



COMMITTEE WORK SESSION MAY 19, 2008

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

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

The Committee Work Session convened on Monday, May 19, 2008 at 7:01 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:

2008 Road Program

Mr. Braman turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated that we have marked about 30 roads for paving, however as we got into it most of them were in too bad of shape for a chip and seal so we will be doing a 405 paving process. Some of the roads on the list are on the "do not plow list" because the roads are in such poor condition. Mr. Weinsheimer has submitted a listing of roads with an estimated total of \$274,218.00, within the 2008 Budget. Mr. Ryland asked for the appropriation to allow the Administration to go out for bids. Mr. Ryland noted that Durham, Cynwood and Clark Mill Road have been removed from the list. Mr. Pelot questioned how much of Fair Oaks was to be done and Mr. Ryland replied the full length, adding that the reason that Durham and Greenridge was left off was due to the waterline project in the fall. Mr. Pelot questioned the cost for the road repairs next year for St. Rt. 261 and Mr. Ryland replied as of today it is estimated at \$448,000.00.

Mr. Braman moved to place this on Councils next agenda waiving the second and third readings as an emergency, seconded by Mr. McGlone. Mr. Pelot asked to have a list of the roads being repaired placed on the city web page and Mr. Ryland recommended waiting until the bids have been approved.

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

Motion passed 6-0.

Property Assessments for Elderly:

Mr. Braman stated that we have discussed doing something to help the older residents on property assessments for some time. Mr. Braman stated that the requirements should be something as follows: it would apply to residents 70 or older; owned your property for at least 10 years; and improvement must be mandated by either the city or the Health Dept. Mr. Pelot stated that he has discussed this with Mr. Ryland and they had realized the impact this has on the residents and felt it was worthy of discussion. Mr. Pelot stated that this would apply to only one property in the event they own multiple properties. Mr. Ryland indicated that there are numerous ways we could address this to relieve the burden on the residents. Mr. Pritchard stated that we have to look at this closely as to how we shape this deferment. Mrs. Hlas briefly discussed ORC 727.251 as it only relates to a deferment as an option. Mr. Pelot suggested that we continue discussion with the new Law Director. Mrs. Hlas stated that there is a program through Summit County where the assessment is like a property lien at zero interest. The assessment stays with the property until the property is transferred and that is when the County gets their money. Mr. Jim Lino, a Norton resident questioned what if he does not sell his property for 20 years or more, and doesn't the city need that money up front to help pay for the project? Mr. Moss explained that the city advances the money for the project up front and pays that by means of a bond. Mr. Andrew Lehner, a Norton resident, questioned how his father's property would be affected because his older brother is the executor of the estate and he lives in Wadsworth. Mr. Moss stated it would not apply in this situation. Mrs. Elaine Tompkins, a Norton resident, stated that oddly enough she agreed with all of you, and it really depends on how the legislation is written up. Ms. Charlotte Whipkey, a Norton resident, clarified that for the people who qualify there would be no payments or interest until the time of a deed transfer, and once there is a deed transfer then payments would be due with interest? Mr. Pelot stated that would depend on how we draw up the legislation but most likely yes. Mrs. Hlas stated that she felt we should not charge interest because the whole point of this is to help the residents out. Mr. Moss stated that there would be interest charged to the city on the bond and we need to charge that somewhere or to somebody, and the longer the bond the higher the interest rate usually is. Mr. Moss suggested setting a fixed interest rate up front like 5% or 6%. Mr. Alex Stavarz, a Norton resident questioned if the calculation of assessment costs are based on construction costs or access fees. Mr. Ryland answered they are based on construction costs and it does not include access fees.

Property Assessments for Elderly continued:

There was discussion as to the requirements to file and what time frames, and Mr. Ryland suggested being consistent with a 20-day requirement as stated in the notice of assessment letters. Mr. Pelot suggested having Mr. Kostoff prepare a draft of legislation with the suggestions as discussed for the next work session to review.

Deposit Law:

Mr. McGlone stated that this has come up for discussion because a resident had suggested Council doing a resolution to send to the State asking them to promote this to clean up all of the plastic bottles, glass and aluminum cans. Mrs. Hlas stated that she supports this. Mr. Pelot stated that he supports it as well, adding that just 2 days after Norton Clean Up Day the ditches were getting full of trash and bottles. Mr. Pritchard noted that the recycle bins have been placed behind the Norton Police Dept., which ties into the State's recycle goals. Mr. Pritchard asked the residents to please separate your recycle materials and read the labels on the lids of each bin. Mr. McGlone moved to place this on Council's next agenda, seconded by Mrs. Hlas. Mr. Stavarz asked Mr. Pritchard for clarification on what types of recycle materials can be placed in the bins, and Mr. Pritchard explained the basic types of paper, glass, and plastic.

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

Motion passed 6-0.

Resolution of Appreciation for George Tomko:

Mr. Zita stated that Mr. Jones had brought this request up several weeks ago and as we all know Mr. Tomko passed away last week. Mr. Zita stated that former Mayor Addis had declared George Tomko week back in 2000. Mr. Pelot stated that Mr. Tomko had done a lot in the past years for city, and former Mayor Addis had already recognized him. Mr. Pelot stated that by repeating this you also take a chance of leaving out others. Mr. Zita stated that there was a nice article about Mr. Tomko in the Norton Post this past weekend. Mr. Zita stated that we would leave it as it is. Ms. Whipkey stated that Council should consider bringing back the English language legislation and do it in George Tomko's name. This would be one last final thing he could do for this city. Ms. Whipkey stated that she has heard on the radio that they thought we were wonderful because they thought we had already passed it, but unfortunately we did not. This was something that George worked very hard for on several occasions this did pass once, and for some reason a former Mayor decided to veto it.

New Fire Station Location:

Mr. Zita stated that there have been several months of talk about the specific location of the fire station and turned this discussion over to Mr. Ryland for the details. Mr. Ryland stated that one of the instructions from Council was that the use of the existing community center would be feasible if we built a new community center and do it within a reasonable time frame. Mr. Ryland stated that he and Mr. Moss have spent many hours discussing various scenarios and we cannot afford to run both projects concurrently. It will take us a few years to accumulate the moneys to put a new community center in place. We do not have the funding with the other projects we are looking at. If we abandon that we have to start looking at other locations to build a new fire dept. We cannot construct a new fire station facility on the existing site of our current fire station; it simply is not big enough to contain the construction traffic. We would have to completely demolish the existing fire station and build it right there, and there is just not enough room. Mrs. Hlas stated that we can't keep stalling with this we need to get moving, more bricks have recently fallen out of the back wall, and we need to make a decision. Mrs. Hlas stated that if we were going to build it at the community center, then it would be Council's obligation to build the new community center as soon as the funds become available. We also need to find locations for those community organizations to meet. Mrs. Hlas stated that several years ago the city tried to get the 2 houses up the street but that deal fell through. It is just going to add more to the cost of the new fire station if we don't build it on property that we already own. Mrs. Hlas stated that she was in favor of using the community center as the site for the new fire station and Mr. Zita agreed adding that if we have to wait a while to get a new community center then that's what we will have to do. Mr. Zita stated that if we cannot use the community center then we should use land just north of it even if it means taking property by eminent domain. Mrs. Hlas said that we might have to keep that in mind. Mr. Braman stated that we do need to keep it moving on this and if it is not going to be built at the community center then build it somewhere close. Mr. Braman asked if Mr. Ryland could come up with another property in another month or so? Mr. Ryland stated that he did contact several other property owners whether they did or did not want to sell and all he got was that they would think about it. Mrs. Hlas discussed the possibility of not using the community center as the location and asked if the process of eminent domain was a long and drawn out process? Mr. Ryland replied that eminent domain can quit deed and the price goes to court afterwards and is not necessarily a long process. Mr. Pritchard indicated that you do pay market value for the property. Mrs. Elaine Tompkins gave her written comments on the subject (see attached). Mr. Pelot clarified Mrs. Tompkins on her comments regarding the Police Department inclusion in the new fire station. Mr. Pelot stated that this reference is a "thought" for the future and has nothing to do with fire levy money. The Police Dept. is staying where it is at for the next 5-10 years for the time being and when it comes time, then we will look at moving it up there. Mrs. Charlotte Whipkey questioned the open land behind the current fire station and asked if we could use a bridge to access this location and use the old Station #2 in Sherman in the interim? Mr. Ryland stated that Station #2 is at full capacity.

Mr. Ryland stated that he measured the driveway at Station #1 it is 36 ft. wide. That would be the construction entrance and the entrance for the emergency vehicles to share. Mr. Ryland stated that in addition to that he has looked at the grass space that exist between Station #1 and the funeral home, and the elevation would require us to build a retaining wall to hold the parking lot in at the funeral home. Mr. Ryland stated that 36 ft. is not enough space for construction vehicles and emergency vehicles to be passing each other in emergency situations. Mr. Ryland stated that in addition to that there is a gas line involved, which we would probably not be able to get an easement to go over or around. Ms. Whipkey stated that we are just going to have to find another way because we should not have to give up a community center. We should not be set with future bills for that when we don't have the money for that, and it doesn't look like we would have it in the near future either. Mr. Ryland asked what was meant by the near future?. Ms. Whipkey stated that she does not see a new community center in a year or two years. Ms. Whipkey stated that we should just keep what we have, work with what we have, update. Ms. Whipkey stated that the community center has already lost it functionality and Mr. Ryland disagreed. Mr. Ryland stated that we already have the peewee banquet that has to hold their event for three nights because the community center is not big enough. They rent halls elsewhere because they are bigger; this hall is not big enough for weddings and banquets. Ms. Megan Booth, a Norton resident, suggested we store the fire equipment in the service garage and there are some vacant businesses that have storage available. Ms. Booth stated that this would not be a forever thing, you are asking the community to wait 2 or 3 years or longer for a new community center. Ms. Booth stated that all she was asking is could we put up with a tiny bit of inconvenience in order to build a fire station on the current site. Mr. Ryland stated that the community center gets used on average 16 hour a week, we use the fire station on 24/7 basis. Mr. Zita asked if she was willing to jeopardize the safety of the citizens of Norton so that we can keep a community center for community events a few nights a week? Ms. Booth stated that you are going to have a dedicated road here from the community center out to the street, and you have children coming here to these ball fields, that is jeopardizing their safety. Mr. Pelot stated that we have been looking at all of these options and so has Chief Schultz. Chief Schultz commented on this subject adding that there is not a single building in this city that is safe enough to house any of our safety equipment. Chief Schultz stated that Station #2 is so unsafe he would not even put his dog in there, this building was not designed to accommodate staff. Chief Schultz stated that his \$1,600,000.00 new fire station has now become a \$2,000,000.00 building and we need to figure out what our priorities are. Mr. Andrew Lehner stated that the community center can wait we need a fire station and it needs to be built now. Peoples lives and their safety is more important than a community center and we need to figure out a location and a plan now. Mr. Lehner stated that we can build a community center elsewhere and we should build the new fire station at the community center location and put in a new flashing light at the end of the driveway.

Mr. Lehner suggested we get the new fire station built now. Mr. Zita moved to build the new fire station at the site of the current community center and allow whatever time it takes to build, and whenever we have money secured for a new community center we will build a new community center, seconded by Mrs. Hlas. Mr. McGlone stated that he believed we need a new fire station and maybe that is the right location. Mr. McGlone stated that hopefully the administration could provide us with a plan of where, and when a new community center would be built, how much it would cost, and how much we will have to borrow. Mrs. Hlas stated that as long as she is still on Council that would be her goal to see that we have a community center, she knows how important it is, she uses it, and she believes that Council will see that this happens. Mr. Pelot asked the Administration to look into pulling something together for Council to look at. Mr. Ryland stated that from all of the comments made at previous meetings, it appears that size was an issue, and the proper size would 8,000 to 9,000 sq. ft. and that is very expensive. Mr. Pelot questioned how long it would be to start construction on a building of that size. Mr. Moss stated that we could begin to accumulate the funds rather quickly, the question is how long to do you wait before you go out and borrow the funds. Mr. Moss indicated that construction could begin as soon as the fire station is completed. There was further discussion on the potential costs and location sites. Mr. Ryland stated that if we are looking at 9,000 sq. ft. you also need adequate parking for that facility. Ms. Whipkey questioned if we have enough space where the current fire station sits, since we already own that land, and there is water and sewer already there? Mr. Ryland stated that he had not addressed that, and that her point was well taken and would look into that.

Roll Call: Yeas: Zita, Hlas, Braman, Mower, Pelot
Nays: McGlone

Motion passed 5-1.

Reconsider Res. #46-2008 Hazelwood & Connect:

Mr. Braman stated that our new Law Director has found some problems with the original Res. #46-2008 and would like to create a new piece of legislation. Mr. Ryland concurred; adding that sometime along the way the laws have changed and this needs addressed. Mr. Pelot indicated that the language would repeal the previous legislation. Mr. McGlone questioned the costs and that the residents would have just been charged a smaller amount later, and Mr. Ryland stated that if Mr. Kostoff had not caught the errors, it would have given the residents reason to object to the assessment and tied up the entire project. Mr. Ryland indicated that this is a good catch on the Law Directors part. Mr. Stavarz asked if this assessment is by linear foot or by benefit? Mr. Ryland stated that it is by linear foot. Mr. Stavarz stated that in the past it has always been the practice of the city to be by benefit and asked if there was a reason that this was changed?

Reconsider Res. #46-2008 Hazelwood & Connect:

Mr. Pritchard explained that the engineers evaluate both processes and they make the final decision as to what is most cost effective to either the resident or the business involved, and the decision is not the city's. Mr. Braman moved to place this on Council's next agenda waiving second and third readings and declaring an emergency, seconded by Mrs. Hlas. Ms. Whipkey asked if this was being re-written because you were lowering the assessment amounts because they were too high before? Mr. Pelot stated that there was an error on one in addition to the laws being changed. Ms. Whipkey stated that you were also saying that the Solicitor had caught this and she remembered that Mr. Jones had questioned it last week, which is why it was actually looked at. Mrs. Hlas stated that we are redoing this because the laws have changed. Mrs. Richards stated that we are redoing this for 2 reasons; Mr. Jones did catch a difference in the spreadsheet that Council adopted and what was presented at the Committee level. Another reason is that when Mr. Lyons had prepared the legislation there was a flaw in the language that our new Law Director caught.

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

Motion passed 6-0

Added-Fire Dept. Capital Funds:

Mr. Moss asked to add this to the agenda for discussion for tonight as it was originally listed under topics for the next work session. Mr. Moss stated that originally the Levy Fund was not budgeted, as it was unknown when revenue would be receipted into the fund. At this point the revenue has stated to come in. Accordingly we will need dollars budgeted to pay for Auditor and Treasurer Fees. Ohio Law provides that a fee can be charged for the collection of the property tax and that is called an Auditor and Treasurer fee. No legislation to date has provided for the payment of this fee. Mr. Moss asked for legislation to provided a budget to pay for the mandated Auditor and Treasurer fees. Mr. Moss discussed another item not previously discussed, which is a new inspection vehicle for the Fire Chief. The current vehicle is in poor shape and needs to be replaced. We would transfer this vehicle to the Fire Inspector and purchase a new vehicle for the Chief under the State bid for \$25,000.00 or less. It would fall under the Board of Control for review but he cannot begin because he does not have a budget for that purchase. Mr. Zita clarified that the vehicle would be a State bid and Mr. Moss replied yes. Mr. Pelot asked if lights and equipment would be included in that \$25,000.00 and Mr. Moss stated that we would be transferring all of the equipment from the older vehicle. The only thing new would be painting or decals. Mrs. Hlas questioned if this needed to be 2 pieces of legislation or 1 and Mr. Moss stated that 1 would be fine. Mrs. Hlas moved to place this on Council's next agenda, seconded by Mr. Zita.

Added-Fire Dept. Capital Funds continued:

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

Motion passed 6-0.

Ms. Whipkey questioned about sending this to the Board of Control. Mr. Moss clarified that anything over \$15,000.00 but under the \$25,000.00 bid requirement is subject to review the Board of Control, and these \$25,000.00 vehicles do that. If we are purchasing \$25,000.00 or over, you would have to bid that out or use the state bid which works for vehicles but it is subject to Councils review.

Unfinished Business:

Mr. Moss discussed the replacement of a heavy rescue vehicle for the Fire Dept. Mr. Moss indicated that in the levy money 70% of the revenue allows for operating and how we account for that. This type of vehicle is what we use for major accidents, has the Jaws of Life and also doubles as an EMS vehicle. Mr. Moss stated that it was not well designed for the weight it hauls and over the years have taken its toll. Mr. Moss indicated that this vehicle is in need of being replaced and the Chief has been looking into this. Mr. Moss stated that the preliminary figures are approximately \$274,000.00. This is one of the vehicles that was in the original 20 year plan, but was not expected this early. Mr. Moss discussed the construction costs for the new fire station and stated that it is very possible that we could begin the construction sometime this year. We do not have a budget in the fund to do that and we need to put a time line together and costs associated to that. We need to figure out how much we will spend this year and it makes sense to go ahead and finance the entire costs even though it would be spread out over 2 years. We would be looking at issuing debt to finance that cost, which would be paid out of the general fund, and then a budget sufficient in relation to the construction costs. Mr. Moss stated that we did create a fund to isolate the capital dollars, the 30% part of the levy. One option is to create an EMS fund and he would like to discuss that at other meetings. Mrs. Hlas asked if we would be ready to discuss the heavy rescue vehicle in 2 weeks, and Mr. Moss stated that he would be ready with more information in 2 weeks. Mr. Moss briefly discussed the RITA income tax issues and noted that he did make contact with them and received a response back from RITA. They are seeking to have more detailed information from the city, which he is preparing and he would be getting back to Council on that as it becomes available.

New Business:

Fire Chief Schultz discussed the heavy rescue vehicle, this vehicle is dead and out of service, and the extraction equipment has been transferred to another vehicle. Mr. Pelot stated that it was his understanding that the Chief was working on the potential of getting a deal on used vehicle.

New Business Continued:

Chief Schultz stated that he has been working very hard at pinching his pennies and is working with a community that built a brand new truck in 2000, and that have only 2,010 miles on it, and they do not use it. The one we were using was 18 years old and was not designed for the way we need to use it. Chief Schultz stated that we use the extraction unit sometimes 2 or 3 times a day on a bad day.

Public Comment-Non Agenda Items:

Mr. Jim Lino, discussed the Lake Dorothy purchase, and questioned the ownership, how would the residents use it, who would pay for damages to the dam, the park, etc? Mr. Lino discussed the senior citizen discounts Copley residents get for their trash pick up, but Norton senior citizens don't get any discounts. Mr. Lino discussed the recent events with the MAD and questioned if the Norton residents get a double spraying; once by the Barberton-Norton MAD and again by Summit County?

Mr. Keith Hetrick, a Norton resident, stated, George Tomoko, 2525 Reimer Road Ex., sadly Norton residents, we will not be hearing this voice any more.

Mr. Andrew Lehner, announced a YASCO (Young Adult Single Catholic Org.) 2008 Summer Festival at Waterworks Family Center in Cuyahoga Falls is on June 21, 2008, contact him after the meeting for the details. Mr. Lehner discussed the ordinance recently passed regarding the time restrictions on the waste haulers and that since then his trash is not getting picked up until Fridays when it used to be on Wednesday. Mr. Lehner talked about Mr. Tomko and that he only knew him for about 6 months, and was one of the nicest guys. Mr. Lehner stated that the article in the Norton Post was very beautiful and reminded him of his father a lot, and offered condolences to the Tomko family.

Ms. Booth discussed the purchase of the new vehicle and stated that Chief Schultz needs to pursue designing this vehicle for our specific needs and use, and the faster we can get this would be the best route.

Topics for the next Work Session:

PC Res. #4-Cleveland Massillon Road Waterline Project, CCA-RITA discussions, Property Assessments for Elderly, 4 acres of land Newpark Dr. area, Fire Dept Budgetary items, Noxious Weeds Discussion.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:53 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.