



COMMITTEE WORK SESSION JUNE 2, 2008

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

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

The Committee Work Session convened on Monday, June 2, 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:

Veterans Memorial Wall

Mr. Pelot stated that no one from this committee was present, so he would address this. Mr. Pelot stated that he had asked Mrs. Richards to contact the City of Barberton regarding their memorial wall for information and she is still pulling together information. Mr. Bill Schweitzer of the Norton VFW was present and came to the podium to speak. Mr. Schweitzer stated that the Norton VFW offered to assist in any way and asked to be kept informed regarding donations. Mr. Schweitzer stated that there is a marker at the cemetery behind Acme and one over at the gazebo at Williams Park, which is hard to see. Mr. Pelot suggested that Mr. Schweitzer and the VFW research the names and what type of a wall we want. Mr. Pelot suggested that this would include all Veterans not just the ones who have passed away. Mr. Pelot stated that if they pay the ultimate sacrifice they should be distinguished and stand out. Mr. Ryland suggested the VFW take the lead and that Council could assist in what every way they can.

Veteran's Memorial Wall continued:

Mr. Schweitzer stated that he would bring this up at the next VFW meeting and will report back to Council. Mr. Pelot suggested leaving this on Matters Referred list for future discussions.

Clean Ohio Fund

Mr. Braman stated that this is a resolution of support that is up for vote this November and he turned this discussion over to Mr. Pritchard for the details. Mr. Pritchard stated that this fund would be broken out into 4 different programs; brownfield revitalization, greenspace conservation projects, recreational trail development and farmland preservation. Mr. Pritchard stated that 87 of the 88 counties have received money for some projects in the past. Mr. Jones questioned what type of projects. Mr. Pritchard replied it would be ground fill, different levels of clean up, core funding, recreational areas, greenway trails, and park acquisitions. Mr. Jones questioned the C & D facility on Wadsworth Road? Mr. Pritchard stated that this would be different regulations and a different set of criteria. Mr. Braman moved to add this to Council's next agenda for its first reading, seconded by Mr. Pelot.

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

Motion passed 4-0.

PC Resolution #4-2008

Mr. Jones stated that that he believed this waterline project is on the west side of the road, correct? Mr. Ryland replied that it is on the east and west side, it crosses over at 2 different points. Mr. Jones stated that we have been talking about lineal feet instead of per benefit and why the change on that? Mr. Pritchard stated that this project is by benefit, which is why he made the comment at a previous meeting that each project is specific and reviewed as a separate process. Mr. Jones stated that the Berry, McGowan and Wadsworth Roads are calculated by lineal feet as well as the Hazelwood & Connect Road project, and Mr. Ryland concurred. Mr. Pritchard added that the engineers involved in these projects look at the most fair and equitable process for the residents whether it is by benefit or lineal foot. Mr. Jones questioned what we need to do regarding bringing this forward, and Mr. Ryland stated that the engineering is complete and asked for a Resolution of Necessity on Council's next agenda. Mr. Ryland stated that the Administration would hold a public meeting for all residents and business owners that would be affected by this project. Then letters of assessment would be mailed and an Assessment Board set. Mr. Jones questioned the location of the water line, and Mr. Ryland replied this would run down to the creek past the Middle School, and a line down Greenridge and Norton Acres that loops with Durham. Mr. Jones asked if this takes in Brentwood also? Mr. Ryland stated that it could, it is designed to but we have some issues with the City of Barberton in regards to the tap in fees. Mr. Pritchard stated that there are pressure issues involved as well.

PC Resolution #4-2008 continued

Mr. Jones asked about the size of the line and Mr. Ryland replied that it is a 16" inch trunk line. Mr. Jones asked if this serves Loyal Oak area, and Mr. Ryland stated that if we were to carry this line up through Loyal Oak it would have enough capacity for that area. Mayor Koontz stated that this falls in line with the Master Plan that was done in the past, which calls for this size of line. Mr. Jones asked who the engineering firm is for this project, and Mr. Ryland stated that it is Floyd Brown. Mr. Ryland stated that Council might also consider adding the additional 1,000 feet and taking this waterline to the intersection of Cleveland Massillon and St. Rt. 261. Mr. Jones asked what this might cost, and Mr. Pritchard indicated that the grant money has already been applied for. Mr. Ryland stated that does not matter, you can still add to the project, its only another 1,000 feet. Mr. Jones asked the members present how they felt, and there was discussion as to where we come up with the additional money. Mr. Pritchard stated that we would have to come back to Council with any additional costs. Mr. Pelot asked where would we come up with the additional funding for this and Mr. Moss stated that we would use water fund money and we need to see what the cost would be first. Mr. Jones questioned where this line actually starts and Mr. Ryland replied that it starts at Strickland's Ice Cream. Mr. Jones discussed the money being available on July 1, 2008. Mr. Jones moved to place this item on Councils next agenda, for a first reading, with the possibility of adding the 1,000 feet if we have the money, seconded by Mr. Braman. Mr. Hetrick, a Norton resident, stated that it appeared the preliminary plans are already done, however he questioned if anyone has contacted the residents in Brentwood? There are residents in Brentwood that are not aware that this is taking place. We are talking about 200 residents and asked if anyone even bothered to contact these residents? Mr. Ryland stated that we made a change in the original design for a valve that can be tapped into the line for the water system that goes into the Brentwood water system. Mr. Ryland stated that it is our intention not to tap into that valve until there is an agreement in place that no one pays any additional tap in fees. Mr. Ryland stated that we could keep our well open as long as we like, and we have yet to discuss this with the residents of Brentwood. Mr. Jones asked if we have any plans for sewer for this area, and Mr. Ryland said yes there are plans the question is when. Mr. Jones stated that it was his understanding that you run waterlines on one side of the road and sewer lines on the other side. Mr. Pritchard stated that there are geological issues that come into play and we will look at the sewer issues when we get into the widening phase. Mr. Pritchard stated that while we are out there we working on the waterlines, we would look at it at that time. Mr. Pritchard stated that more than likely the sewer line would run through Norton Acres to Barber Road.

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

Motion passed 4-0.

Assessment Equalization Board

Mayor Koontz discussed the list of names that were submitted for other various Boards and Commissions that were not selected to positions in the past. Mr. Jones noted that Mr. Rick Maier was listed as Ward 1 when he in fact resides in Ward II. Mayor Koontz indicated that Council needs to select 3 members and 1 alternate member. Mr. Jones questioned if Ms. Pritchard was a landowner and if she should be considered. Mr. Jones suggested we hold up on this until that was confirmed, and Mr. Ryland indicated that we are already behind the time line. Ms. Campbell indicated that Ms. Gordon has selected the potential dates for the public hearings of June 16th or June 17th for the public hearing. There was further discussion and Mayor Koontz suggested Mr. Jim Bennett as another selection for a Member, Mr. Jim Lada, and Mr. Rick Maier. Ms. Whipkey stated that she and Mr. Stavarz were talking with Mrs. Richards last week and that you also need to select an alternate and that alternate needs to be a free holder. Mr. Jones asked why this is coming to Council at such a late hour? Mr. Jones stated that we didn't select these people so who did? Mayor Koontz stated that this list is our recommendations to Council, and the Board is not formed until after the letters of objections come back once the notices are mailed to the residents. Mr. Pelot indicated that we received 5 letters after the letters were sent out, and that no one dropped the ball. Mr. Ryland stated that once the letters are sent out, the residents have 2 weeks to object in writing. Mr. Pelot indicated that Amanda Gordon of Roetzel and Andress will be running the meeting. Mr. Pelot moved to place this on Council's next agenda, waiving the second and third, readings, with emergency language, seconded by Mr. Braman. Mr. Jones asked what happens if we do not pass this, Mr. Ryland stated that we look at more names. Mr. Pelot questioned the added costs of delays, and deferred this to the Law Director for clarification.

Roll Call: Yeas: Pelot, Braman, McGlone
Nays: Jones

Motion passed 3-1.

MPO Ordinance

Mr. Pelot stated that he and Mr. Ryland have been discussing this and they feel it is not the best of documents to be working with. It does not perform as it was designed for. Mr. Pelot stated that he wanted discussion to get Council's and Administration's input on whether or not we should keep it. Mr. Ryland stated that it really serves no useful purpose, the numbers are outside what the guidelines are and we still come back to Council for approval. Mr. Jones suggested we do away with it, it has been abused over the years. Mr. Braman stated that it seems to be more trouble than what it is worth. Mr. Pelot indicated that he has asked Mr. Kostoff to look at all previous pieces of legislation referencing any action on the MPO and would like to leave this item on the agenda for the June 23, 2008 Committee Work Session.

Non-Capital Fund for Fire/EMS & Budget Increases

Mr. McGlone indicated that Mr. Moss is asking for Council to address 2 pieces of legislation and turned the discussion over to Mr. Moss for the details. Mr. Moss indicated that the new 2007 Fire/EMS Levy created a new fund to receive the capital (30%) and what was not established was the non-capital portion of that revenue. We would like to have a new fund created and bring it forth with new numbers. The second issue is the fact that the budget for the Fire Dept, is very tight and difficult to make ends meet. The proceeds have started to come in and the carry over balances is enough to cover the \$20,000 and \$40,000 that he has suggested. Mr. Moss indicated that this would allow us to keep up with the maintenance of the vehicles and equipment. Mr. Jones asked about the maintenance to the buildings. Mr. Moss stated that we had not thought about getting enough money to repair the buildings. Mr. Jones stated that he thought the back wall at Station #1 was a liability issue. Mr. Jones suggested that we have our Building Inspector take a look at that section of the building. Mr. Moss stated that this point is well taken and should be looked into. Mr. Jones stated that he has been out to look at Station #2 and saw a lot of equipment and questioned what it is being used for. Mr. Ryland stated that he was not sure what is there and how useful it is at this point. Mr. Ryland stated that some equipment is stored for backup emergencies for Metro Parks, Sheriffs, etc. Mr. Ryland stated that the boat stored there is for a recovery operation if needed. Mr. Moss stated that he would like to bring back the budget item requested for the heavy rescue vehicle. Mrs. Tompkins stated that at one time Mrs. Hlas had requested a listing of all of the Fire Dept. equipment and its location, and asked where we are on this. Mr. Ryland indicated that Chief Schultz is working on this. Mrs. Tompkins questioned what percentage of the levy money are divided between the Fire and EMS and Mr. Moss replied that it similar in terms of the revenue that they draw. Mr. Moss pointed out that the Fire Fund did receive an advance from the levy fund earlier this year in the amount of \$70,000.00 and this must be paid back this year. In addition we were to issue another advance of \$100,000.00 to be repaid back in 2009. By 2009 we felt that the levy proceeds would be sufficient and that the second advance could be repaid and not replaced any further. Because the levy proceeds are coming in we may not need that second advance. Mr. McGlone moved to place legislation establishing the non-capital fund on Council's next agenda, suspending the second and third readings, seconded by Mr. Pelot.

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

Motion passed 4-0.

Mr. McGlone moved to place legislation increasing the Fire Fund by \$20,000 and the EMS Fund by \$40,000, on Council's next agenda, suspending second and third readings, seconded by Mr. Pelot.

Non-Capital Fund for Fire/EMS & Budget Increases continued:

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

Motion passed 4-0.

Mr. Moss discussed the heavy rescue vehicle and if this were the right vehicle to purchase, we would need to move quickly on this. Mr. McGlone moved to place legislation on Council's next agenda waiving the second and third readings, seconded by Mr. Jones. Mr. Jones stated that we passed Ord. #51-2008 to purchase this and all we doing here is moving the money, correct? Mr. Moss stated that Ord #51-2008 provides the financing for it and there has been discussion with legal counsel on this perhaps that it also gives us legal authority as to the budget. Whether it does or it doesn't I can tell Council that we have it and it may not be necessary, however we cannot sit back and let this vehicle get away from us. Mr. Moss stated that he would rather see this be prepared in case we need it. Mr. Pelot stated that he believed that Mr. Kostoff already addressed this because the language in Ord #51-2008 does address that. Mr. Moss stated that if he could put that in writing he would be ready to move on that. Mr. Pelot stated that this may be a little over kill but at least we are covered.

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

Motion passed 4-0.

Unfinished Business:

Mr. Jones discussed the speed bumps on St. Rt. 261 between St. Rt. 21 and that Mr. Ryland was going to look into this. Mr. Ryland indicated that he stated he would have Carvo to go out at look into scraping this area down, and that he would look into it. Mr. Pelot questioned the drainage under St. Rt. 261 and Mr. Ryland stated that we are having difficulty in getting this cleaned out. Mr. Jones stated that a few weeks ago there was some construction equipment in this area looking around.

Mr. Ryland stated that he has reached a stalemate in the negotiations with PPG on the Lake Dorothy property. Mr. Ryland recommends we thank them for their time and we no longer pursue this. Mr. Ryland indicated that they would not back off of their idea of \$1,400,000.00 and \$35,000.00 per year for the purchase option.

New Business:

Mr. Jones discussed potholes on St Rt. 261 west of Dutt, the need for a traffic light on Greenwich and Hametown especially heavy traffic during rush hour. Mr. Jones suggested having a traffic count taken.

Public Comment-Non Agenda Items:

Mr. Andrew Lehner, a Norton resident, commented about the heavy traffic at Greenwich Road and Hametown Road, this is a dangerous intersection and he mentioned this 2 years ago. Mr. Lehner mentioned ODOT fixing potholes on St. Rt. 21 and why aren't they being fixed in Norton? Mr. Lehner suggested getting a traffic light at St. Rt. 261 and St. Rt. 21. Mr. Lehner stated that summer time is here and we need to be thinking about safety, children and speed traps being set up to monitor traffic.

Mr. Jim Lino, a Norton resident, spoke about the sewer assessments, and questioned what happens if a resident is forced to put in a septic system and then the city comes along with a sewer line, are they going to be forced to connect? Is there any consideration for connection fees? Mr. Lino questioned what to do with antifreeze he drains from his tractor, and now what is being enforced by the Barberton Health District with scrap tires, none of this makes sense. Norton needs a hazardous drop off day, where are we supposed to take all of this stuff to get rid of it?

Ms. Megan Booth, a Norton resident, stated that after speaking with Mr. Ryland, Mr. Moss and Mr. Kostoff last week it appears that the primary location for the new fire station is the community center, however she wanted the city to remain open to other opportunities as well. Ms. Booth stated that although it would have been nice to have purchased Lake Dorothy, it is a wise choice to let it go. Ms. Booth asked how much longer will our wonderful Norton Police Officer going to have to attend the meetings? He is very friendly and we appreciate him very much, but we are just being babysat.

Ms. Charlotte Whipkey, a Norton resident, stated that she would have like to have seen the city purchased Lake Dorothy, but she understands why we are dropping it. Perhaps they will come around and make a better offer. We have our freedom of speech trompelled by removing the camera from the podium when the public speaks. We are told how we should behave and to in a professional manner. We have seen the rules switched around to fit your own agendas. On May 19, 2008 meeting it was aired on Channel 19, and she received several phone calls about this. It is time you gentlemen stood up and for us to be treated respectfully. On May 19, 2008 there was a resident who spoke in memory of Mr. Tomko and she has the tape with her and set to this point. While this resident was speaking and before he was finished, one member of Council (and she was sorry she was absent tonight) was laughing. Ms. Whipkey stated that it is time all of you stood up and demanded a public apology to the Tomko family as well as the citizens to be that cold blooded and disrespectful to laugh at Mr. Tomko's passing. Mr. McGlone asked Mr. Pelot if he has heard the recording and if he would look into this. Mr. Pelot stated that he warned the residents in the past if you are asking for respect, there is no reference of names, no wards, no reference to he or she it is Council as a whole.

Public Comment-Non Agenda Items continued:

Ms. Alice Wagner, a Norton resident, thanked the city for approving the listing of streets to be fixed this year because her street (Sherman) is listed.

Mr. Alex Stavarz, a Norton resident, commented on the recycle bins as he used them for the first time today. Mr. Stavarz stated that he did not think it is very user friendly, there is an 8-10 inch drop off all the way around it with a very skinny ledge, someone could break their leg. Mr. Stavarz discussed the utility improvements and the difference between lineal foot and benefit, and he does not understand why it could cost more or less for someone. Mr. Stavarz questioned how the costs are different or how the length is figured, and would like to have an answer. Mr. Stavarz discussed Lake Dorothy and that it is a good thing to let it go, it had big liabilities with it.

Topics for the next Work Session:

MPO Ordinance, Eminent Domain, Nuisance Ordinance, Elderly Assessment,

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:27 PM.

Scott Pelot, President of Council

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

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