from a Judge. Mr. Harrison stated that this process usually takes about one (1) year to complete.

Mosquito Abatement District-Letter of Protest continued:

Mr. Harrison explained that we are following the law and that the Sanitary District law under Ohio Revised Code Section 6115 does not allow for a vote of the people. Mr. Harrison stated that if the residents or Council have issues with this they need to take it up with the State legislature. Mr. Harrison stated that we do have a problem with Norton because part of Norton borders on Copley and there are a lot of swampy areas there. We need to expand into this area to address the mosquitoes there and keep them from coming into Norton. Mr. Harrison stated that he felt the larger the district is, the better protection you would have. Mr. Harrison stated that he hoped that Norton City Council would not be making a decision on a letter of protest on misinformation. Mr. Harrison stated that if anyone has any questions that they should contact him, or Mr. Webb. Mr. Zita asked if prior to the MAD being formed, was the City of Norton being sprayed by Summit County, and Mr. Harrison answered no. Mr. Harrison stated that the Barberton Health District was spraying the City from 2001 to 2006 as part of the City's contract, and prior to that Summit County did it. Mr. Harrison stated that when the MAD was formed, the City did receive a benefit; the amount paid to the Barberton Board of Health was reduced by \$12,000.00 a year. The money that was raised through the MAD was used for the mosquito control program because we had more money. Mr. McGlone stated that this costs \$130,000.00 for Norton residents, and Mr. Harrison disagreed, that figure is more like \$70,000.00 to \$74,000.00 for Norton residents. Mr. Moss explained the MAD Cost Sheet (see attached). Mr. Moss stated that if you take the actual 2007 Budget it was \$183,614.00 and minutes reflect a statement by Mr. Harrison that Norton's share was seventy-five (75) percent of that due to relative home values. Mr. Moss stated that he was not sure this was accurate because if you go by the \$10.00 per residence it comes up to more like \$40,000.00 to \$45,000.00 which comes out to more like twenty-five (25) percent. Mr. Harrison stated that we do not collect all of that money, due to all of the foreclosures in Summit County, and that approximately \$14,000.00 to \$15,000.00 is not being collected. Mr. McGlone stated that this still amounts to seven (7) times the amount we used to pay under the Barberton contract. Mr. Harrison stated that you are getting much more treatment, and reminded everyone about the MAD recently authorizing \$11,000.00 to be spent to fix a drainage problem in Norton. Mr. Harrison stated that the citizens are not complaining, and when we were getting signatures we received positive comments, residents say they can sit outside and enjoy a barbecue without getting eaten alive by mosquitoes. Mrs. Hlas asked if we did not receive the services from MAD, what kind of service would we be getting from the Barberton Health District? Mr. Harrison stated that he did not know, and that in 2004 the City of Barberton experienced financial difficulties. As a Health District they have mandated programs like restaurant inspections and unmandated programs such as mosquito control. The Barberton Health District is required to fund the mandated programs only, and they cut the mosquito spraying program because it was not mandated and they had no funding to support it. Mr. Harrison stated that as the Health Commissioner at the time, the Barberton Board of Health directed him to go out and find some grant money to maintain the program. Mr. Harrison stated that he could not find any such grants, and did find out that Toledo has a district and they service all of Lucas County. Mr. Harrison stated that he researched the law on how to form a district, and proceeded with the process.

Mosquito Abatement District-Letter of Protest continued:

Mr. Harrison stated again that the City does receive the \$12,000.00 credit each and every year. Mr. Pelot stated that might be so, however it is an additional cost to the City of Norton residents to the tune of approximately \$70,000.00. Mr. Harrison stated that if you have 21,000 parcels, how many complaints did you get? Mr. Harrison stated that last year with the mix up in the assessment notices, they received less than one-hundred (100) phone calls between Norton and Barberton. Mrs. Hlas stated that she lives in Frashure Allotment, which is very swampy and when Summit County was spraying, it was only once a month. Mrs. Hlas stated that Frashure had West Nile Virus present in the last two (2) years, and they have received a lot of spraying in this area. Mrs. Hlas stated that she doesn't mind paying her \$10.00 and has not received any complaints, and if residents were complaining she would like them to email or call her with their complaints. Mrs. Hlas stated that it is nice to be able to go out and play basketball at 5:00 PM without getting eaten alive, or at noon. Mr. Braman stated that he was in a group discussion recently and one gentleman commented on how nice it was this summer to be able to sit outside in the evening and drink a beer on his porch without the mosquitoes. The same gentleman stated that it was the best money he ever spent. Mr. Jones questioned Mr. Harrison on the \$12,000.00 credit because according to the information received by Mr. Moss, Norton only received a one-time credit of \$12,000.00. Mr. Harrison explained that at that time Norton was paying Barberton health District \$82,000.00 a year for all services, and this was reduced down to \$74,000.00. Mr. Harrison stated that it has stayed at \$74,000.00 with small annual increases of three (3) or four (4) percent. Mrs. Hlas stated that the 2006 Barberton Health contract was at \$75,000.00 with the \$12,000.00 credit. In 2004 we were paying \$81,885.00 and the contract for 2008 is for \$80,340.00 and still is less than what we were paying in 2004. Mr. Jones asked if we would be getting the \$12,000.00 off of this, and Mrs. Hlas stated that the \$12,000.00 has been off of the contract since 2005, they have never added it back on. Mrs. Hlas stated that there have been increases each year by about three (3) percent although the contract states it could be as much as four (4) percent. Mr. Jones asked Mr. Harrison how long was he with the Barberton Health District and Mr. Harrison replied thirty-six (36) years. Mr. Jones asked if there has been any talk with Mayor Genet regarding doing away with the funding of the Barberton Health District? Mr. Harrison stated that he just had a talk with Mayor Genet last week and was told this is a dead issue. Mrs. Elaine Tompkins, a Norton resident, stated that she compared the first petitions to the second ones and that there was no mention of an assessment on the first ones. Mrs. Tompkins stated that several people told her that they were told it was to save the Barberton Health District when they were signing the first petitions. Mrs. Tompkins corrected Mrs. Hlas' statement that she had not received any complaints, she herself had complained to Mrs. Hlas about the MAD. Mr. Harrison stated that with the first petition there was no MAD and there was no assessment, we used the petition form as provided by Ohio Revised Code 6115. Mr. Harrison stated that MAD had not yet been formed so we were unable to determine the amount of mills for assessment.

Mosquito Abatement District-Letter of Protest continued:

Mrs. Tompkins stated that the residents should have been advised that there would be an assessment with the first petition, and Mr. Harrison stated that every time he got signatures he advised people that it was going to be an assessment, and that he did not know the amount. Mr. Harrison added that it is also not required by Ohio Law to list this information on the petition. Mrs. Tompkins questioned the past legal notice published in the Akron Legal News, which is an industry paper not of general circulation where the public would know what is going on. Mrs. Tompkins stated that his legal notice completely omitted the proper procedure to object. Mrs. Tompkins stated that according to Ohio Law it states objections must be filed in writing on or before the court date. Mrs. Tompkins stated that this was misconstrued at the first hearing, so much so that the Barberton Mayor carried a letter from the Council President Genet at that time to court. Mrs. Tompkins stated that the Judge warned him that his comments may not be considered in her decision, however she did allow Mayor Hart to speak as a professional courtesy. Mrs. Tompkins stated that the law does state that within a certain time frame the requesting person could go back and correct any known defects, however this did not happen. Mrs. Tompkins stated that she recently discovered that the taxes were collected in 2005 for the entire year when the MAD was not officially formed until June 23, 2005. Mrs. Tompkins questioned how can you collect assessments from January 1, 2005 to December 31, 2005 when the MAD didn't exist until June? Mrs. Tompkins stated that the answer could be similar to our income tax exemptions. Mrs. Tompkins stated that she would like to see what Court approved Mr. Harrison's decision to make the MAD a stand-alone district. Mr. Harrison corrected Mrs. Tompkins statements regarding the advertising and that Ohio Law states the Clerk of Courts is to place the publications and there is a form authorized by the State. The Clerk publishes notices in the Akron Legal News and this is where she published the MAD hearing notice, and we have no control over this. Mr. Harrison stated that this is not our jurisdiction, and that the Clerk followed the law. Mr. Harrison stated that there were no taxes collected before the MAD was formed. The MAD was formed in June of 2005, and the very first tax collection took place in February of 2006. The tax collection is done on the previous year's valuations, and you are always a year behind. There were no tax dollars collected for the MAD until 2006. Mr. Harrison stated that at that time the Judge issued her decree in 2005 we became a stand-alone political sub division, just like a school, library or a park district. Mr. Harrison stated that the statute also allows for initial start up funds and must be paid by the Summit County Auditor. The start up expenses would be for all expenses incurred such as legal advertising, public hearings, etc. The Auditor fronted money in 2005 for those expenses, and when we did the first collection in February of 2006 we had to pay back the money to the Auditor. Mr. Harrison again stated that the first MAD assessment collected was in 2006 based on the valuations in 2005. Mr. Ryland asked what is the limit on the assessment authority? Mr. Harrison answered there is a Maintenance Fund and a Bond Fund, the Maintenance Fund is .3 mils and the Bond Fund is 1.0 mils. Mr. Harrison stated that the law was originally designed for sewers and potable water systems. Mr. Ryland asked if you could change the amounts without the vote of the people? Mr. Harrison answered yes.

Mosquito Abatement District-Letter of Protest continued:

Mr. Ryland disagreed with Mr. Harrison's statement of being a stand alone political subdivision, because the schools, library and parks are voted on where by the MAD is not voted on by the people. Mr. Ryland stated that the MAD has the authority to assess people upon a Judge's statement and not a vote of the people. Mr. Harrison replied yes, however we are a political subdivision at that point, and Mr. Ryland added that their funding and assessment authority is different than the others. Mr. Jones asked how much could you assess without a vote, and Mr. Harrison answered probably 1.3 mils unless we are talking about a multi million dollar project. Mr. Pelot questioned the \$50,000.00 advance, and if your budget is \$200,000.00 you have over spent by twenty-five (25) percent? Mr. Harrison stated that the biggest expenditure comes in the summer when mosquitoes are present, the second settlement comes in September when activity is low. The advance was to purchase insecticides, gasoline, insurance, pay employees. Mr. Harrison also noted that the first settlement came when we had the error on the assessments, and we were like \$35,000.00 down from what we should have received and the County was going to make that up with the second half assessments. We needed this money in June not in September. Mr. Pelot stated that in essence the bills were front-loaded. Mr. Pelot stated that Mr. Harrison carries three (3) positions, and inquired if he is paid for all of these? Mr. Harrison stated that he is paid for the Executive Director, and he is also the Treasurer. Mr. Harrison stated that we did have a Treasurer but that person quit, so the MAD Board decided to split the two positions, a Secretary and a Treasurer. They set aside \$100.00 per month for the Treasurer position, and we could not get anyone to do the job for that kind of money, and that he would gladly give up those duties if someone was interested. Mr. Pelot asked what was is total salary in 2007 for the Executive Director, Treasurer and Attorney, and Mr. Harrison answered approximately less than \$10,000.00 and the same amount for 2006. Mr. Harrison stated that all legal work is done pro bono. Mr. Ryland clarified that in order to dissolve the MAD it would have to be due to inactivity on your part or from a Court order by the Judge, and Mr. Harrison concurred adding that in either case it has to be ordered by the Judge. Mr. Ryland asked if a community wants to withdraw what is the process? Mr. Harrison stated that a petition process formed the MAD and he believed it would need to be dissolved by a petition process. Mr. Jones asked Mr. Lyons if he agreed with this, and Mr. Lyons replied that in essence he did not disagree with Mr. Harrison's statement. Mr. Lyons stated that there have been some challenges to this that were not successful and that he would have to look into it further. Mr. Lyons stated that if Council wants to oppose the additions to the district and to seek to dissolve the district there might be reason to call into question the entire process. Mr. Lyons indicated that unless he is directed to do so by Council, he does not intend to take an active roll at the hearing in February. Mrs. Tompkins stated that for the record, she checked her own tax bill in addition to checking with the Summit County Fiscal Offices that the first half of 2005 was collected from the residents. Mrs. Tompkins stated that we still pay \$120,000.00 for the MAD and the Barberton Health District contact, however she was not saying that the MAD is a bad service.

Mosquito Abatement District-Letter of Protest continued:

Mrs. Tompkins stated that she would like the city to look at asking the Judge to stay this activity until it goes to the voters and have this sixty (60) year old law revised. Mrs. Tompkins stated that she dislikes the fact that the Court imposed mandatory assessments on her tax bill when she did not even ask for it. Mrs. Tompkins added that in regards to the legal notice in the Akron Legal News being placed by the Clerk of Courts, it was Mr. Harrison who signed the legal notice. Mr. John Carris, a Norton resident, spoke about the comments made by Mrs. Tompkins and asked Council if they know what she is really talking about here, he added that the MAD and the Barberton Health District has done a wonderful job. Mr. McGlone stated that he understands exactly what Mrs. Tompkins was discussing, we are paying five (5) times more to the MAD than what we were paying to the Barberton Health District, are we getting five (5) times more service? Mr. McGlone stated that he wants the citizens to have a right to vote on it. Mr. Bob Webb, a Norton resident and representative for Norton spoke about the issue. Mr. Webb stated that when he was asked to be on the MAD, he took some time and did some checking into this and he realized he is getting more for his money than what he got from Summit County. Mr. Webb stated that this is a health issue, we have Lyme disease spreading throughout in the last few years. Mr. Webb stated that ticks and Lyme disease went up like a rocket with the August heavy rainstorms. With the MAD working overtime with spraying, it kept this from becoming an outbreak. This community has gained \$11,000.00 from the MAD and he cannot see why we are squabbling over \$10.00 or \$20.00 for mosquitoes. Mr. Webb stated that the numbers are going to be there whether you have the MAD or Summit County doing it. Mr. Webb stated that we are getting a darn good deal for the money. Ms. Charlotte Whipkey, a Norton resident, asked who collected the signatures on the petitions, a paid petitioner? Ms. Whipkey asked who certified the signatures, are they real property owners? Ms. Whipkey stated that she talked to residents who signed these petitions and they did not realize that this was an assessment or that they would not be able to vote on this, and now you are saying that in order to remove this you need petitions. Ms. Whipkey stated that this is taxation without representation. Ms. Whipkey stated that she has asked for minutes from the MAD meetings, which she still has not received, and the reason she wants the minutes is to understand the process. Ms. Whipkey discussed the seven (7) communities with 75,000 homes, that's another \$750,000.00 the MAD would collect. What are they going to do with nearly \$1,000,000.00? Ms. Whipkey discussed Mr. Webb's comments about Lyme disease and that she thought this was only to take care of mosquitoes. Are we destroying ticks as well as the mosquitoes? Mr. Harrison stated that the minutes of the last MAD meeting have not even been typed up yet so that is not available. Mr. Harrison stated that we certified every signature on line with the Summit County Tax Duplicates, and any that were not on the duplicate were removed. Mr. Harrison discussed the notion of spending \$1,000,000.00, there has to be a plan and the four (4) step process. Mr. Harrison stated that there are many residents in Norton paying sixteen (16) cents per year on a parcel, its not by homes it is by parcel. If you have a home sitting on two parcels, each parcel is assessed. We don't know how much money the plan would generate yet.

Mosquito Abatement District-Letter of Protest continued:

Ms. Karen Miller, a MAD Board member and Norton resident, clarified that the reason the MAD was formed was due to the Barberton Health Department being unable to continue spraying. Ms. Miller stated that she has had many residents thanking the MAD for the spraying, and the aggressiveness of the program. Mrs. Miller stated that the MAD also goes out before every football game and sprays the fields. Mrs. Miller stated that if in fact you decide to dissolve the MAD, she was not sure you would be able to have Summit County do the spraying because you are not under contract with them. Mrs. Miller stated that Summit County does not spray every community within the county, and this is another reason the MAD felt the need to expand the district. Mr. Lyons stated that he felt the MAD should be considered like a city utility, more than a tax and that this is an important distinction. Mr. McGlone agreed with Mr. Lyons, however with utilities you are assessed by the amount of frontage not by the value of your home. Mr. Harrison added the Ohio Revised Code 6115.41 specifically states that for a MAD it is done on a valuation of the property. Mr. Lyons indicated that the only real challenge the city could make would be a Constitutional challenge. Mr. Pelot stated that he would like to keep this on Matters Referred for further discussion. Mr. Lyons stated that if Council intends to challenge this, Council would need to direct him to do so and instruct him to present a letter to the Court. There was no indication from Council to direct Mr. Lyons to proceed at this time.

Council Rules:

Mr. Zita stated that every year we take a look at the rules for any additions or changes. Mr. Zita noted one change to Rule 103: and that a section needs to be removed because it conflicts with Charter Section 3.16. Mr. Zita asked for any comments or suggestions, and Mr. Pelot suggested we look this over and moved to carry it over to the next meeting and any changes would be made at that time.

Transfers from Various Funds:

Mrs. Hlas turned this discussion over to Mr. Moss for the details. Mr. Moss indicated he is working on a listing of various funds transfers such as for the Service Dept., and the Street Dept., and possibly the gazebo if Council moves forward on it tonight. Mr. Moss asked for Council to suspend the three (3) readings rule. Mrs. Hlas stated that Mr. Ryland had previously discussed the money for the Fire Station and Homeland Security grant money and asked of this is something that we also need to do? Mr. Moss replied yes, and that he has not proposed anything just yet. Mr. Moss indicated that he had planned to budget for this in the Capital Equipment Fund because we have money there that is not for any specific project. Mr. Moss indicated that we would need to also increase the Certificate of Resources, and increase the 2008 Budget to permit us to spend the money. Mr. Moss stated that we could use that for the City's share of the grant. Mrs. Hlas asked if this needed to be done now or if this could wait until the next Work Session so that we all have the proper documentation? Mr. Moss indicated that this could wait to be addressed at that time. Mrs. Hlas clarified that what we are doing here tonight is for transfers as approved within the 2008 Budget, and Mr. Moss agreed.

Transfers from Various Funds continued:

Mrs. Hlas moved to place this on Council's next agenda, waiving the second and third readings, seconded by Mr. Zita.

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

Motion passed 7-0.

Ohio Vietnam Memorial Park Bench Engraving:

Mr. Zita stated that the City has already purchased the bench and we need to make a decision on the engraving. Mr. Zita indicated that the cost of the bench did include the engraving as long as it fits within the required dimensions. Mr. Pelot suggested that we should not focus solely on the Vietnam Veterans, we should do this for all Norton Veterans that served. Mr. Pelot suggested we put this out there to all Norton residents for their input to see what they have to say. Mr. Pelot stated that he had discussed this earlier with Mr. Ryland and that Mr. Ryland had suggested involving the Norton VFW for their suggestions on the inscription. Mr. Pelot stated that we could collectively as a group take the best one that reflects the City of Norton and represents the Veterans and take it from there. Mrs. Hlas asked if the payment has been made and Mr. Moss indicated that a Purchase Order has been processed and we have a commitment to pay, however a check has not been issued. Mrs. Hlas inquired if anyone has checked to see that benches are still available, and Mr. Moss replied, yes we have a reserved a specific location for our bench already. There was further discussion on the time line and how to ask the public for their comments. Mrs. Richards indicated that the engraving company already has the city logo (Tree with the Growing Community) set to be engraved. Mr. Pritchard suggested we post something on the city web page for the residents to access. Mr. Moss indicated you could send your suggestions on the website to the webmaster and this would be forward to Council. Mrs. Campbell indicated that she would put the notification on the home page to the City's web site. Mr. Pelot stated that all suggestions should be received no later than February 29, 2008. Mr. Pelot directed Mrs. Richards to contact the Norton VFW for their input.

Inheritance Tax Revenue, Gazebo at Columbia Woods:

Mrs. Hlas stated that was back on the agenda, however she did not call for this and asked Mr. Pelot to elaborate. Mr. Pelot stated that this came back on for discussion because the city wanted to make sure they allocated the Inheritance Fund Revenue to the proper place and that the City still wants to proceed with the gazebo. Mr. Ryland elaborated on the plan layout for the park dated back to October 20, 2000 which clearly shows a gazebo at Columbia Woods Park. The original plan shows the gazebo where the second ball field is now located. When the pond work was done we decided to put in a peninsula to accommodate a gazebo. Mr. Ryland stated that this creates a focal point for all of the citizens to use. Mr. Ryland stated that this is a one-time funding for the gazebo and the idea is to complete the project.

Inheritance Tax Revenue, Gazebo at Columbia Woods continued:

Mr. Ryland stated that the idea is that park is now a greater interest for the entire community, and we could hold summer band concerts here. Mr. Ryland pointed out that even in the original rendering of the plan, a concert theme is portrayed. Mr. Ryland stated his only purpose to bring it forward is to complete the project, with the exception of the basketball courts, which are still up for debate. Mrs. Hlas asked if there are port-a-potties or regular bathrooms in the plan, and Mr. Ryland replied that there are bathrooms and that the convenience center is scheduled to be re-opened. Mrs. Hlas stated that this still does not complete the plan because we have no bathrooms. Mr. Ryland stated that the bathrooms will be completed with the current funding we have from Time Warner. Mrs. Hlas stated that this has been her whole problem with the gazebo, and that in 1998 Council decided to take the Time Warner money strictly for the parks and that the parks should stay within that budget. Mrs. Hlas stated that this may be an inheritance windfall, but this money should be used for something else and the park money stay within the park. Mr. Ryland stated that although he does not disagree with Mrs. Hlas, however all of the citizens would benefit from this use instead of using that money to repair 200 feet of roadway. Mr. Ryland stated that this was a windfall that the city was not aware of and is something that can benefit everyone. Mr. Pelot questioned if we could work something out with the schools for assistance in the construction so that it might not cost as much? Mr. Ryland replied that yes we could, but cautioned everyone to keep in mind that you want a design with proper electronics, video, and handicapped access. Mr. Ryland indicated that we would make every effort to try and do this for less than the \$27,500.00 that is allocated for the gazebo. Mrs. Hlas stated that although she does not want to do this, she moved to place this on Council's next agenda, seconded by Mr. Zita. Mr. Zita stated that he does see this as something tangible that the residents can see instead of putting that toward pavement that just blends in with the rest of the city. Mrs. Hlas stated that she still has a problem going beyond the parks budget, and we already increased the franchise fees from three (3) percent to five (5) percent and that we should stick to the budget. Mr. Pritchard discussed a citywide survey that was done in the past and this gazebo was one of the issues the residents wanted addressed, in addition to others. Mrs. Hlas reminded everyone that without the money from Time Warner we would not have the parks as what they are today. Mr. Pelot asked if we have matching money to go for grants and Mr. Pritchard replied yes, but keep in mind that we have the issue with lighting that also needs to be addressed. Mr. Braman stated that last November before the elections, he thought that most of Council agreed not to use this money. Mayor Koontz stated that he was on Council when the decision was made to use the Time Warner revenue for our parks, and that using this Inheritance Revenue for this purpose was a good idea. Mr. Jones stated that as he has listened to all of the comments tonight, he was originally against pending this money on a gazebo. However, after what Mr. Zita stated, maybe we should do something that everyone sees, and that he has changed his mind on this issue. Mr. John Carris, a Norton resident, stated that the whole idea was to have summer band concerts at the park, and that the gazebo is a good idea and it belongs in Columbia Woods. Mr. Richard Easterling, a Norton resident, stated that he sees this as a memorial fund to be used for a specific thing and that he supports the idea.

Inheritance Tax Revenue, Gazebo at Columbia Woods continued:

Mr. Moss questioned if this legislation would come to Council as Ord #77-2007 or a new number, and Mr. Lyons indicated this would be a new piece of legislation.

Roll Call: Yeas: Zita, Jones, Mowery, Pelot
Nays: Hlas, Braman, McGlone

Motion passed 4-3

Water & Sewer Access Fees:

Mr. Jones stated that he appreciated Mr. Ryland putting together all of the information, however he is not in favor of raising any of the fees. Mr. Ryland stated that he is not asking Council to raise anything, he was asking to continue the moratorium until we can complete our study on the fees. Mr. Ryland stated that the previous moratorium ended on December 31, 2007 and the increases are to take effect in 2008. Mr. Ryland stated that there were suggestions to have someone outside of Finkbinder conduct the study so that we that we could justify the fees and legally support the fees. Mr. Ryland stated that we have already made contact with a company and we are in that process, he is just asking to continue the moratorium until we get the report back. Mr. Jones stated that he does not have a problem with this, and that he discussed this with Mr. Braman and they are in favor of continuing the moratorium. There was discussion on a time frame and Mr. Pritchard stated that the report could come back as early as March. Mr. Jones moved to place this on Councils next agenda to continue the moratorium until we have final notice seconded by Mr. Braman.

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

Motion passed 7-0.

Unfinished Business:

None

New Business:

Mr. Braman stated that Council needs to designate their representative to the Norton Health Advisory Board for 2008, and asked for any volunteers since he had served for 2007. There were no volunteers, however Mrs. Hlas nominated Mr. Braman to serve again this year, which he accepted, and the motion was seconded by Mr. Jones. There were no objections to appointing Mr. Braman as Council's representative for 2008. Mr. Jones stated that he received a letter from ODOT today regarding the poor road conditions on St. Rt. 261 and that they are looking into this. Mr. Pelot announced the 2008 Standing Committees of Council, (see attached).

Public Comment-Non Agenda Items:

Ms. Charlotte Whipkey, a Norton resident, offered a suggestion to add something to the web site to show how Council votes on issues instead of having to review all of the minutes to find this. Ms. Whipkey stated that this could be something condensed and easier to see after every meeting.

Topics for the next Work Session:

Mr. Pelot stated that the topics for the next work session could include; MAD, FEMA/Homeland Security training, Council Rules, purchase of HUD properties. Mr. Zita announced a city wide Christmas Tree drop off and curbside pick up, (see attached)

Adjourn:

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:00 PM.

Scott Pelot, President of Council

****NOTE: THESE MINUTES ARE NOT VERBATIM****

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.