



## COMMITTEE WORK SESSION FEBRUARY 17, 2009

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

**Also Present:** Mayor David Koontz  
Rick Ryland  
Pete Kostoff  
John Moss  
Chief Hete  
Karla Richards  
Ann Campbell

The Committee Work Session convened on Tuesday, February 17, 2009 at 7:01 PM, in 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-Non Agenda Items:**

Mr. Robert Copen, a Norton resident, stated that last week Council jammed the waterline legislation through and he questioned where does the \$137,000.00 for Board of Education's expenses come into play with this? Are the taxpayers paying this, or the city of Norton paying for this? Mr. Copen discussed his concerns with CCA and how it took him nine (9) months and over \$300.00 to straighten out their mess with his 2007 taxes and now he is right back to the same old thing. Mr. Copen asked to whom should he send his bill from his accountant to? CCA or should he give it to Mr. Moss? Mr. Copen stated it is getting costly for him to keep correcting their errors. Mr. Copen discussed the Mayors idea of adjusting the income tax credit and he felt this is the best thing going, it's been around for a long time. We increased the taxes to the people of Norton where it only affected twenty (20) percent of the people who lived and worked in Norton. It's time the other eighty (80) percent picked up their share.

Ms. Charlotte Whipkey, a Norton resident, wanted to know when we would be going back on the air with Time Warner? Ms. Whipkey stated the cities of Green, Hudson and Macedonia are still on the air. Hudson also shows Planning Commission, Zoning,

workshops, ect. Ms. Whipkey stated the people are being deprived, they need to know exactly what is going on down here. Ms. Whipkey stated that we need to get the full story instead of the slanted things that they often get, even though the minutes are not complete, as they don't have to be. Ms. Whipkey stated that our Clerk does a pretty good job anymore of doing these minutes. We need to get back on TV so that the people know what is going on, and you may just get more input. Ms. Whipkey stated she would like to know why we are not on the air if all of these other places are on the air.

Mrs. Elaine Tompkins, a Norton resident, addressed her comments to Chief Hete. Mrs. Tompkins asked Chief Hete if he was still a part of the Police Dept. Union? Mrs. Tompkins discussed his pay decrease from 2006 to 2007, and in 2006 he made about \$82,000.00 and in 2007 he made about \$80,000.00. Mrs. Tompkins stated that in 2008 he made about \$80,000.00 and she suspected his pay would increase under the Lt. pay. Mrs. Tompkins asked again if he was still part of the Union, how would this would impact in negotiations with the city, do you recuse yourself, or did you resign yourself from the union? Mr. Ryland replied that Lt. Hete no longer exists, he is our new Chief and he is no longer a Union employee, he is part of our Administrative staff. Mrs. Tompkins thanked Mr. Ryland for the update and stated she felt Chief Hete would serve the community well. She has heard many good things about him from his peer group.

Mayor Koontz introduced Council and the public to our new Chief of Police-Thad Hete. Mayor Koontz stated a press release has gone out announcing his swearing in ceremony this Thursday at 4:00 PM here in Council chambers. Mayor Koontz stated everyone is invited to the swearing in ceremony. Mayor Koontz congratulated Chief Hete on his excellent scores on the assessment test and the interview and wished him the best.

Chief Hete thanked Mayor Koontz and Mr. Ryland for their vote of confidence and continued support of the Norton Police Dept. Chief Hete also thanked Council for their support over the past nine (9) months. It's an honor and a privilege to be named as the fourth (4<sup>th</sup>) Police Chief of this city, and he did not expect this to come as quickly as it did. Chief Hete stated he was surprised, as were most of the residents with the retirement of Chief Carris. Chief Hete stated he intends to embrace this opportunity and provide this community with a professional and accountable police organization. Chief Hete stated he has not lost his passion of this job over the last twenty-eight (28) years and he is very proud for the opportunity to serve, and thanked everyone for that opportunity.

**Committee Work Session-General Topics of Discussion:**

**Re-appointments to Boards & Commissions**

Mr. Zita announced the Mayors request to appreciate Mr. Frank Laury's service to the Parks and Cemetery Board, in addition to the other re-appointments and one new appointment of Ms. Dixon who is replacing Mr. Laury. Mr. Zita moved to add these items to Councils next agenda, waiving the second and third readings as emergency, seconded by Mr. McGlone.

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

Motion passed 6-0.

### Community Improvement Corp.-CIC

Mr. Braman turned this discussion over to Mayor Koontz for the details. Mayor Koontz explained the purpose of a CIC, which is a tool, used by many communities and was a recommendation by our Business Development Task Force. Mayor Koontz stated it would allow for the city to acquire and dispose of property in a fashion beneficial to promoting development throughout the community. Mr. Jones asked about the reference to staff and operating expenses and who would pay for this? Mayor Koontz replied it would be a budgeted item through the city. Mayor Koontz stated that part of the reason for doing this in conjunction with the land banking program is that the land banking could help to provide the funding for the CIC. CIC does need to be funded, and the level of funding needs to be discussed. Mr. Moss added that in the long run the intention is for the CIC to be self-supporting. However, how you raise the money to get them started is yet to be determined until a plan is in place. Mr. Jones asked if we have a ballpark figure, on the start up cost, and Mayor Koontz replied we are not really looking to hire anyone. We would be looking for our Economic Development Department for part of this task. We are looking at trying to get a Planning Engineer here on staff to relieve a strain on the budget. Mr. Moss stated this is not really a money transfer, it's mostly for copy costs, printing, etc. Mr. Jones questioned if the members would be Norton residents? Mayor Koontz stated that Ohio Revised Code does not have a requirement, but we may want to enforce or establish this within our own rules. Mr. Jones questioned the reference to the CIC making loans as he has concerns with this. Mr. Moss explained that this is a legal function and that the CIC has no capital to loan out. Mr. Jones questioned if the CIC could dispose of city property such as the old Fire Dept.? Mr. Moss replied yes, and we would want someone to buy that property that would be able to use it immediately, like a restaurant, adding that the CIC can control that and negotiate it to make it happen. Mr. Jones questioned if the CIC could sell a property and dictate to the buyer that they must come in with a business within a time frame like ninety (90) days? Mr. Moss replied yes. Mr. Ryland reminded Council not to lose sight that the acquisition and the sale must both come to Council for approval or denial, regardless Council still dictates. Mrs. Tompkins stated that conceptually this is a great idea, however she had concerns about Chapter 1724 and the confidentiality issues. Mrs. Tompkins questioned how would Council know about certain issues? Mrs. Tompkins stated that her concerns of course are with the dollars and sense of the negotiations. Mr. Moss stated this was a good point, however, as with all negotiations certain things are confidential. Mrs. Tompkins stated that she was sure that Roetzel & Andress would be more than willing to add more work and come up with something to fit with Norton even better. Mr. Jones questioned the issues with non-productive land and asked if CIC could use it, and Mr. Moss replied yes if Council so chooses, and as a city we can't do that privately, its done very publicly. Mr. Jones stated that as Mayor Koontz implied there are other communities that have CIC's and asked to get more information on how they are funded. Mayor Koontz stated he would get the information to Council in the future. Mr. Jones stated he would also like to know how many foreclosures are currently in Norton. Mr. Moss stated this is a cumbersome process, you have to sort them out by zip code and is very labor intensive. Ms. Gayle Brenner,

asked if CIC has a buyer for certain property would Council be aware the type of business that would be coming to that location? Mr. Moss replied that we have zoning laws that dictate what can and cannot come into that location. Ms. Whipkey discussed the advantages because they can issue revenue bonds, and questioned if Roetzel and Andress would get this work. Mr. Moss replied he did not know, adding that they certainly have the ability to do that as do other law firms in the area. Mr. Moss indicated that the CIC would have to go through other entities like a port authority, because they would not have the resources to do it on their own. Ms. Whipkey stated she agreed the members of the CIC should be Norton residents, like one of the Councilmen suggested. Ms. Whipkey discussed the reference to a shareholder and questioned why a shareholder would be interested in it if this is supposed to be a non-profit? Mr. Moss explained a shareholder is a legal owner of a corporation, and they have no profit interest. Mrs. Tompkins questioned General Bonds and Mr. Moss stated the CIC would have no authority to issue a General Revenue Bond or General Obligation Bond. Mrs. Tompkins asked if they act as an agent and something goes wrong with a project would the city have any responsibility? Mr. Moss replied no. Mr. Jim Lino, a Norton resident, expressed his concerns with zoning and what could happen. Mr. Lino gave an example of a business that said they are putting in an ice cream parlor and then they end up putting in a massage parlor. Mr. Lino explained what happened to them was that a small machine shop was supposed to go in next to him, then it got rezoned and now it's a giant machine shop. These businesses can do what ever they want, it needs to be policed and have more control. Mr. Alex Stavarz, a Norton resident, stated he did not agree with Mr. Lino, we have zoning laws that spell this out very clearly. Mr. Stavarz disagreed with Mr. Moss's comments that a buyer can just sit on the property for a while, this makes no sense. A buyer would not spend a lot of money to just sit on it and pay the overhead, taxes, and insurance. Mr. Stavarz was skeptical if it's the city's job to go around and select what types of businesses can go where, in addition to a lot of things in this proposal. Mr. Braman moved to add this item to Councils next agenda for a first reading only, seconded by Mrs. Hlas.

Roll Call: Yeas: Braman, Hlas, McGlone, Mowery, Zita  
Nays: Jones

Motion passed 5-1.

#### Land Revitalization Program

Mr. Braman stated this is a tool for the CIC and turned this discussion over to Mayor Koontz for the details. Mayor Koontz stated this was correct and these are separate programs. This program is initiated by the Summit County Auditors, and allows the city to obtain some non-productive land. Mr. Moss stated the foreclosure market has created a situation where the city can purchase land at a very low cost and there are laws that provide for this mechanism. Mr. Moss stated that Council still has the discretion over this process. Mayor Koontz stated that the CIC might not be interested with this issue because it would be mostly targeted at residential homes where we want families to come in and regain home ownership. Mr. Ryland indicated that over the last few years we have spent

over \$40,000.00 on vacant unkempt properties throughout the city, and this allows for a quicker process. Mr. Braman added this would also help with the cost recovery for any demolition projects. Ms. Whipkey stated she does not have a lot of faith in the Summit County Auditors, they drop our home values and in order to offset their costs, and they increased the land values. Ms. Whipkey questioned Section 3 paragraph E-Cost of Foreclosure; Taxing District and asked if this refers to Norton? Mr. Moss replied it depends on the tax, for example a library tax is county wide. MAD tax is Norton and Barberton. EMS is just Norton. Ms. Whipkey asked if the people are going to end up paying for this? Mr. Moss replied it means it operates as a credit against the other revenues on those taxes. Ms. Whipkey stated the people left because they could not afford them so what are we going to do with them? Mr. Moss replied we would be able to acquire them at a very low cost and sell them at an attractive cost, and that's the difference. Ms. Whipkey discussed the possibility of the CIC placing a stipulation of rental Vs ownership and questioned if they could do this? Mr. Moss stated that's a consideration he had not thought of, the CIC if it were handling it, they could address that. If the city were handling it, they could only sell to the highest bidder. Mr. Ryland reminded everyone that land banking does not automatically get CIC control. Mr. Jones asked if the city acquires these properties would we be liable for taxes and maintaining the property? Mr. Moss answered we will have to maintain the property, but exempt from taxes. There was discussion about the demolished property on Easton Road, and Mr. Jones stated this is a nice lot for building a new home on and has a good value. Mr. Jones stated this would not just be for homes, it could be for any property within the city, and Mr. Ryland concurred. Mr. Jones stated one particular property that has been brought up recently is on Cleveland Massillon Road, across from Ritzman's Pharmacy and next to the school; the old Bishop Buick. Mr. Jones stated this is a piece of property that should be pretty valuable. Mr. Moss added he did not think you would see this property available to the land banking system because you have business interest and people with money behind it and they would not want to see it go to the city for a song. Mr. Jones commented that it may eventually end up there. Mr. Stavarz questioned who owns this parcel now? Mr. Moss replied we are not sure, the original owners died twenty (20) years ago, then their heirs died and the property was never transferred. Mr. Moss stated this might eventually end up as a tax sale some day. Mr. Ryland stated there was one living relative that we were able to contact and they signed off on the property. Mr. Moss indicated the city would like to purchase this parcel without having to pay off the back taxes. Once we get the title, Council would decide what they will or will not do with the property as it best fits the city's needs. Mr. Moss discussed the term of land banking and perhaps the word banking is not proper; it's not to say we are sitting or holding onto property. Mrs. Hlas stated that in the memorandum it states if the property is not resold within fifteen (15) years, it goes to public auction. Mr. Braman moved to add this to Council's next agenda for a first reading, seconded by Mrs. Hlas.

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

Motion passed 6-0.

### Various Agricultural District Renewals

Mr. Braman stated this is another renewal for an Agricultural District and the sixth (6<sup>th</sup>) one this year, the public hearing would be held at next week's Council meeting. Mr. Braman moved to add this to Councils next agenda for a first reading, seconded by Mr. Jones.

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

Motion passed 6-0.

### Income Tax Credit Reduction

Mrs. Hlas turned this discussion over to Mayor Koontz for the details. Mayor Koontz stated the intent of the tax credit reduction is to set this money aside for infrastructure improvements. This impacts the health and environmental issues throughout the city. We have raw sewage in the ditches in neighborhoods in addition to the failing septic systems. Mayor Koontz stated he hates to see the residents spending \$15,000.00 to \$25,000.00 on a new septic system, and this is only temporary, they don't last for ever. Mr. Ryland stated with the recent Barberton Health District septic inspections, we are having about a thirty (30) percent failure rate, and the e-coli figures are too high to count. Mr. Ryland stated the Barberton Health Department's solution was to permit additional off lot systems, which means effluent running into open ditches. This still means issues with smell and mosquitoes. Mayor Koontz stated that if we have a sewer system in place, perhaps Barberton Health District would be more flexible in not requiring expensive replacement if they know sewers are coming. Mayor Koontz discussed his survey information on other communities, and out of forty-five (45) cities, twenty-five (25) do not offer a full tax credit. Mayor Koontz stated that our needs are pressing and we would probably only generate enough revenue to install the main trunk lines. Mr. Moss commented on the hundreds of possible calculations that are out there and with every paycheck there could be changes. Mr. Moss indicated that we could generate \$583,000.00 if the credit was at 1.5% instead of 2% based on previous year's figures. Mr. Moss stated that if you take \$583,000.00 with 4% principal that would equal \$8,000,000.00 in addition to any low cost State financing, and at 3% we could be looking at \$8,600,000.00. With 2% principal that would be \$9,500,000.00 available for trunk lines throughout the city. Mayor Koontz stated that there would be more details at the next meeting and he would be asking Mr. Kostoff to prepare legislation for Council to consider. Mrs. Hlas stated she would not be present for the March 2, 2009 Committee meeting, but would still like to have that on the agenda. Mrs. Hlas suggested holding the town meeting on Monday, March 30, 2009. Mrs. Hlas stated we could have one reading before the town meeting and then we would have a feel from the community. Mrs. Hlas suggested holding the town meeting at the Community Center if it was available it not we could have it in Council chambers. Mr. Jones stated he proposed a Sunday afternoon in April for the town meeting where people could attend. Monday night a lot of people have to work and he wanted to hold it at the Community Center where they are more comfortable to attend. Mr. Jones stated that people are not comfortable coming to Council meetings, or even in the Council chambers. Mrs. Hlas stated she suggested the Community Center.

Mr. Jones suggested giving notice to the newspapers as well. Mrs. Hlas stated she is choosing the Community Center on March 30, 2009 unless Council members object. Mr. Jones stated he was the first one to bring up the idea of a town meeting and he suggests a Sunday in April. Mr. Zita stated he does not want a Sunday afternoon, a Monday night is sufficient for a town meeting. Mr. Mowery stated as long as we can get it out to the public and get them involved, whatever would be best for them. Mr. Richard Easterling, a Norton resident, commended Council for taking this direction with the tax credit. If all residents paid this we would be generating a couple of million dollars a year. Mr. Easterling suggested inviting State Senator Kevin Coughlin and State Rep. Brian Williams to this meeting and have them explain to the citizens why there is a State law that allows for the City of Akron to tax non-residents. Ms Whipkey stated this should not be held during the week, many people work second shift and don't get off work until 6:00 or 6:30 PM. Ms. Whipkey stated sorry if Sunday is a family day for some of you but you took the job. If you want to convince the citizens this is a good thing, you should make every effort to reach all of them. You are asking to take more of their money, put your stuff side and put it to the people. Ms. Gayle Brenner stated Monday would be better, Sunday is a family day. April is when the weather starts getting nice and people will be out picking up their yards, and a Monday night is better, they are used to coming to Council meetings. Ms. Alice Wagner, a Norton resident, stated that town meetings are normally held on a Saturday or Sunday. Look around now on a Monday and see how many residents you have.

#### Code Red Reverse 911 Warning System

Mr. Mowery turned this discussion over to Mr. Ryland for the details. Mr. Ryland indicated he gave this information to Council as an FYI. This is a system that augments the air raid sirens and notifies the residents of emergencies. Mr. Ryland stated it is not free, the cost is approximately \$10,000.00 to implement. Mr. Ryland stated the residents are required to sign up for this and they can use up to two phone numbers including a cell phone number. Weather warnings will come in at all times of the day and night, so keep in mind your phones may ring at 2:30 AM if an emergency situation arises. Mr. Ryland indicated there is no fee to the residents, the city pays the \$10,000.00 fee. Mr. Mowery stated that money wise, he felt this was overkill for the city. Mr. Ryland stated he was not looking for any action from Council, just wanted to let them know about the program. Mr. Braman asked about a similar program through Summit County. Mr. Ryland stated its called Reverse Alert and it costs .55 per call and is not used for weather related emergencies like Code Red. Mr. Mowery suggested leaving this on Matters Referred to discuss at another time.

#### Meth Labs Property Awareness

Mr. Mowery stated we have several proposals from other communities within Summit County, however we do not have a lot of occurrences in Norton in the last few years. Mr. Mowery stated we could ask Mr. Kostoff to prepare some type of a guideline for Council to take a look at. Mr. Mowery stated the problem is that we don't have any kind of framework at this time and Mr. Ryland concurred, adding that the real issue is the clean up of the properties. Mrs. Hlas questioned if the properties are posted as known meth properties and Mr. Ryland indicated yes. Mr. Ryland indicated that once a property is

posted it is considered a toxic clean up and the property owner is responsible for the clean up. Mr. Mowery asked for Mr. Kostoff to prepare something for Council to review, and Mr. Ryland suggested leaning toward examples like the City of Green or Barberton.

**Unfinished Business:**

Mr. Jones asked Mr. Moss about the status of his reimbursement for election expenses and Mr. Moss replied he was close, he received a response from the Board of Elections and the Secretary of State. Mrs. Hlas asked about the status of the Lobbyist legislation. Mayor Koontz stated that today he met with U.S. Rep. Betty Sutton and discussed our needs. Mayor Koontz stated that she has a passion for infrastructure and she knows where we are at and what our needs are. Mayor Koontz indicated he does not believe we need to pursue hiring a Lobbyist at this time.

**New Business:**

Mayor Koontz discussed his request for action from Council relating to an agreement and legislation for confinement of prisoners with the City of Barberton, (see attached) Mayor Koontz indicated that we do not have confinements in our city jail and have not done so for quite some time. Mr. Jones discussed a recent DUI arrest this past weekend in Norton of a woman asking where was she held? Mr. Ryland indicated that we are authorized as a 72-hour jail facility. Mr. Zita stated that this just continues what we have been doing all along, we are just putting it in a legal form and a contract. Mr. Jones asked if we go with this would we no longer hold prisoners downstairs? Mr. Ryland replied no, we still use the jail downstairs, just not long term. Mr. Jones stated that if we hold them then we would have to spend money on food and for someone to watch over them, and Mr. Ryland concurred. Mrs. Hlas moved to add this to Councils next agenda, seconded by Mr. Braman.

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

Motion passed 6-0.

**Set Date for Annual Work Shop:**

Mr. Ryland indicated his speakers he had in mind were not available until later this summer. Mr. Zita stated that obviously the tentative date of this Saturday, February 21, 2009 is not going to work. There was discussion on various other possible dates and it was decided that Saturday March 21, 2009 from 8:00 AM to 12:00 PM worked best for everyone. Speakers would be decided upon in the next few weeks. Mr. Jones indicated that he could not do a Saturday.

Mr. Ryland concurred with Council that they all received the listing of the Service Dept. vehicles and the various years. Mr. Jones stated that we might need to address that early next year if not sometime this year.

**Topics for the next Work Session:**

Income tax credit. Mr. Jones stated he would like to add CCA discussion to the next work session, it's been on the Matters Referred since last March. Mr. Jones stated he wanted to talk about either bringing it back in house or leaving it alone. Mr. Moss stated the difference is growing greater every day, and the option to save any money in doing so many no longer exist. Mrs. Hlas decided to remove this from the Matters Referred list. Mr. Jones asked for discussion at the next work session relating to the Barberton Health District Contract. Mrs. Hlas indicated that Mr. Nixon from the Summit County Health District will be present at the next Norton Health Advisory Board meeting for a presentation. Mrs. Hlas stated that Barberton is sending out their proposal to Norton this week. There was brief discussion and Mr. Ryland stated that it all comes down to dollars and the amount of services. Mr. Moss stated that it might be helpful to have presentations to Council. Mr. Jones stated he was under the impression the Barberton contract expired effective sometime in April. Mr. Ryland concurred, adding that on July 15, 2008 the city was served notice that the Barberton Health District had no intention to renew the contract at the end of the term. Mr. Ryland stated they do have the right to try and renegotiate a new contract. Mr. Zita suggested in the next two weeks we could discuss it and we would have both proposals to review.

Mr. Braman removed the Property Maintenance Ordinance and Property Assessment for the Elderly from the Matters Referred listing. Mr. Braman stated that we did pass the one and we were waiting on information from Mr. Arters & Ms. Ryan relating to the Property Maintenance Code. Mr. Braman indicated we ran into some conflicts with the Property Assessment for the Elderly in past discussions and would rather remove that item.

Mr. Moss indicated that he would like to discuss a Budget transfer to the Fire Fighters Assistance Fund relating to \$399.00 for the next work session.

Mr. Ryland indicated that there have been several traffic fatalities on I-76 in the last few years and he would like to have open discussion on alternative speed control in this area.

**Adjourn**

There being no other business to come before the Committee Work Session, the meeting was adjourned at 8:59 PM.

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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.**