



## COMMITTEE WORK SESSION SEPTEMBER 2, 2008

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

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

The Committee Work Session convened on Tuesday, September 2, 2008 at 7:03 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:**

#### **Charter Amendment-Legal Advertisements**

Mr. Pelot stated that this proposed amendment to the charter will state the amount of times it is required to advertise in the newspapers to notify the public of the sale of City property. As it is not dictated in the charter, we must follow the guidelines stated in Ohio Revised Code. Citing an example of the advertising of the sale of the old Service Garage property, Ohio revised Code required that the ad be run for five (5) consecutive weeks and we ended up spending \$2,400. A lot of our other items that are addressed in the charter dictate that we only run ads for two (2) consecutive weeks, which should be more than sufficient. Mr. Pelot motioned to move this to the next regular Council agenda, which was seconded by Mr. Mowery. Mr. Pelot stated that he would check with Mr. Kostoff's office in receiving the legislation needed for this.

Roll Call: Yeas: Pelot, Mowery, Braman, Hlas, Zita

Nays: None

Motion passed 5-0.

#### **MPO Ordinance**

Mr. Pelot stated that even though this legislation was present for tonight's discussion, he wasn't sure if Mr. Kostoff was finished working on all aspects of this legislation, citing the reference of pay raise approval of non-bargaining employees. Mr. Pelot stated that he didn't

think there was a dire need to pass this legislation right now, but stated that he didn't believe that the MPO was thought to be a very useful tool. Mr. Ryland concurred with Mr. Pelot, stating that it calls for numbers and the size of the staff and we still go through the process of bringing pay raises before Council even though the MPO allows us not to do that. Mr. Pelot stated that he would like to leave this discussion in Committee until Mr. Kostoff comes back from vacation. There were no objections. No vote was taken.

### **Credit Card Agreement**

Mrs. Hlas stated that currently the City has a number of various credit cards for services and it becomes quite cumbersome to monitor their usage. Mr. Moss would like to have one Visa card as the sole credit card with very strict guidelines for its use. Mrs. Hlas stated she had no problem with this and that this will eliminate all the other cards so that we will have only one bill to balance every month. Mr. Ryland stated that we have a number of outstanding purchase orders covering small purchases with the various credit cards that we have in use, citing Office Max, Ace Hardware, Home Depot, etc., and we don't know that the money is used until it's gone. By using only one credit card, Mr. Moss will issue a Purchase Order each time the credit card is used for the amount of money that is to be spent which will give us a better reconciliation of what is taking place. Only Administration will be holding the credit card and will be able to authorize a very small purchase or a very large purchase based on what is needed. Mrs. Hlas stated that the reason this is before Council is because the bank that we are getting the card from requires a Resolution of Council in order to have it issued to us. Mr. Pelot asked if when the reconciliation is done at the end of the month, will the appropriate accounts then be charged? Mr. Ryland assured this is true and that instead of putting numerous blanket PO's out there to cover multiple credit cards, this will allow us to put out a specific PO for the amount of that purchase. Mrs. Hlas motioned that this be moved to the next regular Council agenda, which was seconded by Mr. Zita.

Roll Call: Yeas: Hlas, Zita, Braman, Mowery, Pelot  
Nays: None  
Motion passed 5-0.

### **Resolution Supporting the Cider Festival**

Mrs. Hlas stated this is something we have done in previous years in support of the annual Cider Festival and she would like to do it again this year. Mr. Pelot stated that it shows that Council and Administration are behind this event. Mrs. Hlas motioned to move the support of the Cider Festival to the next regular Council agenda.

Roll Call: Yeas: Hlas, Zita, Braman, Mowery, Pelot  
Nays: None  
Motion passed 5-0.

### **2007 Interest Transfer**

Mrs. Hlas stated that she has spoken to Mr. Moss about this, stating that the Auditors required that funds that gain interest be documented to show that each individual fund gets that interest. It's something that we've always done, but the Auditors want a separate line item to show this activity. Mrs. Hlas stated that this has emergency language on it to dispense of the 2<sup>nd</sup> and 3<sup>rd</sup> readings. Mr. Ryland concurred with Mrs. Hlas but stated that Mr. Moss would be comfortable continuing the discussion on this later as he is not in attendance of this meeting. The 2007 audit is over and this will not be needed again until next year.

Mr. Pelot questioned when Mr. Moss would be filing his response to the Audit. Mr. Ryland was unsure of the exact date, stating that Mr. Moss has been working on the responses. He believes that it will be within the next few weeks. Mrs. Hlas motioned to move ordinance 80-2008 to the next regular Council agenda, which was seconded by Mr. Zita. Mr. Pelot questioned whether we would be waiving the 2<sup>nd</sup> and 3<sup>rd</sup> readings and Mrs. Hlas stated that she would prefer to move it as an emergency as stated and then discuss this later with Mr. Moss.

Roll Call: Yeas: Hlas, Zita, Braman, Mowery, Pelot  
Nays: None  
Motion passed 5-0.

#### **Amend Ord #47-2008 Road Program**

Mr. Mowery stated that this Ordinance is necessary to be able to move forward on our road program. As the road program has been authorized by Council to expend more money than what was originally stated in Ord. 47-2008, this legislation is necessary to increase that number to \$433,136.04. There was discussion on if Ord. 81-2008 *replaces* Ord. 47-2008 or if it simply *amends* Ord. 47-2008. By reading Section 1 of Ord. 81-2008, it was decided that Ord. 81-2008 amends Ord. 47-2008. Emergency language is included in this ordinance and Mr. Mowery indicated that a Special Council meeting would immediately follow this Committee meeting addressing the emergency passage of this amendment. Mr. Mowery motioned to move Ord. 81-2008 to the Special Council meeting, which Mr. Braman seconded.

Roll Call: Yeas: Mowery, Braman, Hlas, Zita, Pelot  
Nays: None  
Motion passed 5-0.

#### **Sale of Service Garage**

Mr. Zita stated that after all required advertisements were placed, on August 22, 2008 the bids were open for the sale of the old service garage property. The administration recommends accepting \$80,000 from Rt. 80 Express. Mr. Ryland stated that just a few minutes ago he received notification of a good sales agreement from the attorneys and that once Council approves this sale, he can then proceed with finalizing the transaction. Mr. Pelot questioned if the property is being sold on an "as-is" sale. Mr. Ryland stated that yes it's being sold as-is, but that if in the future should there be a problem with that land in regards to the EPA that we would be responsible as we owned the land a long time. At this time he doesn't believe that there is a problem with the land. Rt. 80 Express has also indicated that they would be capping the property and making it into a parking lot for their business. But the property was sold as-is, with the building left on the property, such as it is. Mr. Zita motioned to move the sale of the old service garage property to the next regular Council meeting, waiving the 2<sup>nd</sup> and 3<sup>rd</sup> readings, which was seconded by Mrs. Hlas. Mr. Pelot questioned what the original offer on the property when we were being approached to sell before? Mr. Ryland stated that the paperwork he's seen reflected \$60,000. Mr. Zita stated that we held the property but we also rezoned it. Mr. Ryland stated that yes, it was rezoned to a business zoning.

Roll Call: Yeas: Zita, Hlas, Braman, Mowery, Pelot  
Nays: None  
Motion passed 5-0.

**Unfinished Business:**

None

**New Business:**

Mr. Ryland stated that Raftalis has turned in their report on the utilities connection fees. He has not had a chance to read the full document yet, but stated that from what he has read so far, we are not charging enough fees. Mrs. Hlas asked if Council would be getting a copy of the report, Mr. Ryland assured that they would.

**Public Comment-Non Agenda Items:**

Mrs. Jill Miller stated that this is the best Council and Administration the City has ever had. She then stated that she had passed out copies of invoices from her company stating that she does a lot of community service to this city. She was upset over a comment in the Barberton Herald Viewline a few months ago that stated that the City was padding her company's pockets. She stated that she has not made any money off of the City and that these invoices show that she has donated almost \$2,368.40 this month and it will be over \$4,000 by the end of the month. She stated that what this City needs is more volunteers. She stated that when she leaves this meeting she was going to the Cider Festival meeting and wanted to know if there was anything from Council that she could bring back to the Festival Committee? The Cider Festival Committee information is on the City website. The Festival is a large undertaking this year with it moving to the park, and the committee can use all the help they can get.

Ms. Charlotte Whipkey stated that last week we were presented with the question as to whether the proposed charter amendment was constitutional or not. Three of the local papers have run articles on this issue all saying that our solicitor says that it is unconstitutional and that it can be fought if it is passed. She feels that this is fear-mongering and bullying; trying to sway the vote of the people before it ever goes to ballot. It was the people's choice to put it on the ballot, it will be the people's choice as to whether it passes or fails. She then read from the Preamble of the Norton Charter, then from section 5.04 of the Norton Charter and then finished by reading from the Ohio Constitution, Article 1, Section 2.

**Topics for the next Work Session:**

Mr. Ryland requested that the Raftalis Report be reviewed. It was also stated that the Gas Aggregation Press Release regarding the offer of \$10.69/mcf is on the City website for the citizens to read.

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:35 PM.

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Scott Pelot, President of Council

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

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