



COMMITTEE WORK SESSION NOVEMBER 17, 2008

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

Also Present: Mayor David Koontz
Rick Ryland
John Moss
Pete Kostoff
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, November 17, 2008 at 7:19 PM, in Council Chambers of the Safety Administration Building. The meeting was called to order by Scott Pelot, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

Committee Work Session General Discussion:

2009 Budget

Mrs. Hlas stated Council just received the 2009 Budget materials this evening and no one has had a chance to review the materials. Mrs. Hlas stated Mr. Moss could quickly highlight some items now, however this would also be discussed at the Committee Work Session in two weeks. Mr. Moss indicated that last year Council received this booklet November 30, so we are a little ahead of schedule. Mr. Moss briefly reviewed the sections overall by departments, funds and various accounts. Mr. Moss indicated the General Fund is down somewhat from last year due to the Home Land Security Grant we received in 2008, and our revenue is rather flat at this point. We have a new department titled General Debt Service. Mr. Moss stated some of the departments had asked for increases for various items, or personnel, however there are no new increases for new staff members other than for the Service Department for seasonal helpers. Mr. Moss commented about cuts being made across the board prior to bringing the 2009 Budget to Council. Mr. Moss discussed the 440 Fund adding that he included all options for future engineering on potential projects for capital storm sewers, pipes for storm water. Mr. Moss commented on the Debt Services Fund and that this was a positive improvement because the amount of money going into it is going down each year.

Mr. Pelot questioned the percentage breakdowns at the top of the Self-Insured Fund 600 and Mr. Moss explained this was due to the projections on increases for health care premiums for 56 employees. Mrs. Richards questioned the actual figure of \$50,882.50 spent in advertising in the Road Program Fund for 2007. Mr. Moss stated that was rather high and was probably not correct, and he would look into that figure.

Status of Joint Dispatch Center

Mr. Ryland stated there have been several start up delays and communications problems that needed to be worked out and issues with linking the computers with the police cruisers. Mr. Ryland stated the tentative start up date is set for December 15, 2008 and this is a light starting date and the full-blown start date is set for January 15, 2009. Mr. Ryland stated the overall response time would be improved to all residents. All dispatchers have received additional training and our dispatchers have received training with medical and EMS areas. Mr. Ryland stated the new center would be housed in Copley at their current center and we have retained all of our own equipment downstairs, mostly as a redundant system. Mr. Jones questioned if we have cars out in the northern part of town and they are needed now in the southern part of town would Copley be responding? Mr. Ryland replied no, mutual aid is only called out and used for emergency situations.

Garbage Truck Licensing NCO 1060.01

Mr. McGlone turned this discussion over to Mr. Ryland for the details. Mr. Ryland explained our current ordinance states that all garbage trucks that come into our city must be inspected and have a license. We had a situation where a company had one of their trucks break down and they had a loaner, which as not inspected and did not have a license. We did not know if this vehicle was safe, if the brakes were working properly, it was not properly tagged to be in our city and it was ticketed. Our Magistrate was concerned that our current law was not clear enough on this issue and we feel this needed addressed. Mr. Ryland stated this is to clarify the language we currently have. Mr. Kostoff stated he is working with Mrs. Richards in reviewing all of the older legislation and would hoped to have legislation prepared in time for next Monday. Mr. McGlone moved to modify the language for Norton Codified Ordinance 1060.01 for the next Council meeting if ready, suspending the second and third readings, with emergency language, seconded by Mr. Braman.

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

Motion passed 6-0.

Taping of Council/Committee Meeting

Mr. Pelot gave a brief background on the history of what happened with the Time Warner decision to cancel the airing of Channel #15. For the most part we are continuing to video tape all Council and Committee meetings at this point, with the exception of the one meeting when the audio visual student and Ms. Campbell were absent.

Mr. Pelot stated we continue to have an audio visual student present and that it is up to the rest of Council if we want to continue taping our meetings, regardless Mrs. Richards would continue to have an audio recording. Mr. McGlone asked Mr. Moss if he would prepare a breakdown of the costs for continuing to do this. Ms. Campbell commented that we have one (1) resident, Ms. Whipkey, who requests a VHS copy of the meetings. Ms. Campbell stated that to copy VHS over to a CD is a very poor quality and getting blank VHS tapes is getting harder and harder because DVDs are more compatible. Mr. McGlone asked Mr. Moss to also include a cost to upgrade with his estimates. Mr. McGlone asked Mrs. Richards if other communities videotape their meetings? Mrs. Richards replied some do and some do not; Barberton does not, Green does. Mrs. Hlas asked Mrs. Richards about her process on archiving her audio recordings. Mrs. Richards indicated that she currently maintains an archive of meeting meetings on her laptop hard drive and would continue to do so until she runs out of space. Mrs. Richards indicated that she has legal opinions from previous Law Directors indicating the audio recordings are only required to be kept until the minutes are approved. Mrs. Richards stated that the official approved minutes are kept in a fireproof vault in the Clerks office. Mr. Pelot questioned Mr. Moss about disaster recover and off site storage and Mr. Moss indicated the city is currently looking into this. Mr. Moss stated we have scheduled back up on a separate server where Karla's hard drive would be re-imaged. Ms. Campbell stated we also have an additional set of original legislation available to the staff at all times which is stored here in Council Chambers. Ms. Campbell stated that the current DVD player will not tape directly to another DVD, and she recommend purchasing a high speed dubbing machine that would cost approximately \$250.00. Mr. Pelot suggested leaving this issue on the Matters Referred to discuss at the first of the year.

Unfinished Business:

Mr. Jones discussed Ord. #93-2008 and the various discrepancies within it and that Mr. Pelot also had some concerns with it. Mr. Jones discussed the probationary period listed on page #3, and questioned if this is six months or a time beyond that? Mr. Pelot indicated he had discussed this with Mr. Ryland and they had agreed that it would be the Mayors discretion to grant a one-time six-month extension if he felt necessary. Mr. Jones discussed the heading being a closed competitive examination and asked why not opened? Mr. Ryland replied the reason of promoting from within is a great idea and if you go out to open examinations it is expensive. If you have ten (10) applicants, to do a civil service exam costs about \$2,000.00 per individual so that would cost approximately \$20,000.00. In this example we have four (4) qualified candidates from within for this position and we would be saving money. Mr. Kostoff added this has been discussed with the Civil Service Commission and their consultant and they did not object to these changes. Mr. Jones stated the person we have presently as the Interim Chief has been in position over six (6) months and this is an extremely long time for this position to be open. Mr. Jones stated he does not have a problem with the person you have as Interim Chief, he has all the qualifications as far as a full time Patrolman, a Sargent, and a Lieutenant. On problem he does have is how long would he be our Chief? Mr. Ryland replied he had no idea, how does anyone answer that question? Mr. Jones stated the reason he asked was because of the Deferred Retirement Program-The Drop Program. Mr. Ryland asked if Mr. Jones knows Mr. Hete was in this program?

Mr. Jones replied he talked with one of the former Chief's of Barberton and he knows he is in it. He had to join in January of 2003 and he has to get out in the 8th year, which would mean he could only be our Chief for another two (2) years, otherwise he loses out. Mr. Jones stated he reported about this back on October 11, 2008 in an article in the Columbus Dispatch. Mr. Ryland stated he recalls this previous conversation, and he also recalls telling Council that we as individuals and as Council cannot know who is participating in the DROP program. We do not know if Mr. Hete is a participant in the DROP program or not. Mr. Jones stated he bets you ten to one that he is. Mr. Jones asked what Mr. Hete's background was? Mr. Ryland stated this was premature to be asking this at this point, and that we have four (4) qualified individuals we are looking at. Mr. Jones asked if they live within the 12 miles to the flagpole, and Mr. Ryland stated he was not sure that all of them do. Mr. Kostoff replied it's a question if they sign up and take the test, this ordinance deals with the qualifications of testing. Mr. Jones stated at the Work Session on November 3, 2008 the salary at that time was \$100.00 above and now it is changed to 5%. Mr. Ryland stated that this has been the standard operating procedure ever since he has been here. Mr. Jones stated it appears to him this city and Administration has all kinds of money to spend on everything, and we should open this up to individuals everywhere, it would benefit this community. Mr. Ryland replied it has not been proven to be our track record. Mrs. Hlas stated the changes applied to the Police Chief legislation would be identical to the Fire Chief's legislation. Mrs. Hlas stated she was not comfortable with the clause about the appointment being confirmed by Council, she felt this might be in violation of our Charter. Mr. Kostoff stated that this conflicts with Civil Service law and he was not consulted about this change. Mr. Ryland reminded that Mr. Kostoff prepared the original legislation and this was modified after that. Mr. Kostoff stated this would need motion to amend at the next meeting. Mr. Jones asked why the change from 90 days to 60 days in Section C, and Mr. Kostoff stated the reason was to move the testing procedure up and he did not see a problem from a legal point. Mr. Alex Stavarz, a Norton resident, stated he felt you are doing a disservice by not offering this opening to the public. This smacks of the "good old boy" situation.

Mr. Pelot asked Mr. Ryland where the Johnson Meadows Project stands? Mr. Ryland stated that a lot split has recently been filed. Plans and EPA approval for the back forty cluster of condos have been approved. However there hve been no plans for the first 1100 ft. to be developed. Mr. Pelot asked when would they have to start paying back the city? Mr. Moss explained that the books will close on this project on December 31, 2008, then it goes to an assessment process for 2009 taxes and the first payment would be due in 2010. Mr. Jones questioned the debt pay down amount of \$391,579.00 and asked if this is due the first of the year? Mr. Moss explained the debt pay down would occur when we do the assessment process. We replace that with a bond, and the bond would mirror the payment on the assessment and the amount would change. They would be assessed what we borrowed plus all of the costs associated.

New Business:

None

Public Comment-Non Agenda Items:

Mr. Gilbert Chaney, a Norton resident, spoke about losing Channel #15 and it was always poor quality, and sound, he didn't mind seeing it gone. Mr. Chaney stated he talked with other residents about bringing their own camera crews to put up on U-Tube so the public can see what is going on. Mr. Chaney asked Mr. Kostoff why he didn't do his job and how come nobody knew this was unconstitutional before? Mr. Kostoff replied as he stated before that he did not know about the petition until the Board of Elections received it and that he did not draft their legislation. Mr. Pelot reminded Mr. Chaney that Mr. Kostoff is the Law Director for the city, not the residents. Mr. Chaney stated the people vote you in and what have you done since you are in? Look at Wadsworth, they are pulling money in right off of the ramps, look at Wendy's, Burger King, etc. This city is unbalanced the city is dying. Why do we have this constant churning and uproar going on? Is there some outside interests causing this discord?

Ms. Gayle Brenner, a Norton resident, commented about the Police Chief's legislation and if these people want to be officers in Norton why aren't they here now. Most businesses promote from within, that's the way it should be. These officers that are eligible have put their time in and they should be promoted from within if they meet the criteria. Ms. Brenner discussed Issue #26 and that she was appalled at the beating the Law Director took at the last meeting. He represents this city, he stated this was unconstitutional. This should have been a red flag for the person promoting this; they should have looked into it. The petitioner and the others that circulated the petition also ran for the same position. If they were sitting up there would they still be doing this, no. Ms. Brenner stated one of the Council members mentioned a recall, well this isn't a recall if it is then there is some type of fraud going here because that is not the petition that was signed. Ms. Brenner discussed the Law Directors pay of \$175.00 per hour, and stated that his pay is not outrageous, that is what her attorney charges. Ms. Brenner discussed spending the citizen's money on this, but it was the citizen's petition that started this so why not let him go with the challenge. Ms. Brenner stated that you are looking for another lawsuit, you need to think about the bigger picture. The people should wait until the 2010 census and if there is a loss of citizens then redo your petition and go for it.

Ms. Carol Apple, a Norton resident, stated that she was appalled by the whole Issue 26. She has been shocked by all that has been going on and she is tired of it. Ms. Apple stated she has written several Letters to the Editors of various papers and read a portion of her comments: *"You can be certain that Issue 26 would have never been pursued had the 'certain council people' been the at large representatives to be 'downsized'". Instead this is a vindictive attempt to keep the good old boys mentality alive and well in Norton, which has preceded to keep us a laughing stock in Summit County*". Ms. Apple stated that she was sad to say that because she knows there are people are working very hard to change that. Ms. Apple commented about statements about the At Large Council or Council members not working hard to represent the residents, she disagreed, they have been very helpful people.

Topics for the next Work Session:

2009 Budget. Mrs. Hlas asked for the Administration to hold off on any requests for legislation until Council has the 2009 Budget completed unless it is an emergency. Mrs. Hlas stated that she did not intend to go page by page at the next meeting, that all Council should review and compare the 2008 Budget to last year and list any questions they have for the next meeting. Mr. Moss indicated that he encouraged Council to call or email him with any questions or concerns about the Budget in the meantime and he would be happy to review their issues.

Mr. Pelot read an announcement regarding Mrs. Richards holding a canned food drive at City Hall, (see attached).

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:38 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.