



COMMITTEE WORK SESSION SEPTEMBER 15, 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 – Excused
Russ Arters
Chief Schultz
Karla Richards
Ann Campbell

The Committee Work Session convened on Monday, September 15, 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

Easton Road Property Demolition Discussion:

Mr. Braman indicated that this is up for its third reading next week. Mr. Braman stated that he personally visited this property earlier this morning and it is truly as bad as they say, and turned the discussion over to Mr. Ryland for the details. Mr. Ryland stated that this house is structurally unsafe and the well has been capped, turning further details over to Russ Arters, Supt. of Building & Zoning, and Fire Chief Schultz. Mr. Mowery stated that a resident had contacted him about concerns with the well being capped and questioned if there was any contamination? Mr. Arters indicated that he had a well company out to the property twice in the last six months to verify that the well is sealed. Mr. Arters stated that once this house is demolished the well would be capped. Mr. Pelot stated that when we received calls from the residents, we could not cap the well because it was wintertime and there was water in the basement. Mr. Ryland stated that one of the problems with this house was that two of the original owners had died and the property never went to probate court. A son who was later living at the house has also passed away, and again the property did not go through probate court. Mr. Ryland stated that we have exhausted every effort to locate the next of kin, to no avail. Mr. Arters indicated that the Barberton Health District did issue an order in February to condemn this property. Mr. Arters stated that this has been a long process, and no one has really stepped up to claim this property. Mr. Arters stated that he was able to locate 3 nieces

and letters were sent to all of them. Two of them called and showed no interest, the other niece never responded to the letter. Basically there is no owner to this property. Mr. Pelot inquired about the amount of back taxes and Mr. Ryland estimated it was in the neighborhood of \$20,000.00. Mr. Arters stated that he has received two quotes for demolition from local contractors for approximately \$4,500.00. Mr. Pelot asked if the city would go after the property to recoup their costs, and Mr. Ryland stated that we would go to the Court asking to have the property probated to the city and we would then take ownership. Mr. Pelot stated that Mr. Arters has prepared a time line (see attached) showing all of the time and effort spent on this property. Mr. Braman added that all of the gutters have been removed and some of the plumbing fixtures have been removed, this house is just basically a shell. Mr. Braman stated that there is no further action required by Council, ending discussion on this matter.

ODOT Consent Legislation for St. Rt. 261:

Mr. McGlone discussed a memo dated September 10, 2008 from Mr. Ryland and turned the discussion over to Mr. Ryland for the details. Mr. Ryland stated that ODOT intends to sell the overlay-minor repair portion of this on October 22, 2008 and they need legislation that the city will escrow \$30,408.00 and we give our approval to move forward. Mr. Pelot stated that this is just a small portion of the project, and Mr. Ryland concurred adding that this is just for the overlay, the base and deep depth repair is a separate issue. Mr. Jones asked if this entails from Medina Line Road to Collier Road, and Mr. Ryland replied yes. Mr. Jones questioned our portion being only \$30,000.00. Mr. Ryland stated that it is just for the overlay, if you recall last April the estimate of nearly \$400,000.00 was for deep depth replacement. Mr. Ryland stated that it is part of that original estimate, but it does not include the deep depth repairs, as indicated it is for minor rehabilitation. Mr. Jones inquired about the culvert and bridge between Easton and Harris, and Mr. Ryland stated that this is part of the deep depth repairs Mr. Jones asked about the section between St. Rt. 21 east and west, and Mr. Ryland indicated that this is also part of the deep depth repairs. Mr. McGlone moved to place this on Council's next agenda, waiving the second and third readings as an emergency, seconded by Mr. Jones.

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

Motion passed 7-0.

Unfinished Business:

Mr. Jones discussed the Health Dept. presentation last week, and that he received several calls about that and the articles in the West Side Leader and the Barberton Herald. Mr. Jones stated that the residents are upset about this. Mr. Jones stated that at this meeting Mr. Wood indicated that there are 100 homes in Barberton with septic systems, and approximately 1600 off-lot systems in Norton. Mr. Jones stated that it looks like they want to come to Norton because it is a cash cow, and suggested that before they come to Norton, they take care of Barberton first. Mr. Jones stated that the residents couldn't afford this \$55.00 fee. Mr. Jones questioned how can you inspect a system if no one is home? Mr. Jones stated that he understood that you have to put dye into the system and run water through it and if no one is home, then how are you going to check it? Mr. Jones stated that he would like to hold a town meeting with Mr. McGlone, Mr. Braman, Mr. Mowery and himself present and have the residents come and express their concerns. Mr. Jones stated that this is wrong and he knows

there are problems, we are putting in waterlines, but not sewer lines. Mr. Jones stated that in Ward 1, 3, and 4 west of St. Rt. 21, there are no sewer lines on that side, and Mr. Ryland concurred with the exception of the Old Stone Jail. Mr. Jones stated that he is appalled with what they are planning on doing. Mr. Jones discussed the recent storm and that most of the emergency management people are down in Texas and some residents may be without power for 3-5 days. Mr. Jones stated that he is not going to impose any more hardships on the people. Mr. Jones stated again that he wanted to have a town meeting and invited the At Large Council members to attend as well. Mr. Pelot stated that he has asked the Clerk to check with Russ Pry, Betty Sutton and other representatives to see what funding is out there to help residents. Mr. Pelot stated that Mr. Ryland is also looking into this as well. Mr. Ryland recommended that Mr. Jones go forward with his idea for a town meeting and suggested asking the educational sources to join in and explain how the laws have changed, the purpose of the Clean Water Act, etc. Mr. Mowery stated that he has also received numerous calls from residents and they feel that the City of Barberton has basically just given them a song and dance on this issue. Mr. Mowery stated that we all know there are a lot of failed or failing systems out there. Mr. Mowery stated that he was in favor of a town meeting, however he was concerned that many residents would not fit the criteria for the available funding. Mr. Braman stated that this is not just a Norton issue, and Barberton Health Dep. would rather not even do this. Summit County has already begun their inspections, the State and the Federal Government is mandating this. We can do what we can to educate the public but it's going to happen one way or another.

New Business:

Mr. McGlone discussed a recent letter received from Time Warner Cable, stating that effective October 10, 2008 they would no longer play back our tapes, asking Mayor Koontz to respond. Mayor Koontz stated this a change due to a recent court ruling and this will take effect on that date. Mr. Pelot read the letter in its entirety, (see attached). Mr. Pelot stated that this letter was just received on Friday and we have not had time to digest this and review our options yet. Mr. Zita discussed a recent letter from Mr. Ryland regarding the road salt supply for this year. Mr. Zita stated that Mr. Weinsheimer has gone above and beyond negotiating a contract price for the city. Mr. Ryland added that we received pricing from \$39.00 per ton for this year to \$41.00 for additional orders until June 1, 2009. Mr. Ryland indicated that other communities are paying \$100.00 per ton for their salt and that Mr. Weinsheimer should be commended for his efforts. Mr. Pelot questioned the storage capacity of our new salt dome and Mr. Ryland replied it was approximately 6,000,000 pounds.

Public Comment-Non Agenda Items:

Mr. Jim Lino, a Norton resident, spoke about the septic inspection issue and that he recalled that Summit County had rattled us on this a while back. Mr. Lino had questioned the fee of \$55.00 and at the last meeting he had asked if these people are already on the payroll why do they need that fee? It was explained that the fee was necessary for their staff. Mr. Lino questioned who is this staff, are they already there or will they be hiring new ones and what happens when they are done? Mr. Lino discussed his concerns with the mosquito spraying and if there was so much concerns for the safety for our children and such, why didn't they show up and spray more often and earlier? With so much concern for these septic inspections, and wanting everyone to get into sewers, does this mean Barberton, Norton and Summit County will lower their tap in fees so that everyone can afford to connect? Mr. Lino discussed all of the permits required for building new homes, and all of this builds up. Mr. Lino reminded everyone that after November all of the levies will be up to about

\$10,000,000; you have the fire levy, the school, the road, and Summit County needed more money and they up the home values, and now this \$55.00 inspection fee. Mr. Lino stated that this is a burden and he cannot go along with it and he is protesting this. Mr. Pelot clarified Mr. Lino on his comments; there is no road levy.

Ms. Charlotte Whipkey, a Norton resident, stated that she agreed with Mr. Lino's comments and with the fact we need to have a community meeting. Ms. Whipkey stated that the residents that did talk with the Barberton Health Dept. were told there was going to be a community meeting, it was supposed to be after their big announcement last week. Ms. Whipkey urged Council to put a halt to this until this community meeting is held. Ms. Whipkey stated that in 2004 an ordinance was passed mandating connections to sewers when they become available. Ms. Whipkey stated many of us don't have access to sewer lines, and this seems like a way to force it down our throats. Ms. Whipkey stated that there is a list of the 1500 or more residents that will be inspected and asked to formally have a copy of this list, and stated that all of Council should have a copy of this list as well. Ms. Whipkey stated that it should start in their own back yard before they come to Norton. Ms. Whipkey stated that she has a problem with them coming around when the residents are not at home and leaving them a bill for \$55.00. Ms. Whipkey stated that they do not have that many people over there in Barberton that we should be paying \$55.00 a crack. You have spoken out stating that we need to get rid of the Barberton Health Dept, so maybe this is why they are rushing in on us to make a quick penny while they can. Ms. Whipkey urged Council to put this off until a public meeting is held.

Topics for the next Work Session:

MPO-Master Personnel Order. CCA-Mr. Jones questioned if we were still waiting on information from Mr. Moss? Mr. Ryland stated that he thought we were postponing discussions until February on this, after this tax year was complete. Mr. Jones suggested we check in to this and find out for sure.

Mr. Pelot announced a free paper shredding day on Saturday, October 18, 2008 at the Old Barberton High School parking lot, (see attached).

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:34 PM.

Scott Pelot, President of Council

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

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