



COMMITTEE WORK SESSION NOVEMBER 2, 2009

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

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

The Committee Work Session convened on Monday, November 2009 at 7:02 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Mike Zita, President of Council. Following a salute to the flag and the Pledge of Allegiance, there was a moment of silent prayer.

Public Comment-Agenda and Non Agenda Items:

Ms. Whipkey, a Norton resident, stated she wanted to register a complaint. She was not sure if all of the wards were blessed by the three Council members as in Ward 4 this past weekend. Ms. Whipkey stated she objected to the information and statements they were circulated. Ms. Whipkey stated she had two good people working for her going door to door in Ward 4. Ms. Whipkey stated that it is pretty well known that she was not exactly pleased with her council representation and others are not happy with it. Ms. Whipkey stated this is not an untruth or misrepresenting anything. Reporting on how people voted on Council is not a misrepresentation; it is a matter of record. Some of you really don't care what it sounds like; you'll just be more than happy to cause the vote to go one way or the other.

General Topics of Discussion:

Assessment Ordinance-Johnson Meadows Project

Mrs. Hlas stated we have two ordinances for the Johnson Meadows project tonight, and the assessment has to come first. Mrs. Hlas stated that Mr. Moss could not be here tonight and we all have known that this project never came forward. We need to call the note and then whatever balance is left after we call the note, will be assessed.

Mr. Jones asked how much is the assessment for? Mrs. Hlas replied \$510,000.00 was borrowed and they have used about \$220,000.00 to date. They will be given a letter with 90 days to come up with the money or we will follow up with the assessment. To get the exact amount, you would have to get with Mr. Moss so he can calculate the accrued interest. Mrs. Elaine Tompkins, a Norton resident, stated she has grumbled about this since its inception and wondered how many other projects would the city borrow for in the future? Mrs. Tompkins reminded everyone that all of these are for short-term notes. Mrs. Tompkins stated that for this project \$115,662.00 was advanced and \$154,360.00 was interest. Mrs. Tompkins questioned the great importance of assessing the special assessment? What if we asked them to pay the \$270,000.00 and take our \$394,000.00 that is in the bank and still in that fund; we could wipe that off and we would be \$510,000.00 less in debt. Norton needs to be in less debt to get a better credit rating. Ms. Tompkins stated that in December of 2008 Fitch ratings downgraded the city's bond rating from A to A- for various reasons. This means when we go to borrow money we will have to pay a higher rate. Mrs. Hlas stated that if Johnson Meadows ends up paying what is due within the 90 days then we will not need to roll the note, but we have to give them that option. Mrs. Hlas stated that several other communities were also downgraded by Fitch, its not just Norton. It is a sign of the times and the state of the economy. Mrs. Hlas moved to add this to the next agenda waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 6-0.

Note Ordinances

Mrs. Hlas stated we have the note ordinance for Johnson Meadows project, which is the sister ordinance to the assessing ordinance we just discussed. Mrs. Hlas moved to add this to Councils next agenda, waiving the second and third readings, seconded by Mr. Pelot. Mrs. Tompkins asked about the assessment legislation for the Johnson Meadows project where it states in Section 3, the date of July 15, 2009, and this is November. Mrs. Tompkins asked for clarification before you put it on the agenda. Mrs. Hlas stated that between now and next Monday this issue can be addressed with Mr. Moss when he returns. We will have all of our questions answered before next Monday. Mrs. Tompkins asked Mrs. Hlas if she had read this and she replied yes. Mrs. Tompkins suggested that if there are any members on Council that attend this church, it would be appropriate for them to recuse themselves from voting on Monday.

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

Motion passed 6-0.

Mrs. Hlas moved to add the note ordinance for the ballfields for \$67,000.00 to Councils next agenda, waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 6-0.

Mrs. Hlas moved to add the note ordinance for Gardner Blvd. Phase II for \$270,000.00 to Councils next agenda, waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 6-0.

Mrs. Hlas moved to add the note ordinance for the Berry, McGowan and Wadsworth Road project for \$335,000.00 to Councils next agenda, waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 6-0.

Mrs. Hlas moved to add the note ordinance for the Hazelwood & Connect Road project for \$136,000.00 Councils next agenda, waiving the second and third readings, seconded by Mr. Pelot.

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

Motion passed 6-0.

Resolution for Advancement of Funds

Mrs. Hlas stated the taxes are due twice a year and this is for the revenue. Mrs. Hlas moved to add this to Councils next agenda, seconded by Mr. Pelot.

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

Motion passed 6-0.

Annual Food Ordinance

Mrs. Hlas stated this is for the annual food ordinance, and Mr. Zita noted the only change is the amount went from \$150.00 to \$200.00 total.

Mr. Jones noted that it's \$2.10 per person at a meeting or an event. Mrs. Hlas moved to add this to Councils next agenda, seconded by Mr. Pelot.

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

Motion passed 6-0.

Acceptance of Real Property

Mr. Zita stated this was for a parcel of land on Alberta that needs to be accepted by an official resolution. Mr. Ryland indicated the owner lives out of state and wants to turn this property over to the city, we will have to pay up the back property taxes for the last six months. The property may be perfect for a pump station once sanitary sewers go into that area. Mr. Pelot asked if this was something the CIC should look into, and Mr. Ryland replied he did not think so, but if it turns out the plans for a pump station are not feasible, then yes the CIC could address it. Mr. Zita stated there is a small home on this property and Mr. Ryland concurred, it's a small 3 bedroom home and we plan on taking it down ourselves. Mr. Braman corrected Mr. Zita on the location, its on Albert not Alberta. Mr. Jones asked for the address and Mr. Ryland replied he did not have that with him. However if you come in off of East Frontage, it's the last house on the left side of the roadway. Mr. Jones stated he just wanted to be sure on the address, we don't want to tear down the wrong house. Mr. Zita moved to add this to Councils next agenda, waiving second and third readings with emergency language, seconded by Mr. Braman.

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

Motion passed 6-0.

Purchase of Lindeman Property

Mr. Zita stated that this is part of the site for the new fire station and turned this over to Mr. Ryland for the details. Mr. Ryland stated the purpose of knocking on Lindeman's door is we need to install a safety access road to get out of the new station and our police dept. We intend to build this as a one way exit only for police and fire to a signal light installed at Easton Road. The Lindeman property is directly across the road from the Easton Road intersection, and their driveway lines up perfectly with this. It is the site we propose to move the Norton Historical Society to. The out buildings would remain on site and used for storage of mowers, etc, it's just a perfect location. Mr. Pelot stated that the Historical Society is ok with this and Mr. Ryland concurred. Mrs. Hlas stated she received a phone call from Lisa Merrick and in her behalf, she is in favor if it. Mr. Pelot asked if this would be an exit only, and Mr. Ryland replied yes, the first 100-ft. would be a two-way so you could turn into the parking lot of the fire station. From that point on to the back of city hall it would be a one-way street, exit only, northbound on Easton Road. Mr. Jones asked if this would be confused with some of the people trying to enter city hall?

Mr. Ryland replied no, there would be a sign clearly marking that area "Do Not Enter" at the point where it becomes a one-way. Mr. Jones clarified this is basically an out drive and this light would not be a working light, only for a fire; and Mr. Ryland concurred. Mr. Jones asked about an appraisal on this property because the agreement shows both figures of \$175,000.00 and \$190,000.00, he did not see an appraisal in his packet. Mr. Ryland indicated one was done and he would see that Council would receive a copy of that appraisal. Mr. Ryland stated that \$175,000.00 was the appraisal value and that was presented to Mr. Lindeman. Mr. Lindeman countered with \$190,000.00 and this is subject to Council approval. Mr. Jones asked how many acres and Mr. Ryland replied about 1.5 acres, the house sits on 1.22 and there is another parcel to the back, which is vacant land. Mr. Jones stated that Mr. Lindeman has lived there a number of years and the house is paid off correct? Mr. Ryland replied yes. Mr. Braman stated he has been in the home and it is a very nice home. Mr. Jones asked if we have to borrow money for this purchase and Mr. Ryland replied yes. Mr. Jones asked if we need to borrow all of it, and Mr. Ryland replied he was not sure, that's a question for Mr. Moss. Mr. Ryland stated in his discussions with Mr. Moss the borrowing of money would be for the entire site, which would be for the Lindeman property and the Beldick property. Mr. Jones stated none of the fire levy money would be used for this purchase, and Mr. Ryland concurred. Mrs. Hlas stated she remembered Mr. Moss stating that if we sold the old fire station that would be used to pay off the debt purchase of the Beldick-Lindeman properties, and we would do one note for the two properties. Mr. Jones stated he did not understand it that way. Mr. Jones stated you are talking about over \$600,000.00 plus and he felt we would not get that much for the old fire station, although he thought it was worth that much. Mr. Jones asked how much property is at the current fire station and Mr. Ryland replied about two acres. Mr. Zita asked Mr. Jones since he felt it was worth that much was he interested in buying it, and Mr. Jones replied he might. Mr. Jones questioned if the Lindeman property was worth \$190,000.00 in today's economy, and Mr. Ryland stated if he were in the market for himself he would not hesitate on that price, this is subject to Councils approval. Mr. Jones asked about when Mr. Lindeman has to vacate the property and Mr. Ryland stated we have not set a specific date. Mr. Pelot stated the agreement states we have the right to access the property during the process. Mr. Ryland stated we plan to take possession in the spring of 2010. Mr. Lindeman has indicated that when he leaves he will be donating a good portion of what is in the home to the Historical Society. Mrs. Tompkins stated that two weeks ago it was reported that there was a lot on Easton Road was being included, is there any substance to this? Mr. Ryland stated that Mr. Lindeman has expressed interest in the vacant lot on Easton Road that the city owns, and this has not been appraised yet. Mrs. Tompkins clarified that the intent would be to sell that to Mr. Lindeman, and Mr. Ryland concurred. Mr. Zita moved to place this on Councils next agenda, seconded by Mr. Braman.

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

Motion passed 6-0.

PC Res. # 29-2009 Site Plan-New Fire Station

Mr. Braman stated the Planning Commission has approved a resolution for the site plan review for the new fire station. Mr. Braman indicated this is contingent on the BZA variance for a setback. Mr. Braman stated he did not feel Council needed to act on this other than maybe doing a resolution of support. Mr. Braman stated the building faces Greenwich Road with the garage bays and offices facing eastside, and about 20 additional parking spaces. Mr. Ryland explained there was a concern about the ditch that runs down the center and this needs addressed. Mr. Ryland indicated the setback is 60 feet, we are 3 feet too close to the roadway. Mr. Jones questioned if we need to change the zoning since this whole area is zoned residential? Mr. Ryland replied no, as a municipal building we are allowed to construct in an R1 district. Mr. Jones asked if the city were to grow larger and we need a bigger station is there any way we could add on to this building? Mr. Ryland replied yes, but the way this is designed it was looking out 60 years into the future and we have a fifth bay for expansion. Mr. Ryland indicated that Council would have a full set of plans for next Monday for review. Mr. Jones asked how close to the community center would the new station be and Mr. Ryland replied about 100-150 feet. Mr. Jones asked if the shuffle board courts would remain and Mr. Ryland replied no. Mr. Braman stated he believed it would be about 35 ft. off the roadway here, and Mr. Ryland concurred adding from east to west. The back would be egress for the trucks and the bays are drive through bays. That is 50 ft. from the back of the building, which is roughly the back of where the cottages are now. Mr. Ryland stated when we get done with this it will actually a foot higher than Easton. We will not allow water to run down to the station, there will be elevation changes. Mr. Ryland indicated the center of the road at Easton and Greenwich is at 10.70 and the floor at the new station will be at 10.71. Mr. Jones asked if the station would have water and sewer and Mr. Ryland replied yes. Mr. Pelot asked what is the next step in this process and Mr. Ryland stated the EPA approval, then site work, then we go out to bid. Mr. Ryland stated we intend to bid the site and road as one project. This way we will be dealing with only one contractor and they are all standing at our door waiting to bid. There was discussion as to the amenities of the new building, which include a full basement that would be the future site of our joint dispatch center. Mr. Ryland stated the new regulations for dispatch centers require them to be built like a bomb structure and would employ approximately eighteen employees. Mr. Braman stated that he would like to keep this on the Matters Referred for future discussions.

Unfinished Business:

Mr. Pelot questioned when would the paving start on Cleveland Massillon Road and Mr. Ryland stated it starts tomorrow morning. Mr. Pelot asked if we have pressure tested on the new waterline, and Mr. Ryland stated the bacteria testing is being done today. Mr. Ryland stated that we are repaving 600 ft. of Greenridge and all of the laterals will be installed under the roadways. Mr. Jones asked about the new 4 way stop at Medina Line and Greenwich Road. Mr. Ryland stated that is now up and running and you would have to be either blind or drunk to miss that sign, you just can't miss this.

New Business:

Mr. Braman noted that on November 10, 2009 it's the 234th birthday of the US Marine Corp. and there would be a celebration at the Loyal Oak Tavern for all local Marines. We have some Marines attending that were involved in the invasions of Okinawa and Iwo Jima. Mr. Braman stated this is the first event and hopes this to be an annual event. Mr. Braman stated the High School is holding a Veterans Day Breakfast on November 11, 2009 this is always a nice event and it starts at 8:00 AM with breakfast and a program at 9:30. Mr. Jones reminded everyone that Tuesday is Election Day, so vote early and vote often.

Topics for the next Work Session:

Fire station site plan review. Mrs. Hlas asked about the MAD remaining on the Matters Referred list and Mr. Mowery wanted this to remain for a while. Mr. Jones stated that it needs to be addressed next year.

Adjourn

There being no other business to come before the Committee Work Session, the meeting was adjourned at 7:57 PM.

Mike Zita, President of Council

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

All Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.